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MEMORANDUM

To: Members of the Ridgecrest Police Department

From: Ronald N. Strand, Chief of Police

Subject: Department Policy and Procedure Manual

No modern organization can expect to succeed without a standard set of general orders, operating procedures, regulations or guidelines. Neither should the individual employee be expected to serve and survive without codified listing of the organizations’ expectations and performance guidelines. As the demand for police service expands our mission becomes more complex. It will therefore become increasingly more important to review and evaluate each of the policies which direct our operations. This manual ensures that both management and the individual employee are provided with the information and guidance required for the success of both the organization and the employee.

It is impossible to provide strict rules and regulations which will embrace all of the possible situations which you will be asked to perform during your service with the Ridgecrest Police Department. We also must be aware we are in a dynamic profession which will provide constant change. Sometimes the situations will change at a faster rate than will be possible for the Policy and Procedure Directives to be modified and distributed. There will always be areas which must be left to common sense and the discretion of the involved individual. When such deviation from the Department Policy and Procedures Directives is chose, the employee must be able to articulate that the chosen course of action was necessary and in the best interests of the Ridgecrest Police Department and the Community which it serves. Conversely, absolute conformity to these Directives will not guarantee a defense when it is obvious a more prudent and wiser alternative was available.

The individual Directives which make up the Ridgecrest Police Department Policy and Procedure Manual are designed to guide the employees of the department in carrying out the duties and responsibilities imposed by law or necessity upon each of us in pursuing the department’s objectives. Each employee of the Ridgecrest Police Department is provided with a copy of the Department Policy and Procedure Manual and is responsible for becoming familiar with the content of this manual. Any violation of these directives may become the subject of a disciplinary action against the involved employee. For this reason, if there is doubt as to the meaning or intent of any specific Policy and Procedure Directive, the employee should immediately seek and interpretation from his or her immediate supervisor.

Ronald N. Strand
Chief of Police
MISSION STATEMENT

We hold with great regard the trust that this community bestows upon us and assume responsibility for promoting that trust.

Our purpose is to form a lasting and mutually rewarding partnership with our community based on respect and sincerity.

Our mission is to provide loyal, fair and ethical police services that actively prevent crime, reduce fear, and enhance the safety of citizens through Community Policing.
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 persons 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 criminal, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement.
CHAPTER 1: ADMINISTRATION AND GENERAL PROVISIONS

1.0 RIDGECREST POLICE MANUAL

1.0.1 AUTHORITY OF THE RIDGECREST POLICE MANUAL AND ORDERS SYSTEM

The Administrative Policy of the City of Ridgecrest states, “The Chief of Police shall have command and control over the Police Department and shall enforce all laws and ordinances for the peace and safety of the City, and see that all orders and provisions of the Council for these purposes are properly executed. The Chief of Police shall have power to appoint such police officers as are authorized by ordinance, subject to the approval of the City Manager.

1.0.2 MANUAL ESTABLISHED

Pursuant to the Administrative Policy Manual of the City of Ridgecrest and the authority granted to Department Heads, the Ridgecrest Police Manual, and its system of orders and directives is hereby established. It is, and shall be, a composite of current policies, procedures, and rules pertaining to all units of the Department. The standing policies and procedures of the Ridgecrest Police Department shall be contained within the manuals and documents authorized under the Manual and Orders system.

1.1 MANUAL AND ORDERS SYSTEM

1.1.1 DEFINED

The Manual and Orders System is a resource system comprised of the Manual of the Ridgecrest Police Department, Department Directives, Divisional Directives, Staff Directives and other Bureau directives as designated by the Chief of Police.

1.1.2 PURPOSE

The Manual and the provisions of the Manual and Orders System shall define the medium through which the current policies and rules of the Ridgecrest Police Department are generally disseminated to all employees. The procedures and instructional information needed by employees to comply with the policy or rule shall also be disseminated through this system and contained within the Manual.

The Ridgecrest Police Department Manual shall set forth the official policy for the Department and serve as a procedural reference for all employees in carrying out the goals and objectives of the Department. As such, it is the Administration’s responsibility to not only keep the Manual current by providing bi-annual amendments, but also provide each employee, through individual copies; board
postings; and/or briefings, with changes as they become effective.

It is the intent of the Administration, through this Manual, to direct and regulate employee behavior. However, the Administration recognizes that the application of the regulations in this Manual may not apply to every perceived incident that our employees may encounter. In the law enforcement environment, especially during critical situations, employee reactions may appear to conflict with one or more regulations. The Administration reserves the right and ability to review the actions of the employee and determine if the actions were consistent with the purpose of the Police Department in preservation of life, protection of property and the maintenance and perception of peace and safety within the community.

1.1.4 KNOWLEDGE AND ADHERENCE

All employees shall familiarize themselves and be responsible for the contents of documents of the Manual and Orders System that are directed to them. This shall include those issued in their absence from duty. All employees shall adhere to the policies and procedures set forth under the Manual and Orders System. Employees violating their oath and trust by committing an offense punishable under the laws and statutes of the United States, State of California, the Ordinances of the City of Ridgecrest’s Municipal Code, the Rules and Regulations of the City of Ridgecrest’s Personnel Rules or any provision of the Ridgecrest Police Manual are subject to appropriate disciplinary action.

1.1.6 COMPLIANCE WITH OTHER POINTS OF AUTHORITY

The contents of the Ridgecrest Police Department Manual shall comply and not conflict with labor agreements, City of Ridgecrest Administrative Policy, or other higher level of law, ordinance, or procedure within the City of Ridgecrest. The hierarchy of the points of authority from the highest level down is as follows:

- Current Memorandums of Understanding
- The Municipal Code of the City of Ridgecrest
- Personnel Rules and Regulations
- The Ridgecrest Police Department Manual

1.1.8 LEGALITY OF CONTENTS

If any section, sub-section, item, clause or phrase within documents contained in the Police Manual is found to be illegal or otherwise incorrect or inapplicable, such finding shall not affect the validity of the remaining portions of the documents contained within.
1.1.10 GRAMMATICAL CONSTRUCTION

- **Tense:** Words in the present tense include the future.

- **Plurality of Words:** The singular includes the plural and the plural includes the singular.

- **Gender of Words:** The masculine gender includes the feminine and the neuter.

1.2 MANUAL OF THE RIDGECREST POLICE DEPARTMENT

1.2.1 DEFINED

The Manual of the Ridgecrest Police Department is the central written document by which the daily operations of the Ridgecrest Police Department are governed. All other Department documents derive their authority from the Department Manual. Until revised or countermanded by the Chief of Police, the guidelines for behavior within the Manual shall be considered permanent. The Manual supersedes all previously issued manuals and orders which conflict with its contents. The Manual of the Ridgecrest Police Department shall also be referred to as the Ridgecrest Police Manual.

1.2.2 ORGANIZATION

The Ridgecrest Police Department Manual is comprised of the following:

- **CHIEF’S MESSAGE**

- **EXECUTIVE ORDER**

- **MISSION AND VALUES STATEMENT**

- **LAW ENFORCEMENT CODE OF ETHICS**

- **CHAPTER ONE: ADMINISTRATION AND GENERAL PROVISIONS**

- **CHAPTER TWO: ORGANIZATION AND FUNCTION**

- **CHAPTER THREE: EMPLOYEE RELATIONS**

- **CHAPTER FOUR: DEPARTMENTAL OPERATIONS**

- **CHAPTER FIVE: DEPARTMENTAL POLICIES AND PROCEDURES**
1.2.4 INDEX NUMBERING SYSTEM

The Ridgecrest Police Manual is indexed, identified, or located through the use of an index numbering system.

· The first place shall be a number designating the Chapter, i.e.; 1.2.3(A)

· The second place shall be a number designating the Section. It will be preceded by a period [.] separating it from the Chapter number, i.e.; 1.2.3(A)

· The third place shall be a number designating a Subsection. It will be preceded by a period [.] separating it from the section number, i.e.; 1.2.3(A)

· The fourth place shall be a letter, designating a Division of the Subsection. It will be enclosed by parentheses ( ), separating it from the Subsection number, i.e.; 1.2.3(A)

1.4 ORDERS AND DIRECTIVES

1.4.1 CLASSIFICATION OF DEPARTMENT ORDERS AND DIRECTIVES

In order to accomplish the efficient and timely dissemination of policy and procedure, classifications of specified orders and directives are established. The intent of the issuance of these orders is to provide a medium for the temporary dissemination of policy and procedure intended for inclusion in the Ridgecrest Police Manual or to provide an avenue for announcing temporary procedures or personnel actions on a fixed date or time period.

1.4.2 AUTHORITY TO ISSUE

The Chief of Police shall authorize and approve all policies and procedures which affect two or more Divisions of the Ridgecrest Police Department. The Chief of Police may issue Department Directives as necessary for the administration of the Police Department.

Division Commanders may issue Divisional Directives as necessary for the administration of their respective commands.
Only that information intended for inclusion in the Ridgecrest Police Manual shall be disseminated in the form of a Department or Divisional Directive.

1.4.4 DEPARTMENT DIRECTIVES

Department directives shall be used to adopt or revise a policy or procedure which affects two or more Divisions. Department directives are temporary, self-canceling orders which serve as a temporary medium through which these policies are promulgated. Department directives shall be issued only by the Chief of Police. Department directives will remain valid for six (6) months from date of issuance or until the contents are amended to the Police Manual. Department directives shall clearly show an expiration date in the upper left corner, i.e.; Expires 1-1-00. Each employee shall be provided with changes in policy and procedures through postings throughout the Department where they have a responsibility to check for related instructions or have unit briefings. When appropriate, personnel shall be directed by a supervisor or acknowledge receipt of the information by signing the attached document of receipt.

1.4.6 DIVISIONAL DIRECTIVES

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

Divisional directives shall be issued only by a Division Commander and will be posted in an appropriate location within that Division.

Divisional directives shall remain valid in accordance with the provisions of Section 1.4.4.

1.4.8 STAFF DIRECTIVES

Staff directives shall be used to disseminate the policies and procedures affecting a single unit only. Directives shall apply only to the personnel within that particular command. Staff directives shall not duplicate or conflict with any higher level of written policy.

Staff directives shall be issued only by a Unit Supervisor and will be posted in an appropriate location within that unit.

Staff directives shall remain valid in accordance with the provisions of Section 1.4.4.
1.4.10 PERSONNEL ORDERS

Personnel orders shall be issued at the direction of the Chief of Police regarding a personnel action such as; promotion, demotion, transfer, appointment, reassignment, disciplinary action, or termination.

1.4.12 MEMORANDA

Informational writings which include both paper format and electronic mail messages are necessary or desirable for the efficient operations of the department.

Memoranda do not alter the policy of the Department.

Memoranda may be initiated by any member of the Department and shall be directed through the Chain of Command.

Memoranda shall bear the signature of the originating member of the Department.

1.6 MANUAL MAINTENANCE

1.6.1 RESPONSIBILITY

The Support Services Division shall manage the maintenance of the Ridgecrest Police Manual. Department and Divisional directives shall conform to the Police Manual format. The translation of Department/Divisional directives as well as the preparation of manual amendment packages, and the distribution of those packages to manual holders, shall be the responsibility of the Support Services Division.

1.6.2 DRAFT REVIEW FOR CONFORMITY

(A) CONFORMITY

During the preparation or revision of Department/Divisional directives, the draft shall be routed through the Administrative Services Bureau for review of conformity. That Bureau will review the draft and determine:

· The appropriate order format for the draft;
· The conformity of the draft to the Police Manual;
· The appropriate placement within the Police Manual.

(B) CONTENT

During the preparation or revision of Department/Divisional directives, the
draft shall be routed through various Department representatives for review of content. Those representatives should include:

- Management
- Supervision
- Personnel impacted by the directive
- Bargaining units

1.6.4 DISSEMINATION OF ORDERS AND DIRECTIVES

Once a directive has been approved for placement in the Ridgecrest Police Manual, the Administrative Services Bureau shall distribute copies of the directive to all command staff, management staff, and supervisory members of the department. The Bureau shall publish the directive and thereby alert the organization to the new information.

Supervisors shall ensure that their subordinates are familiar with the contents of the directive. All employees will become familiar with the contents of the directive during the interim period between issuance and amendment into the Police Manual.

A copy of the directive(s) shall also be distributed and posted on the appropriate bulletin board within the Department for general employee access and reference. The placement of the directive(s) on a specific bulletin board will not relieve supervisors from their responsibility to inform their subordinates.

1.6.6 MANUAL AMENDMENTS

The Support Services Division shall issue Manual Amendments at least annually. The Manual amendments shall be formatted in the manner established by policy.

(A) REQUESTS FOR AMENDMENTS

Requests for revisions or additions to the Department Manual shall be forwarded to the Support Services Division Commander for review. The Division Commander will be responsible for researching the request and forwarding a recommendation to the Chief of Police. Upon approval of the Chief of Police, the request will be published in the Manual.

(B) RESPONSIBILITY FOR DISTRIBUTION

Each Division, Bureau, and Unit Commander will be responsible for maintaining the distribution of manual amendments within their respective
1.6.8 PERSONNEL MAINTENANCE RESPONSIBILITY

Those employees, who have been personally issued a copy of the Police Manual, or who are responsible for a copy issued by assignment or detail, shall maintain that copy as amendments are released.

1.8 MANUAL RESPONSIBILITY AND DISTRIBUTION

1.8.1 RESPONSIBILITY

The Office of the Chief of Police shall be responsible for the issuance of the Police Manual. Each copy shall be numbered and a record kept by the Bureau. The Office of the Chief of Police shall also maintain the original master copy of the manual as well as archival material documenting all changes/amendments.

1.8.2 DISTRIBUTION

A copy of the Ridgecrest Police Manual shall be issued to all personnel including part-time and Reserve Officers. The Ridgecrest Police Manual is the property of the City of Ridgecrest Police Department and shall be maintained in an updated and proper condition by the employee. Damage or loss of the Manual shall be reported as specified for any other equipment issued by the Department.
CHAPTER 2: ORGANIZATION AND FUNCTION

2.0 DEPARTMENT/ORGANIZATION

Refer to the Departmental Organizational Chart.

2.0.1 RESPONSIBILITIES

The Ridgecrest Police Department is organized into two major divisions; Field Services and Support Services. Each Division is responsible for providing quality and professional service to ensure the safety and security of Ridgecrest’s residents, visitors, and businesses.

The Department is dedicated to providing the highest possible level of service to the community. This service commitment is maintained through the Department’s response to calls for service and its proactive patrol of the City. Specifically, the Department strives to prevent criminal activity, documents and investigates criminal activity, apprehends criminal offenders, aids in the prosecution of criminals, and provides community services such as crime prevention seminars and counseling. The responsibility for the smooth and efficient flow of traffic is also assumed by the Department through traffic enforcement and accident investigations.

The Department’s service commitment to the community is ultimately assumed by each individual employee.

2.0.2 OFFICE OF THE CHIEF OF POLICE

The Office of the Chief of Police is comprised of the Chief of Police and the Administrative Secretary.

The Administrative Secretary maintains personnel records, prepares and process purchasing requests and is responsible for assisting the Chief of Police in the administration of the Department.

2.0.4 FIELD SERVICES DIVISION

The Field Services Division is commanded by a Division Commander and is responsible for implementing the Department’s service commitment to the community. The Field Services Division consists of the Patrol Bureau and related Units/Functions e.g., Traffic, Communications, Police Reserves, and Disaster Preparedness.
(A) PATROL BUREAU

The Patrol Bureau consists of uniformed patrol teams deployed on a scheduled work week. The Patrol Teams have the primary responsibility for:

· Safeguarding the community through the prevention of crime.
· Suppression of criminal activity.
· Identifying, arresting and assisting in the prosecution of criminal offenders

(B) RELATED UNITS/FUNCTIONS

· **Traffic:** The Traffic Unit provides both primary and follow-up investigations of traffic accidents, traffic enforcement, and traffic control services. The Traffic Unit also provides parking enforcement.

· **Field Training Officer Program:** The Field Training Officer Program is intended to facilitate a peace officer trainee’s transition from the academic setting to the duties of a Ridgecrest Police Officer. The Field Training Program introduces newly assigned officers to the personnel, procedures, policies, purposes and policing philosophies of the agency and the day-to-day duties of its personnel. In order to make the new officer’s field training as effective as possible they are assigned to a Field Training Officer (FTO), who is an experienced officer, specially selected and trained to conduct this type of training.

· **Reserves:** The Ridgecrest Police Department recognizes the high level of contributions a volunteer program can make towards accomplishing the goal of our department. Police Reserves serve a very important part of a successful volunteer program. Consequently, the Department seeks and encourages properly trained citizens who wish to volunteer their talents towards service to the community through law enforcement.

· **Emergency Preparedness:** Charged with the responsibilities of maintaining the Emergency Preparedness Plan and the Emergency Operations Center for the City under the guidance of the city manager’s office.

· **Communications:** Police dispatchers are responsible for receiving and transmitting requests for service to mobile police units. Dispatchers also receive computer generated warrants and disseminate them to the appropriate officers in Patrol and Investigations.
- **Canine:** The mission of the Canine Team is to deter crime, decrease assaults on officers, increase apprehensions of suspects; increase detection/seizure of narcotics, reduce man hours necessary for searches, provide officer safety during such searches, and reduce crime through proactive patrol.

- **Proactive Enforcement Team (P.E.T.):**

- **Fleet Maintenance:** The Fleet Maintenance Detail is responsible for the care and preventative maintenance of the department’s fleet.

- **Range:** The Range master is responsible for the maintenance of the department’s range and firearms training of department personnel.

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### 2.0.6 SUPPORT SERVICES DIVISION

The Support Services Division is commanded by a Division Commander and is responsible for a variety of functions in support of departmental operations and services. The Support Services Division consists of the Administrative Services Bureau and Investigations.

**A) INVESTIGATIONS BUREAU**

The Investigative Bureau is responsible for conducting investigations, providing investigative services, arresting criminal offenders, and recovering property. Investigations consist of Criminal Investigations, Crime Suppression, Property and Evidence and School Resource Officer.

- **Investigations:** Criminal Investigations is responsible for the follow-up investigations of all cases except those assigned to the Traffic Unit. The Bureau effects arrests of identified criminal offenders, recovers property and evidence related to their investigations, and assists in the prosecution of criminal offenders during the judicial phase of the criminal justice process. The Investigations Bureau gathers intelligence information regarding organized crime or subversive groups, and maintains a liaison with other criminal justice agencies in order to facilitate the exchange of information necessary to identify and apprehend criminal offenders.

**Related Units/Functions:**

1. **Juvenile Crimes:** Investigates all reports involving juveniles. Also prepares court filings for juvenile suspects; and, provides the public
with solutions to handle juvenile problems.

2. **Proactive Enforcement Team (P.E.T.):** Is responsible for the investigation of gang related crimes. The Gang Intelligence Detail is responsible for the coordination, analysis, and dissemination of gang intelligence that is collected by the police department. It is also responsible for directed enforcement efforts against gang members throughout the city. In addition, the Gang Intelligence Detail assists in prosecuting all gang cases with the District Attorney’s Office under the Street Terrorism Enforcement and Prevention Act.

3. **Crime Suppression:** Conducts criminal investigations regarding the possession, manufacturing or sales of narcotics. The detail also investigates and enforces laws regarding vice crimes and gang related activity. This unit also effects arrests as a result of their investigations, maintains a liaison with other criminal justice agencies, and provides expert testimony in court during criminal prosecutions.

4. **Property/Evidence:** A Community Service Officer is responsible for the Property/Evidence function and is also responsible for the maintenance, storage, and security of property and evidence seized by Department personnel during the course of their duties.

5. **Court Liaison:** Is responsible for maintaining and processing of criminal complaints into the judicial system. The court officer is the direct link between the police department and court functions.

6. **Crime Analysis Detail:** The Ridgecrest Police Department Crime Analysis Detail collects, collates, analyzes, and disseminates information on crime patterns, series, and trends. This information is distributed to all members of the department as well as other agencies. The detail also analyzes feedback from various sources. Its efforts are directed toward increasing arrests and prosecutions of career criminals throughout the area by compiling and analyzing information, then making it available to the appropriate divisions, units, details, and personnel.

(B) **ADMINISTRATIVE SERVICES BUREAU**

The Administration Services Bureau is responsible for the administrative activities of the Police function such as maintaining the department’s records, Uniform Crime Reporting (UCR), records, training, and crime prevention and the Police and Community Together (P.A.C.T.) program. The Administrative Services Bureau consists of the Police Records, Personnel and Training, P.A.C.T. and C.H.A.M.P.S.
Related Units/Functions:

- **Records**: The responsibility of compiling, maintaining, and disseminating information regarding crimes, arrests, and incidents involving police service lies with the Records Unit. Additionally, the Records Unit receives, maintains, updates, and disseminates hard copy warrant information on Ridgecrest Police Department cases and controls the Department’s records retention program.

- **Information Systems**: Maintains the department computer network and software applications, and is responsible for networking with various law enforcement databases.

- **Training and Program Development**: The Training Unit is responsible for the training of all department personnel.

## 2.1 DUTIES AND FUNCTIONS

### 2.1.1 CHIEF OF POLICE

Under the general direction of the City Council and City Manager, the Chief of Police plans, organizes, and directs the law enforcement services for the City of Ridgecrest.

The Chief of Police is responsible for implementing measures to provide law and order, protect life and property, regulate traffic, and apprehend criminal offenders. The Chief of Police is also charged with operating a jail/holding facility, maintaining a records facility, selecting personnel, enforcing discipline, and developing policies related to the Police Department’s operation. All changes to operational policies must be sanctioned by the Chief of Police before implementation.

The Chief of Police is also charged with the responsibility of representing the department to the public and striving to maintain a close liaison with the community and a positive image for the department.

### 2.1.2 DIVISION COMMANDER

A Division Commander commands a Division of the Ridgecrest Police Department. The Division commander is responsible for accomplishing major law enforcement objectives and, under the direction of the Chief of Police, exercises line command over the operations of an assigned division.

A Division Commander is charged with directing the work of personnel assigned to the Division and has the responsibility for developing plans and procedures, instituting administrative controls and maintaining a liaison with both public and private
organizations in matters of mutual interest. The Division Commander must also ensure that the activities of the Division are conducted in accordance with Departmental policy.

2.1.4 **BUREAU/UNIT COMMANDER**

A Bureau Commander is responsible for managing the activities and operations of a Patrol Team, Bureau, or Unit of the Department.

Commanders manage and the work within a particular Bureau or Unit or specialized function. Commanders coordinate the work of their particular Bureau unit with others within the Department. In addition to supervising the employees within their respective bureaus/units, Commanders provide training, maintain records, and ensure that activities of their bureaus/units are conducted in accordance with Department Policy.

2.1.6 **SUPERVISOR**

A supervisor directly supervises employees assigned to a particular bureau, unit, or detail. Supervisors may supervise both sworn and civilian personnel.

Supervisors direct, train, counsel and evaluate employees in the performance of their duties and are directly responsible for ensuring that employees act within the confines of Departmental rules and regulations.

2.1.8 **EMPLOYEE**

Employees are charged with carrying out the day-to-day functions of the Ridgecrest Police Department.

Employees of the Department consist of both sworn and civilian personnel and may be assigned to law enforcement or support functions deemed essential to the effective operation of the Police Department. Each employee is responsible for fulfilling the Department’s service commitment to the public through the completion of their assigned tasks.

2.2 **MANAGEMENT AND SUPERVISION**

2.2.1 **EFFECTIVE SUPERVISION**

A supervisory officer may be assigned to field or station duties. During a tour of duty, a supervisor must closely observe the activities of subordinates, making corrections when necessary, and commending when appropriate. Effective supervision demands leadership. Provisions of leadership shall include on-the-job training, as needed, for the efficient operation and coordination of effort. Leadership
will instill the policies and philosophies of the Department in the performance of all duties.

2.2.2 SUPERVISORY KNOWLEDGE OF DEPARTMENT ORDERS

Familiarization with current Department policies and procedures are necessary for the supervisor to properly direct subordinates toward Department objectives. This information shall be disseminated to subordinates to assist them in the completion of their appointed tasks.

2.2.4 MANNER OF GIVING ORDERS AND INSTRUCTIONS

Each supervisor should strive to attain the confidence and respect of all employees by the use of tact in giving orders and in correcting mistakes. However, this shall also be done firmly and effectively to ensure control during the most critical police situation. A supervisor shall make use of positive disciplinary techniques to promote a more positive supervisor-subordinate relationship. Such techniques include:

- **INSPIRATION:** Supervisors shall conduct themselves in a manner that exemplifies the ideals and objectives of the law enforcement profession.

- **EXPLANATION:** Department policies and objectives shall be presented to the employee in order to promote a full understanding of the policies as well as the rationale behind their development. At the same time, the supervisor shall work toward attaining willing compliance with all Departmental policies.

- **ENCOURAGEMENT:** Efforts of police personnel can frequently go unheralded and unnoticed; recognition of good work by supervisory personnel is indispensable in aiding the employee-supervisor relationship.

2.2.6 SUPERVISORY CONTROL

Each supervisor shall take reasonable steps to ensure that employees perform their duties in a complete and proper manner. The principal responsibility for employee compliance with Department rules and regulations is vested in the supervisor at the level of immediate supervision.

2.2.8 KNOWLEDGE OF OTHER SUPERVISORY POSITIONS
Supervisors shall reasonably familiarize themselves and have a general knowledge of the responsibilities of all divisions and bureaus of the Department.

2.2.10 ORGANIZATION OF ACTIVITIES

The ability of a supervisor to organize Departmental work and the work of subordinates is necessary to ensure the adoption and practice of the best principles and procedures to meet current, unusual, and dynamic conditions.

2.2.12 MANAGEMENT AND SUPERVISORY TERMINOLOGY

The following terminology shall be used in describing the levels of supervision within the Department

- **COMMANDER**: Commander describes an employee in charge of a division or bureau within the Department.

- **INCIDENT COMMANDER**: A supervisor who takes command of an emergency situation or is in charge of a detail at a planned special event.

- **WATCH COMMANDER**: A sworn officer in charge of and responsible for a specific field services/patrol watch.

- **SUPERVISOR**: An employee engaged in the general supervision of a specific unit or detail.

- **LINE SUPERVISION**: The supervisor who has the primary responsibility of issuing directions and orders to designated subordinates shall be considered as having the duty of the line supervisor. He shall be held accountable for achieving conformance with the directions and orders that he issues.

- **FUNCTIONAL SUPERVISION**: The temporary supervision of personnel not normally under the command of one designated to issue orders and directives.

- **OFFICER-IN-CHARGE**: An officer in charge of and responsible for a particular unit, detail, or incident.

2.2.14 CHIEF EXECUTIVE/CHIEF OF POLICE
The Chief of Police is the Department’s Chief Executive Officer. The Chief of Police has the ultimate responsibility for the discharge of all duties imposed on the Department by law and is the final authority in matters regarding Departmental policies, procedures, rules and regulations.

2.2.16 CAPTAIN

A Captain is an executive level manager and has supervisory powers to carry out the Department’s policies and objectives. Subordinate executives shall provide leadership, supervise, administer, and hold subordinates responsible for the completion of assigned duties.

2.2.18 COMMAND SUCCESSION

The Chief of Police has “command and control over the police force and that office shall be kept open at all hours of the day and night. The Chief of Police or a designated subordinate shall be in constant attendance.” When the Chief of Police is absent from the City, a member of the Department shall be designated to assume this responsibility.

If another designation has not been made in advance, command of the Ridgecrest Police Department shall be assumed in the following order:

- The Field Services Division Commander
- The Support Services Division Commander
- The Watch Commander

2.2.20 RESPONSIBILITY OF COMMAND: FIELD INCIDENTS

(A) OFFICER-IN-CHARGE

An officer initially assigned to handle an incident shall undertake the responsibility of command for that situation. The employee initially assigned to handle an incident shall be considered the Officer-in-Charge of the incident until properly relieved.

(B) RECOGNITION OF COMMAND

In the normal performance of duties at the scene of a field incident, all employees shall recognize and respect the position of the Officer-in-Charge. In an effective and efficient manner, employees shall carry out all lawful orders issued by the Officer-in-Charge.
2.2.22 PATROL STAFFING LEVELS

In order to meet the operational requirements of the department, proper supervision must be available for all shifts. Minimum staffing for the Department is one supervisor and two officers for each shift. In order to accommodate training and other unforeseen circumstances, sworn officers may be used as a Watch Commander in lieu of a “Sergeant.”

2.2.24 RELIEVING AN OFFICER OF COMMAND: FIELD INCIDENTS

An officer of senior rank may take command of a situation by informing the Officer-in-Charge of that intent. This action shall only be taken when it appears to the senior officer that the situation is beyond the control of the Officer-in-Charge, for disciplinary purposes, or when concurrent jurisdiction exists for a particular duty.

An officer of equal or junior rank may take command by informing the Officer-in-Charge of the intent to take command of the incident. This action shall only be taken when the required duties of the officer in command are not being discharged due to mental or physical disability.

When instructed by an officer of superior rank, an officer, regardless of rank, shall assume command of a situation and retain responsibility for that situation until properly relieved.

2.2.26 BREVET/ACTING RANKS

Brevet or acting ranks may be used to designate officers discharging the functions and duties of the various levels of supervision of the department. An officer, regardless of the level of supervision to which the officer was originally assigned, shall be described by the official city title and/or rank of the acting office. Official correspondence shall indicate the actual title/rank, followed by the brevet rating (e.g. Sergeant John Doe, Acting Commander, and Criminal Investigations Bureau).

2.2.28 DEPARTMENT SENIORITY

For the purposes of this section, the seniority of employees shall be determined by their title and/or rank. If title or rank is equal, then seniority will be determined by time in grade.

2.2.30 DELEGATION OF DUTIES

A supervisor may delegate appropriate portions of responsibility, together with equivalent authority, to subordinates. However, the supervisor may not delegate or relinquish overall responsibility or any portion of accountability.
2.2.32 DIRECTION OF SUBORDINATES

The amount of control over subordinate personnel necessary to accomplish Department objectives must be determined by the supervisor. The supervisor shall analyze and evaluate the personality, maturity, and capabilities of each subordinate in order to determine the degree of responsibility delegated to the employee.

2.2.34 TRAINING OF SUBORDINATES

Supervisory personnel have a responsibility to furnish job related training to subordinate personnel in order to expand their effectiveness as members of this Department.

2.2.36 KNOWLEDGE OF DISASTER AND CIVIL DEFENSE PLANS

Employees shall be familiar with the role of the Department and the duties of personnel in the event of a major disaster or the activation of the emergency operations plan.

2.2.38 PERFORMANCE EVALUATION

PURPOSE

To assist supervisors in better evaluating their subordinates. The system includes a new Employee and Supervisor Evaluation Report form, rating factors, and performance competencies that provide supervisors with a consistent and fair way to evaluate specific employee performance.

The following are the rating factors and definitions:

1. Unsatisfactory: the lowest rating level. “ Unsatisfactory” is performance that shows one or more deficiencies which seriously interferes with the attainment of the expected objectives of the position.
2. Needs Improvement: the second lowest rating level. “Needs Improvement” is a level of performance that is less than that expected of a “Fully Competent” employee. The deficiencies and the need for further development must be thoroughly discussed with the employee.
3. Fully Competent: the mid-level rating. “Fully Competent” is the performance that is thoroughly satisfactory, meeting standards required of the position. The majority of employees fall in this category.
4. Exceeds Expectations: the first performance level above the “Fully Competent”. “Exceeds Expectations” is the level of performance that is noticeably above the “Fully Competent” employee. This individual performs in a manner well beyond the normal, expected performance of a “Fully Competent” employee, often exceeding standards in several critical areas.
5. **Outstanding**: the highest performance level. “Outstanding” is exceedingly rare and is generally reserved for the truly exceptional employee. This individual consistently performs in an outstanding manner and gets the best possible results, even under the most difficult of circumstances. Performance of such an individual is definitely superior and is easily recognized by all as truly outstanding.

The Employee Evaluation Report is divided into seven sections. The requirements of each section are described below:

- **Section A: Factor Check List**
  The evaluator must check each factor in the appropriate column in the Employee Evaluation Report. The first 20 **General Competencies** are to be completed on all employees with **Additional Officer Competencies** (21-29) to be completed for officers.

- **Section B: Job Strengths and Superior Performance**
  Comments on job strengths and superior performance and items checked in column #5 of the Employee Evaluation Report are to be documented in the Narrative Attachment of the Employee Evaluation Report under the appropriate heading.

  *Competencies rated as either “Fully Competent” or “Exceeds Standards” to not require written comments. However, the evaluating supervisor may make comments regarding these competencies in Section F.*

- **Section C: Work Performance Deficiencies**
  Comments on specific work performance deficiencies and items checked in column #1 and 2 of the Employee Evaluation Report are to be documented in the Narrative Attachment of the Employee Evaluation Report under the appropriate heading along with recommendations for improvement.

- **Section D: Career Development**
  The evaluating supervisor is responsible to ensure that the employee is current in their Continued Professional Training as required by POST. The evaluating supervisor should discuss with the employee their career development goals and take them into consideration when recommending training for the employee in the following evaluation period.

  If training is recommended by the evaluating supervisor, and approved by the reviewing authority, it is the responsibility of the evaluating supervisor to ensure the Training Manager is notified so arrangements can be made to send the employee to the recommended training.
- **Section E: Discipline**

  When appropriate written discipline should be attached to the completed employee evaluation and the appropriate box checked on the Employee Evaluation Report.

- **Section F: Comments**

  This section is to be used for general comments about the employee, including end of probation recommendations.

- **Section G: Commendations**

  All written commendations are to be attached to the completed employee evaluation and the appropriate box checked on the Employee Evaluation Report.

- **Section H: Verification of valid driver’s license**

  All employees who drive city vehicles must have a valid California driver’s license. The evaluating supervisor must verify employee’s current license status and check the appropriate box on the Employee Evaluation Report.

  The new Employee Evaluation System is intended to be a living a document. When necessary, it will be modified and updated to meet the current needs of the Department.
### RATING VALUES

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<td>UNSATISFACTORY</td>
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### SECTION A:

**FACTOR CHECK LIST**

IMMEDIATE SUPERVISOR MUST CHECK EACH FACTOR IN THE APPROPRIATE COLUMN

<table>
<thead>
<tr>
<th>Supervisor Competencies</th>
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<tbody>
<tr>
<td>1. Adaptability</td>
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<tr>
<td>2. Reacts Well Under Pressure</td>
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<tr>
<td>3. Citizen Interaction</td>
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<td>4. Establishes/Maintains Relationships</td>
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<td>5. Assists &amp; Supports Co-Workers</td>
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<td>7. Completes Tasks Correctly &amp; On-Time</td>
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<td>10. Self-Control</td>
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<td>11. Prioritizes &amp; Plans Work</td>
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<td>12. Competent in Job Skills &amp; Knowledge</td>
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<td>13. Exhibits Sound Judgment</td>
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<td>14. Speaks Clearly</td>
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<td>15. Personal Appearance</td>
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<td>16. Punctuality</td>
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<td>17. Attendance</td>
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<td>18. Uses Equipment Safely</td>
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<td>19. Exhibits Safe Driving Practices</td>
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<td>20. Spelling, Grammar &amp; Punctuation</td>
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<td>21. Written Composition</td>
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<tr>
<td>22. Solves Problems in a Timely Manner</td>
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<td>23. Maintains Objectivity</td>
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<td>24. Confronts Difficult Situations</td>
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<td>25. Delegates Work Assignments</td>
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<td>26. Inspires Respect &amp; Trust</td>
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<td>27. Motivates Employees to Perform Well</td>
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<td>28. Utilizes Resources</td>
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<td>29. Provides Direction/Monitors Progress</td>
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<td>30. Provides Performance Feedback</td>
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<tr>
<td>31. Prepare Employee Evaluations</td>
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<tr>
<td>32. Assesses Employee Training Needs</td>
</tr>
<tr>
<td>33. Acts in accordance w/Dept. values et al</td>
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### RATER:

This report is based on my observations and/or knowledge. It represents my best judgment of the employee’s performance.

Signature: ___________________________ Date: ___________________________

(PRINT NAME)

( ) I DO RECOMMEND FOR MERIT INCREASE

( ) I DO NOT

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### RIDGECREST POLICE DEPARTMENT SUPERVISOR EVALUATION REPORT

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### SECTION B: COMMENTS ON JOB STRENGTHS AND SUPERIOR PERFORMANCE AND ITEMS CHECKED IN COLUMN #5

### SECTION C: COMMENTS ON SPECIFIC WORK PERFORMANCE DEFICIENCIES AND ITEMS CHECKED IN COLUMNS # 1 AND 2

### SECTION D: CAREER DEVELOPMENT

### SECTION E: DISCIPLINE

( ) Attachment(s)

### SECTION F: COMMENTS

### SECTION G: COMMENDATIONS

( ) Attachment(s)

### SECTION H: VERIFICATION OF CURRENT DRIVER’S LICENSE

( ) I WISH TO DISCUSS THIS REPORT WITH THE REVIEWER

COMMENT: __________________________________________

___________________________________________________

SIGNATURE: ___________________________ DATE: ___________

(Revision 06/04)
## RATING VALUES

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## SECTION A:
**FACTOR CHECK LIST**

IMMEDIATE SUPERVISOR MUST CHECK EACH FACTOR IN THE APPROPRIATE COLUMN

### General Competencies

1. Adaptability
2. Reacts Well Under Pressure
3. Citizen Interaction
4. Establishes/Maintains Relationships
5. Assists & Supports Co-Workers
6. Quality of Work
7. Completes Tasks Correctly & On-Time
8. Acts in accordance w/Dept. values et al
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15.Speaks Clearly
16. Personal Appearance
17. Punctuality
18. Attendance
19. Uses Equipment Safely
20. Exhibits Safe Driving Practices
21. Spelling, Grammar & Punctuation
22. Written Composition

### Additional Officer Competencies

23. Officer Safety
24. Location & ID of Physical Evidence
25. Interviewing Techniques
26. Developing Leads
27. Follows Up on Information Gathered
28. Case Management Skills
29. Crime, Arrest or Follow up Reports
30. Involves Citizens in Problem Solving
31. Enforcement Activities

### SECTION B:
**COMMENTS ON JOB STRENGTHS**

**SUPERIOR PERFORMANCE AND ITEMS CHECKED IN COLUMN #5**

### SECTION C:
**COMMENTS ON SPECIFIC WORK PERFORMANCE DEFICIENCIES**

**AND ITEMS CHECKED IN COLUMNS # 1 AND 2**

### SECTION D:
**CAREER DEVELOPMENT**

### SECTION E:
**DISCIPLINE**

() Attachment(s)

### SECTION F:
**COMMENTS**

### SECTION G:
**COMMENDATIONS**

() Attachment(s)

### SECTION H:
**VERIFICATION OF CURRENT DRIVER'S LICENSE**

() Attachment(s)

RATER: This report is based on my observations and/or knowledge. It represents my best judgment of the employee’s performance.

Signature: ______________________ Date: __________

() I DO RECOMMEND FOR MERIT INCREASE

() I DO NOT ( ) N/A

(Revision 06/04)
Employee Evaluation Report
Narrative Attachment

Employee:

Section B: Comments on job strengths and superior performance and items checks in column #5 of the Employee Evaluation Report

Section C: Comments on specific work performance deficiencies, and items checked in columns #1 and 2 of the Employee Evaluation Report, along with recommendations for improvement.

Section D: Career Development

Section F: Comments

DEPARTMENT REVIEW: I have reviewed this report and have supplied additional comments I felt were necessary, if any (leave space in signature blocks for comments).

________________________________       ____________ _______
Signature                                                     Date

_______________________________        ___________ ________
Signature                                        Date
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NEW EVALUATION ANCHORS TO BE INSERTED
2.2.40  RESPONSIBILITY FOR SUBORDINATE CONDUCT

Supervisors shall, through the chain of command, report to the Office of the Chief of Police, violations of Department Rules, regulations, policy and/or procedure they become personally aware of or have been reported to him or her. This does not relieve supervisors of their responsibility to act upon conduct which is disruptive, interferes with service to the public, or creates a safety hazard for employees or members of the public.

2.2.42  USE OF DISCIPLINE

Supervisors shall use positive discipline, counseling, training, and/or professional assistance, where necessary, to correct employee conduct that does not conform to Department rules, regulations, policy and/or procedure.

Reprimands, suspensions, demotion, and/or transfer for purposes of punishment shall only be utilized when facts and circumstances warrant such action.

2.2.44  APPROVAL FOR OVERTIME

No overtime shall be worked by any member of the Department without the prior approval of a supervisor. If exigent circumstances, i.e., an end of watch arrest or urgent call for service, prevents the member from obtaining advanced approval for working overtime, then the member shall, as soon thereafter as possible, contact the on duty supervisor to obtain approval for continuing to work overtime. This contact may be made in person, by telephone, or over the radio.

2.2.46  SCHEDULED OVERTIME

Overtime may be scheduled in advance to accommodate vacations, long term illnesses, training, etc. Officers assigned to work overtime must regard this as a regular duty assignment which must be worked absent illness, injury, some personal emergency, or advanced approval of a supervisor. Any failure to work assigned overtime without proper excuse shall be regarded as a neglect of duty subject to appropriate disciplinary action.

2.2.48  VOLUNTARY / INVOLUNTARY OVERTIME

Where necessary to achieve the mission of the Department, members may be ordered to work overtime. The supervisor making this determination shall first endeavor to fill this need by obtaining an appropriate volunteer to work the detail. However, if an appropriate volunteer is not available, the supervisor may order an appropriate employee to work the overtime detail and the employee so designated shall work the overtime. In making this determination, the supervisor shall take into account factors such as scheduled days off and/or vacation; the total period of time that the
designated employee would be required to work, i.e., double-shifts; whether the designated employee has court or some other mandatory detail which must be worked the following day; etc.

Absent emergency operations members shall not work more than:

- 16 hours in one day (24 hour) period without his/her supervisor’s approval or
- 30 hours in any 2 day (48 hour) period without his/her supervisor’s approval or
- 84 hours in any 7 day (168 hour) period without his/her supervisor’s approval

Except in very limited circumstances members should have a minimum of 8 hours between shifts. Supervisors shall 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.

Unless some emergency circumstance warrants this action, no employee should be ordered to work in excess of 16 hours. If such an order is necessary, it shall be upon the express approval of the Chief of Police or a Division Commander.

2.2.50 MANAGEMENT DISCRETION

The opportunity to work overtime is not an entitlement or right of any member. Rather, overtime is to be utilized only when it is determined in the sound judgment of management that overtime should be utilized to achieve the mission of the Department. The Chief of Police expressly reserves the right to determine when overtime will be utilized and the amount of overtime which shall or shall not be worked. Members are cautioned not to make plans or financial commitments based upon an anticipated amount of overtime to be worked as this anticipation or expectation may not become a reality.
CHAPTER 3: EMPLOYEE RELATIONS

3.0 RULES OF CONDUCT: DISCIPLINARY POLICY

The Ridgecrest Police Department is committed to providing law enforcement services that are fair, effective, and impartially applied. In so doing, employees are held to the highest standards of official conduct and are expected to respect the rights of all citizens.

The intent of the Rules of Conduct is to acquaint all personnel with the policies of the Ridgecrest Police Department. The objective is to ensure that a sense of ethics and integrity is maintained by each and every employee. Employees’ voluntary adherence to the Rules of Conduct, motivated by moral obligation to perform their job to the best of their abilities, is eminently desirable and an ultimate objective of this Department.

The Rules of Conduct are set forth for all employees of the Ridgecrest Police Department and any violation thereof may result in disciplinary action. All personnel are required to become familiar with the contents of these rules. If an employee does not adhere to the Rules of Conduct, either through deliberate action or negligence, disciplinary action may be applied in a prompt and equitable manner.

3.0.1 GENERAL DUTIES: DEPARTMENT OBJECTIVES

Employees shall strive to attain the objectives of the Ridgecrest Police Department during the performance of their duties. The preservation of peace, prevention of crime, detection, and apprehension of violators, protection of life and property, and the enforcement of statutes under the Department’s jurisdiction are fundamental steps by which these objectives may be reached. Department personnel, while on duty, who are unable to perform their duties due to illness, exhaustion, or any other impairment will report this fact to a superior officer who will then determine the proper disposition.

3.0.2 APPLICATION

All of the provisions of the Rules of Conduct apply to peace officers of this Department; and where applicable, to all employees of the Department.

3.0.4 KNOWLEDGE OF RULES AND REGULATIONS

Employees shall familiarize themselves with all written rules, regulations, directives, and procedures of the Department, bureaus, and/or units to which they are assigned.
Employees who do not understand their duties or responsibilities or when dealing
with a situation for which there are no regulations or established procedures
should, circumstances permitting, consult with their immediate supervisors for
direction.

3.0.6 VIOLATION OF RULES AND REGULATIONS: DISCIPLINARY
ACTION

Employees are expected to conform to the guidelines of the Department and shall
not commit or omit any acts which constitute a violation of any rule, regulation,
directive, policy, or order of the Department, whether stated in the Rules of
Conduct or elsewhere, e.g., Personnel Rules & Municipal Code of the City of
Ridgecrest. Employees will be responsible for their own acts and continued
employment will depend on the employee’s conduct. Failure to conform to
Department guidelines will be cause for disciplinary and/or administrative action
including written reprimand, suspension, demotion, or termination.

The following Rules of Conduct, while not all inclusive, lists the Department’s
expectations of employee conduct.

3.0.8 DUTY TO REPORT

Any member of the Department who has knowledge or reason to believe, either
directly or indirectly that another employee is in violation or has violated any
local, state, federal law or Departmental rule, directive or policy, shall, as soon as
practical, report such information to his or her immediate supervisor or directly to
the Office of the Chief of Police.

3.0.10 CONFORMANCE TO LAWS

Employees shall obey all laws of the United States and of any state and local
jurisdiction in which they may be present, and shall obey all administrative
regulations enacted pursuant to local, state, or federal law.

Employees shall immediately notify the on-duty Watch Commander of any
personal involvement in an off-duty incident which required a police response
wherein potential criminal activity was involved and/or the employee identified
him/herself as a member of the Ridgecrest Police Department and/or exercised
any peace officer authority.

Employees who are aware they are a suspect in a criminal investigation shall
immediately notify the Chief of Police as soon as practical and follow-up in
writing.
3.0.12  LOYALTY

Officers must be faithful to their oath of office, the professional principles of the law enforcement Code of Ethics, and the objectives of the Department. In the performance of duty, officers must not allow personal motives to govern their decisions and conduct.

3.0.14  ABUSE OF POSITION

(A) USE OF OFFICIAL POSITION OR IDENTIFICATION

Employees are prohibited from identifying themselves as police officers or city employees using their official position, official identification cards, patches, city seal, or badges, etc., for personal or financial gain or for obtaining privileges not otherwise available to them except in the performance of duty.

(B) USE OF NAME, PHOTOGRAPH, OR TITLE

Employees shall not permit or authorize the use of their names, photographs, or official titles that identify them as members of the Ridgecrest Police Department in connection with testimonials or advertisements of any commodity or commercial enterprise.

(C) INTERFERENCE WITH INVESTIGATIONS

Employees shall not use their position or knowledge gained by employment with the Department to intervene or interfere with any case or investigation being handled by this Department or any other agency.

(D) APPROVAL NEEDED FOR ITEMS FOR SALE OR DISTRIBUTION

All pins, T-shirts, stationary, business cards, or any other such items representing the Ridgecrest Police Department are to be approved by the Chief of Police prior to production, use, or display. This includes any use of Department badge, pins, or City logo that could be construed as being endorsed by the management of the Department whether the items are offered for sale or general distribution to members of the Department or the public.

3.0.16  REPORTING FOR DUTY

Employees shall report for duty at the time and place required by assignment or orders, and shall be physically and mentally fit to perform their assigned duties.
Employees shall report for extra or special duty when ordered to do so by any ranking officer. Employees shall be properly equipped and cognizant of information required for the proper performance of their assigned duties. Judicial/administrative, Departmental meetings, and training sessions shall constitute an order to report for duty under this section.

Department personnel, while on duty, who are unable to perform their duties due to illness, exhaustion, or any other impairment will report this fact to a superior officer who will then determine the proper disposition.

3.0.18 SPECIAL EVENTS: REPORTING

Officers assigned to special contract events are deemed to be on duty and shall be subject to all of the rules and regulations of the Department and shall conduct themselves in a professional manner, keeping in mind the purpose of the assignment. Officers will:

- Report in the proper uniform of the day, with proper equipment,
- Report on time and to the person in charge and,
- Complete the numbers of hours assigned and not leave the premises for meals or other purposes without being properly relieved of duty.

3.0.20 PERSONAL APPEARANCE

On duty personnel shall wear uniform or other clothing in accordance with established policies. On duty personnel shall maintain a neat, well-groomed appearance and shall style their hair according to established regulations.

3.0.22 COMPETENCY

All members of the Department shall maintain sufficient competency to properly perform their assigned duties and responsibilities of their position. They shall thoroughly understand City Ordinances, state and federal laws, as well as applicable court decisions that they may enforce. Competency includes knowledge of:

- Streets, Locations, and City Officials: Personnel should familiarize themselves thoroughly with street and address systems of the City and become familiar with the names of City officials, official buildings, and high crime areas.
· **Briefing Information/Policies/Bulletins:** Personnel should be familiar with current briefing information, orders, directives, teletypes, and bulletins, especially after periods of absence from duty.

· **Reluctance to Perform Duties:** Any employee of the Department who displays a reluctance to properly perform officially assigned duties, whose actions bring discredit upon the Department, or who fails to assume responsibility or exercise diligence, intelligence, and interest in the pursuit of duties may be deemed incompetent.

### 3.0.24 DISCHARGE OF DUTIES

Officers shall take proper action in any situation requiring police attention within a reasonable time after arriving on the scene or becoming aware of a particular situation.

### 3.0.26 COWARDICE

Officers shall not display cowardice in the line of duty or in a situation where the public or fellow officer might be subject to physical danger.

### 3.0.28 REPORTS: PREPARATION AND SUBMITTAL

Department personnel shall submit all necessary reports on time and in accordance with established procedures. Reports submitted by employees shall be truthful and complete. No officer shall knowingly enter or cause to be entered any inaccurate, false, or improper information into an official written document.

### 3.0.30 IDENTIFICATION: DEPARTMENT BADGE AND IDENTIFICATION CARD

(A) **IN UNIFORM**

While on duty, and in uniform, Department personnel shall state their name and badge number to any person requesting said information; except when the withholding of such information is necessary for the performance of police duties or the employee has proper authorization to do otherwise.

(B) **PLAIN CLOTHES**

Sworn personnel, who are not in uniform, shall have in their immediate possession the Department Identification Card and Badge while carrying a
concealed weapon, either on or off duty. An exception may be made when the carrying of such identification may be impractical or dangerous to an officer’s safety while on duty and conducting an investigation. The department identification card shall be in the officer’s immediate possession when carrying a concealed firearm off duty.

(C) **FICTITIOUS UNDERCOVER IDENTIFICATION**

Personnel who are assigned to undercover investigations or assignments, within the scope of their employment, may be authorized to carry “fictitious undercover identifications”. These fictitious identifications are utilized as a tool to protect the personal identification of an investigator that is working in an undercover capacity.

(1) **Definitions:**

- **Fictitious Undercover Identification:** Identification with fictitious information used to conceal the true identity of the person using it. This identification may be in the form of a driver’s license, social security card, or any other form of identification. Fictitious undercover identification shall be considered department issued “safety equipment.”

- **Undercover Personnel:** Investigators assigned to the Crime Suppression Unit (CSU) of the Investigations Bureau, or others authorized by the Chief of Police or his/her designee.

(2) **Procedure:**

- Application for a Fictitious Undercover Identification must be approved by the Support Services Division Commander through the proper chain-of-command.

- The Support Services Division Commander will be the point of contact for all inquiries regarding the fictitious undercover identification.

- Fictitious undercover identification is the property of the Ridgecrest Police Department and may only be possessed by undercover personnel while assigned to an undercover operation.

- Fictitious undercover identification must remain in the possession of the department, except when issued to an
officer by the CSU supervisor for the purpose of a specific undercover operation. When not in the possession of the undercover officer, the fictitious undercover identification shall be stored in the CSU safe, which is maintained by the CSU supervisor.

(D) RESPONSIBILITY

Employees shall be personally responsible for their department identification and shall not loan a Department Identification Card or Badge to another person or allow their items of identification to be photographed or reproduced.

In the event that a Department Identification Card or Badge is lost or stolen, it shall be reported to the Chief of Police, through the chain of command, as soon as practical.

3.0.32 FIREARMS: CARRYING

Officers, on-duty, shall carry firearms in accordance with the law and established Department guidelines. Although the Department does not require an officer to carry a concealed weapon while off duty, officers may (optional) carry Department approved firearms in accordance with policy, except while suspended from duty or during the loss of police powers.

Firearms shall be concealed from public view when the officer is off duty and wearing civilian attire.

3.0.34 NEGLECT OF DUTY

While on duty, employees shall not engage in any activity or personal business which would cause them to neglect their assigned duties:

(A) SLEEPING ON DUTY

Employees shall remain awake, alert, and attentive while on duty. If unable to do so, they shall report to their supervisor, who will then determine an appropriate course of action.

(B) OFFICIAL ACTION

Employees shall take responsible, official action in response to crimes and possible criminal activity that comes to their attention.
(C) ASSIGNED DUTY

Employees shall not leave their assignment except as authorized by a proper authority.

(D) WORK PERFORMANCE

Employees shall perform the function and duties of an assigned position. 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 a reasonable and bona fide excuse shall not be tolerated.

3.0.35 SUPERVISION RESPONSIBILITY

Supervisors shall take appropriate action to ensure that employees adhere to the policies and procedures of this department. 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 shall result in disciplinary action.

3.0.36 PUBLIC CONDUCT

Employees shall conduct themselves in a professional manner at all times while on duty, especially in view of the public.

Uniformed employees should not unnecessarily congregate in a public place while on duty. No more than two (2) marked units, with the exception of a supervisor, shall take a break at the same location at any given time unless approved by a supervisor.

Employees shall not read newspapers, periodicals, or similar material while in public view except in the performance of their duties.

3.0.38 CONDUCT UNBECOMING AN EMPLOYEE

The public has placed its trust in the Ridgecrest Police Department to administer an honest, professional, and effective law enforcement agency. Social norms and current business practices dictate the acceptable conduct of employees in the performance of their official duties.

The Chief of Police embraces this public trust and recognizes that effective law enforcement would be severely hampered if such trust were lost. The police department, as a public service agency, subscribes to this practice and has
established guidelines of acceptable conduct for all personnel.

The following constitutes unacceptable conduct:

- **Unlawful Conduct**: Employees will strictly observe all provisions of the law in both their public and private affairs and will, at all times, conduct themselves in accordance with all legal mandates;

- **Abuse of Authority**: Employees will not abuse the authority granted them by virtue of their employment or take improper actions through “color of authority.” Employees shall not engage in the solicitation of a romantic/sexual relationship while on duty or through the use of one’s official capacity;

- **Rule Violations**: Employees shall not violate any City and/or Police Department Policies, Procedures, Orders, Directives or Rules and Regulations;

- **Treatment of the Public**: In the scope of their employment, employees will treat all members of the public with respect and courtesy and refrain from abusive and derogatory conduct (including unnecessary profane or inflammatory language), and not threaten, harass or inflict unlawful bodily injury on another;

- **Personal Relationships**: Employees will not allow personal relationships to interfere with Department business or the performance of their assigned duties. Employees shall not engage in on duty sexual relations including, but not limited to: sexual intercourse, excessive displays of public affection of other sexual contact;

- **Other conduct**: Any conduct which tends to bring the City or the Department into disrepute, including behavior that negatively impacts the Department’s relationship with the community, other criminal justice agencies and/or undermines the employee’s relationship, authority, and effectiveness with other members of the Department. This also includes employee posts and comments on social media sites.

3.0.40 DECORUM/RELATIONSHIP WITH OTHER MEMBERS OF THE DEPARTMENT

All members of the Department shall conduct themselves in a manner which will foster the greatest harmony and cooperation between one another.
The success of the department is based on the people in it. Treating your fellow employees with kindness and respect is not a luxury, it is a requirement. Therefore, employees shall not be discourteous, disrespectful, threaten, harass, use profane or insulting language, or attempt to inflict unlawful bodily injury to another. It is every employee’s responsibility in the department to work effectively together as a team. It is every employees responsibility to help their fellow employees succeed and to prevent them from failing.

Supervisors have the responsibility to take appropriate action when a personnel conflict comes to his/her attention. The supervisor must determine if a conflict actually exists and if so, attempt to eliminate the conflict or seek assistance.

3.0.42 RELATIONSHIP WITH THE PUBLIC

Employees shall be courteous with the public. They shall be tactful and diplomatic in the performance of their duties, control their tempers, and exercise the utmost patience and discretion.

Employees shall not use course, profane or insolent language, make obscene gestures nor use threatening or uncomplimentary terms of speech which would defame or demean the nationality or culture of any individual gestures in dealing with the public.

Employees shall not express any prejudice concerning race, religion, politics, sexual preference, national origin, or other personally sensitive characteristics.

3.0.44 ABSENCE FROM DUTY

Employees shall not be absent from duty without first obtaining permission from the proper authority. Employees who are unable to report for duty shall notify their supervisor prior to their scheduled duty hours. This notification shall be made with the Watch Commander if the employee’s supervisor is not available. (Refer to the current Memorandum of Understanding for specific details regarding proper notification.)

3.0.46 SICK LEAVE

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 respective personnel manual or applicable collective bargaining agreement.
This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA), the California Family Rights Act or for organ or bone marrow donor procedures (29 CFR 825; Government Code § 12945.2; Labor Code § 1510).

Sick leave is not considered vacation and abuse of sick leave may result in discipline.

**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 benefits. Employees on sick leave shall not engage in other employment or self-employment, or participate in any sport, hobby, recreational or other activity which may impede recovery from the injury or illness. Upon return to work, employees shall complete and submit a leave request describing the type of leave used and the specific amount of time taken.

**NOTIFICATION**

Employees shall notify the Watch Commander or appropriate supervisor 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 one hour before the start of their scheduled shift. If an employee is unable to contact their supervisor in the case of an emergency, every effort should be made to have a representative contact the supervisor. Absent an emergency or the inability to verbally communicate, due to a medical condition, employees shall make their own sick leave notifications. Calls of absence due to illness must be by personal contact to the appropriate supervisor and not by voicemail or message.

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. If, due to illness or injury, the named employee is unable to appear in court as directed by a previously served subpoena, he/she shall, at least one hour before the appointed date and time, inform the subpoena clerk or the Watch Commander of his/her absence from court.
EXTENDED ILLNESS

Employees absent from duty due to illness/injury in excess of two consecutive workweeks shall furnish a statement from their physician upon returning to work. Nothing in this section precludes a supervisor, with cause, from requiring a physician's statement if three or fewer sick days are taken.

Employees absent from duty in excess of one week based on an off-duty illness or injury shall be required to maintain contact with the Department's Administration through the following manner:

(a) Employees shall contact the Records Clerk handling payroll between 0800 and 0830 hours on the last Wednesday of each pay period to confirm their status for time-card completion purposes.

(b) Employees shall return phone messages within 24 hours by speaking with the department representative who left the message. Messages left the day before a weekend or holiday shall be responded to on the next normal work day.

(c) The Chief of Police or his designee has the ability to waive this policy based on the severity of employee’s illnesses/injuries and their ability to use a phone.

SUPERVISOR RESPONSIBILITY

Supervisors 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. Supervisors 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.

3.0.47 ON DUTY INJURY

PURPOSE AND SCOPE

The purpose of this policy is to provide for the reporting of on-duty injuries, occupational illnesses, or deaths to Risk Management, to ensure proper medical attention is received, and document the circumstances of the incident.
WORKERS’ COMPENSATION REPORT FORMS

The attached documents represent the workers’ compensation report for all work related injuries. They are identified as follows:

(a) Workers’ Compensation Claim Form (DWC 1)
(b) City of Ridgecrest Supervisor’s Report of Employee Injury Form
(c) State of California Employer’s Report of Occupational Injury or Illness (5020)
(d) City of Ridgecrest Report of Employee Occupational Exposure (if needed)
(e) Medical Status Report for On Duty Injury

INJURIES REQUIRING MEDICAL CARE

All work related injuries and work related illnesses requiring medical care must be reported to the Risk Management Office in writing on the report of injury form(s) provided to the employee or completed by the employee's supervisor. Copies of the completed form(s) will be forwarded to the employee's Division Captain, the Department's Administrative Secretary, and the City's Personnel Director. An Employee's Claim for Workers' Compensation Benefits form shall be provided to the injured employee within 24 hours from the time the injury/illness was discovered, excluding weekends and holidays.

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. 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.

A work-related injured employee that requires relief from full duty must submit a Medical Status Report for On Duty Injury form to their treating physician at each medical evaluation for completion and return the completed form to the Division Captain. These forms must be completed by the employee’s treating physician at least once every 60 days.

Disciplinary action may be taken for an employee's failure to comply with this procedure.

SUPERVISOR'S RESPONSIBILITY

A supervisor learning of any work-related injury, illness or accident shall promptly prepare the appropriate forms. Updated copies of forms with instructions for completion provided by Risk Management are kept in the Sergeant’s office.

For work-related accidents, injuries or illness not requiring professional medical care, a Supervisor's Report of Injury form shall be completed. The completed form shall be forwarded to the supervisor's Division Captain, through the chain of command.

When an accident, injury, or illness is reported initially on the Supervisor's Report of Injury form and the employee subsequently requires professional medical care, the State of California Employer's Report of Occupational Injury or Illness form shall then be completed. The injured employee shall also sign the form in the appropriate location.

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 Division Captain as soon as they are completed.

DIVISION COMMANDER RESPONSIBILITY

The Division Captain 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 report shall then be forwarded to the Chief of Police.
CHIEF OF POLICE RESPONSIBILITY

The Chief of Police shall review and forward copies of the report to the Department of Human Resources. Any copies of the report and any related documents retained by the Department shall be filed in the employee's confidential medical file and not in the employee's personnel file.

INJURY NOT REQUIRING MEDICAL ATTENTION

Those injuries and illnesses not requiring medical attention shall be recorded on a Supervisor's Report of Employee Injury form. This form shall be completed and signed by a supervisor.

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 City, and/or other insurers are entitled to recover civilly. To ensure that the City's interests are protected and that the employee has the benefit of the City's experience in these matters, the following procedure is to be followed:

i. Employee To Report Initial Contacts

When an employee sustains work-related injuries caused by another person and is then approached by such person or an agent, insurance company, or attorney and offered a settlement of claims, that employee shall take no action other than to make a written report of this contact to his/her supervisor as soon as possible.

ii. No Settlement Without Prior Approval

No less than ten (10) days prior to accepting and finalizing the settlement of any third party claim arising out of or related to an on duty injury, the employee shall provide the Chief of Police with written notice of the proposed terms of such settlement. In no case shall the employee accept a settlement without first providing such written notice to the Chief of Police. The purpose of such notice is to permit the City to determine whether or not the offered settlement will affect any claim the City may have regarding payment for damage(s) to equipment or reimbursement for wages against the person who caused the accident or injury and to protect the City's right of subrogation, while ensuring that the employee's rights to receive compensation for injuries are not affected.
REPORTING REQUIREMENTS FOR EMPLOYEES UNABLE TO WORK DUE TO WORK RELATED INJURIES

Employees injured on duty and requiring a relief from duty in excess of one week shall be required to maintain contact with the Department's Administration through the following manner:

(a) Employees shall contact the Records Clerk handling payroll between 0800 and 0830 hours on the last Wednesday of each pay period to confirm their status for time-card completion purposes.

(b) Employees shall return phone messages within 24 hours by speaking with the department representative who left the message. Messages left the day before a weekend or holiday shall be responded to on the next normal work day.

(c) The Chief of Police or his designee has the ability to waive this policy based on the severity of employee’s illnesses/injuries and their ability to use a phone.
WORKERS’ COMPENSATION INJURY REPORT KIT
These materials are to be used to report an on-the-job injury or illness.

INJURIES MUST BE REPORTED WITHIN 24 HOURS!

1. EMPLOYEE’S CLAIM FOR WORKERS’ COMPENSATION BENEFITS (DWC-1)
The Employer provides this form to the injured Employee within twenty-four (24) hours of knowledge of injury.
   A. Employee completely reads and fills-in #s 1-8
   B. Employee keeps the green copy and returns the other copies to the Employer.
   C. The Employer completes #s 9-18
      (Note #14 is York)
   D. The Employer sends the yellow copy to York and keeps the other copies on file.

2. REPORT OF OCCUPATIONAL INJURY OR ILLNESS (5020)
   In an effort to go paperless and streamline the reporting process, employers are encouraged to report an occupational injury or illness via our secure internet site. York electronically submits your 5020 to the State of California. Contact your Unit Manager for further information.

3. EMPLOYER PROVIDES INJURED EMPLOYEE WITH THE FOLLOWING ADDITIONAL ITEMS
   (in appropriate language format where provided)
   A. DWC-1 Claim Form

4. POSTING NOTICES ARE ALSO PROVIDED IN THIS PACKAGE. IMMEDIATELY DISPLAY THESE NOTICES IN A LOCATION THAT IS EASILY SEEN BY ALL EMPLOYEES!!

5. MEDICAL PROVIDER NETWORK PAMPHLET(S)
   (IF APPLICABLE)

REMEMBER!
A copy of item 1 MUST be sent to York

Any person who makes or causes to be made any knowingly false or fraudulent material statement or material representation for the purpose of obtaining or denying workers’ compensation benefits or payments is guilty of a felony.

JUEGO DE FORMULARIOS DE INFORME DE LESIÓN DE LA COMPENSACIÓN PARA LOS TRABAJADORES
Este material debe ser usado para reportar un accidente en el trabajo.

LESIONES DEBEN SER REPORTADAS EN 24 HOREAS A MAS TARDAR!

1. RECLAMO DEL EMPLEADO PARA BENEFICIOS DE COMPENSACION DEL TRABAJADOR (DWC-1)
   El patrón le da este formulario al empleado dentro de los 24 horas siguientes al enterarse de la lesión del empleado.
   A. El empleado lee y llena por completo los números 1 - 8.
   B. El empleado se queda con la copia verde y le regresa las otras copias al patrón.
   C. El patrón llena los números 9 - 18. (el número 14 es York)
   D. El patrón manda la copia amarilla a York y se queda con las otras copias.

2. REPORTE DE LESION O ENFERMEDAD OCUPACIONAL (5020)
   En un esfuerzo de usar menos papel y carenar el proceso que informa, los empleadores son alentados a informar una herida o la enfermedad profesionales vía nuestro sitio seguro de internet. York se somete electrónicamente su 5020 al Estado de California. Contácte a su Director/Directora de cuenta para la información adicional.

3. EL PATRON LE PROPORCIONA AL EMPLEADO LESIONADO LOS SIGUIENTES ARTICULOS ADICIONALES (en el lenguaje apropiado cuando es posible).
   A. Formulario (DWC-1)

4. CARTELES DE AVISO TAMBIEN SON PROPORCIONADOS EN ESTE PAQUETE. DESPLIEGUE A ESTOS AVISOS DE INMEDIATAMENTE, EN UN LUGAR QUE ESTA FACILMENTE A LA VISTA DE TODOS LOS EMPLEADOS!!

5. FOLLETO(S) DE RED DE PROVEEDORES MÉDICOS (SÍ APLICA)

RECUERDE!
Una copia del artículo 1 TIENE que ser MANDADA a York

Toda aquella persona que detalle haga o cause que se produzca cualquier falsas o fraudulentas alegaciones o representaciones con el fin de obtener o negar beneficios o pagos de compensación de trabajadores lesionados es culpable de un crimen mayor.
Workers’ Compensation Claim Form (DWC 1) & Notice of Potential Eligibility
Formulario de Reclamo de Compensación de Trabajadores (DWC 1) y Notificación de Posible Elegibilidad

If you are injured or become ill, either physically or mentally, because of your job, including injuries resulting from a workplace crime, you may be entitled to workers’ compensation benefits. Attached is the form for filing a workers’ compensation claim with your employer. You should read all of the information below. Keep this sheet and all other papers for your records. You may be eligible for some or all of the benefits listed depending on the nature of your claim. If required you will be notified by the claims administrator, who is responsible for handling your claim, about your eligibility for benefits.

To file a claim, complete the “Employee” section of the form, keep one copy and give the rest to your employer. Your employer will then complete the “Employer” section, give you a dated copy, keep one copy and send one to the claims administrator. Benefits can’t start until the claims administrator knows of the injury, so complete the form as soon as possible.

**Medical Care:** Your claims administrator will pay all reasonable and necessary medical care for your work injury or illness. Medical benefits may include treatment by a doctor, hospital services, physical therapy, lab tests, x-rays, and medicines. Your claims administrator will pay the costs directly so you should never see a bill. There is a limit on some medical services.

**The Primary Treating Physician (PTP):** The doctor with the overall responsibility for treatment of your injury or illness. Generally your employer selects the PTP you will see for the first 30 days, however, in specified conditions, you may be treated by your predesignated doctor or medical group. If a doctor says you still need treatment after 30 days, you may be able to switch to the doctor of your choice. Different rules apply if your employer is using a Health Care Organization (HCO) or a Medical Provider Network (MPN). A MPN is a selected network of health care providers to provide treatment to workers injured on the job. You should receive information from your employer if you are covered by an HCO or a MPN. Contact your employer for more information. If your employer has not put up a poster describing your rights to workers’ compensation, you may choose your own doctor immediately.

Within one working day after you file a claim form, your employer shall authorize the provision of all treatment, consistent with the applicable treating guidelines, for the alleged injury and shall continue to be liable for up to $10,000 in treatment until the claim is accepted or rejected.

**Disclosure of Medical Records:** After you make a claim for workers’ compensation benefits, your medical records will not have the same level of privacy that you usually expect. If you don’t agree to voluntarily release medical records, a workers’ compensation judge may decide what records will be released. If you request privacy, the judge may “seal” (keep private) certain medical records.

**Payment for Temporary Disability (Lost Wages):** If you can’t work while you are recovering from a job injury or illness, for most injuries you will receive temporary disability payments for a limited period of time. These payments may change or stop when your doctor says you are able to return to work. These benefits are tax-free. Temporary disability payments are two-thirds of your average weekly pay, within minimums and maximums set by state law. Payments are not made for the first three days you are off the job unless you are hospitalized overnight or cannot work for more than 14 days.

**Return to Work:** To help you to return to work as soon as possible, you should actively communicate with your treating doctor, claims administrator, and employer about the kinds of work you can do while recovering. They may coordinate efforts to return you to modified duty or other work that is medically appropriate. This modified or other duty may be

Si Ud. se lesiona o se enferma, ya sea físicamente o mentalmente, debido a su trabajo, incluyendo lesiones que resulten de un crimen en el lugar de trabajo, es posible que Ud. tenga derecho a beneficios de compensación de trabajadores. Se adjunta el formulario para presentar un reclamo de compensación de trabajadores con su empleador. 

**Atención Médica:** Su administrador de reclamos pagará toda la atención médica razonable y necesaria, para su lesión o enfermedad relacionada con el trabajo. Es posible que los beneficios médicos incluyan el tratamiento por parte de un médico, los servicios de hospital, la terapia física, los análisis de laboratorio y las medicinas. Su administrador de reclamos pagará directamente los costos, de manera que usted nunca verá un cobro. Hay un límite para ciertos servicios médicos.

**El Médico Primario que le Atiende:** El médico con la responsabilidad total para tratar su lesión o enfermedad. Generalmente, su empleador selecciona al PTP que Ud. verá durante los primeros 30 días. Si el doctor dice que Ud. aún necesita tratamiento después de 30 días, es posible que Ud. pueda cambiar al médico de su preferencia. Hay reglas diferentes que se aplican cuando su empleador usa una Organización de Cuidado Médico (HCO) o una Red de Proveedores Médicos (MPN). Una MPN es una red de proveedores de asistencia médica seleccionados para dar tratamiento a los trabajadores lesionados en el trabajo. Ud. debe recibir información de su empleador si su tratamiento es cubierto por una HCO o una MPN. Hable con su empleador para más información. Si su empleador no ha colocado un cartel describiendo sus derechos para la compensación de trabajadores, Ud. puede seleccionar a su propio médico inmediatamente.

**Divulgación de Expedientes Médicos:** Después de que Ud. presente un reclamo para beneficiarse de compensación de trabajadores, sus expedientes médicos no tendrán el mismo nivel de privacidad que usted normalmente espera. Si Ud. no está de acuerdo en divulgar voluntariamente los expedientes médicos, un juez de compensación de trabajadores posiblemente decida qué expedientes se revelarán. Si Ud. solicita privacidad, es posible que el juez “sele” (mantenga privados) ciertos expedientes médicos.

**Pago por Incapacidad Temporal (Sueldos Perdidos):** Si Ud. no puede trabajar, mientras se está recuperando de una lesión o enfermedad relacionada con el trabajo, Ud. recibirá pagos por incapacidad temporal para la mayoría de las lesiones por un periodo limitado. Es posible que estos pagos cambien o paren, cuando su médico diga que Ud. está en condiciones de regresar a trabajar. Estos beneficios son libres de impuestos. Los pagos
Workers’ Compensation Claim Form (DWC 1) & Notice of Potential Eligibility
Formulario de Reclamo de Compensación de Trabajadores (DWC 1) y Notificación de Posible Elegibilidad

be temporary or may be extended depending on the nature of your injury or illness.

**Payment for Permanent Disability:** If a doctor says your injury or illness results in a permanent disability, you may receive additional payments. The amount will depend on the type of injury, your age, occupation, and date of injury.

**Supplemental Job Displacement Benefit (SJDB):** If you were injured after 1/1/04 and you have a permanent disability that prevents you from returning to work within 60 days after your temporary disability ends, and your employer does not offer modified or alternative work, you may qualify for a nontransferable voucher payable to a school for retraining and/or skill enhancement. If you qualify, the claims administrator will pay the costs up to the maximum set by state law based on your percentage of permanent disability.

**Death Benefits:** If the injury or illness causes death, payments may be made to relatives or household members who were financially dependent on the deceased worker.

**It is illegal for your employer** to punish or fire you for having a job injury or illness, for filing a claim, or testifying in another person’s workers’ compensation case (Labor Code 132a). If proven, you may receive lost wages, job reinstatement, increased benefits, and costs and expenses up to limits set by the state.

You have the right to disagree with decisions affecting your claim. If you have a disagreement, contact your claims administrator first to see if you can resolve it. If you are not receiving benefits, you may be able to get State Disability Insurance (SDI) benefits. Call State Employment Development Department at (800) 480-3287.

You can obtain free information from an information and assistance officer of the State Division of Workers’ Compensation (DWC), or you can hear recorded information and a list of local offices by calling (800) 736-7401. You may also go to the DWC website at www.dwc.ca.gov.

**You can consult with an attorney.** Most attorneys offer one free consultation. If you decide to hire an attorney, his or her fee will be taken out of some of your benefits. For names of workers’ compensation attorneys, call the State Bar of California at (415) 538-2120 or go to their web site at www.californiaspecialist.org.

**Regreso al Trabajo:** Para ayudarle a regresar a trabajar lo antes posible, Ud. debe comunicarse de manera activa con el médico que le atienda, el administrador de reclamos y el empleador, con respecto a las clases de trabajo que Ud. puede hacer mientras se recupera. Es posible que ellos coordinen esfuerzos para regresarle a un trabajo modificado, o a otro trabajo, que sea apropiado desde el punto de vista médico. Este trabajo modificado u otro trabajo podría ser temporal o podría extenderse dependiendo de la índole de su lesión o enfermedad.

**Pago por Incapacidad Permanente:** Si el doctor dice que su lesión o enfermedad resulta en una incapacidad permanente, es posible que Ud. reciba pagos adicionales. La cantidad dependerá de la clase de lesión, su edad, su ocupación y la fecha de la lesión.

**Beneficio Suplementario por Desplazamiento de Trabajo:** Si Ud. Se lesionó después del 1/1/04 y tiene una incapacidad permanente que le impide regresar al trabajo dentro de 60 días después de que los pagos por incapacidad temporal terminen, y su empleador no ofrece un trabajo modificado o alternativo, es posible que usted reúna los requisitos para recibir un vale no-transferible pagadero a una escuela para recibir un nuevo entrenamiento y/o mejorar su habilidad. Si Ud. reúne los requisitos, el administrador de reclamos pagará los gastos hasta un máximo establecido por las leyes estatales basado en su porcentaje de incapacidad permanente.

**Beneficios por Muerte:** Si la lesión o enfermedad causa la muerte, es posible que los pagos se hagan a los parientes o a las personas que viven en el hogar y que dependan económicamente del trabajador difunto.

**Es ilegal que su empleador** le castigue o despida, por sufrir una lesión o enfermedad en el trabajo, por presentar un reclamo o por testificar en el caso de compensación de trabajadores de otra persona. (El Código Laboral sección 132a.) De ser probado, usted puede recibir pagos por pérdida de sueldos, reposición del trabajo, aumento de beneficios y gastos hasta los límites establecidos por el estado.

Ud. tiene derecho a no estar de acuerdo con las decisiones que afecten su reclamo. Si Ud. tiene un desacuerdo, primero comuníquese con su administrador de reclamos para ver si usted puede resolverlo. Si usted no está recibiendo beneficios, es posible que Ud. pueda obtener beneficios del Seguro Estatal de Incapacidad (SDI). Llame al Departamento Estatal del Desarrollo del Empleo (EDD) al (800) 480-3287.

Ud. puede obtener información gratis, de un oficial de información y asistencia, de la División Estatal de Compensación de Trabajadores (Division of Workers’ Compensation – DWC) o puede escuchar información grabada, así como una lista de oficinas locales llamando al (800) 736-7401. Ud. también puede consultar con la página Web de la DWC en www.dwc.ca.gov.

**Ud. puede consultar con un abogado.** La mayoría de los abogados ofrecen una consulta gratis. Si Ud. decide contratar a un abogado, los honorarios serán tomados de algunos de sus beneficios. Para obtener nombres de abogados de compensación de trabajadores, llame a la Asociación Estatal de Abogados de California (State Bar) al (415) 538-2120, o consulte con la página Web en www.californiaspecialist.org.
WORKERS' COMPENSATION CLAIM FORM (DWC 1)

Employee: Complete the "Employee" section and give the form to your employer. Keep a copy and mark it "Employee's Temporary Receipt" until you receive the signed and dated copy from your employer. You may call the Division of Workers' Compensation and hear recorded information at (800) 736-7401. An explanation of workers' compensation benefits is included as the cover sheet of this form.

You should also have received a pamphlet from your employer describing workers' compensation benefits and the procedures to obtain them.

Any person who makes or causes to be made any knowingly false or fraudulent material statement or material representation for the purpose of obtaining or denying workers' compensation benefits or payments is guilty of a felony.

Employer—complete this section and see note above

1. Name. Nombre. ____________________________
   Today's Date. Fecha de Hoy. ____________________
2. Home Address. Dirección Residencial. ________________
4. Date of Injury. Fecha de la lesión (accidente). ________________ Time of Injury. Hora en que ocurrió. ________________ a.m. ________________ p.m.
5. Address and description of where injury happened. Dirección/lugar donde ocurrió el accidente. ________________
6. Describe injury and part of body affected. Describa la lesión y parte del cuerpo afectada. ________________
7. Social Security Number. Número de Seguro Social del Empleado. ____________________
8. Signature of employee. Firma del empleado. ____________________

Employer—complete this section and see note below

9. Name of employer. Nombre del empleador. ____________________
10. Address. Dirección. ____________________
11. Date employer first knew of injury. Fecha en que el empleador supo por primera vez de la lesión o accidente. ____________________
12. Date claim form was provided to employee. Fecha en que se le entregó al empleado la petición. ____________________
13. Date employer received claim form. Fecha en que el empleador devolvió la petición al empleador. ____________________
14. Name and address of insurance carrier or adjusting agency. Nombre y dirección de la compañía de seguros o agencia administradora de seguros. ____________________
15. Insurance Policy Number. El número de la póliza de Seguro. ____________________
16. Signature of employer representative. Firma del representante del empleador. ____________________
17. Title. Título. ____________________ 18. Telephone. Teléfono. ____________________

Employer: You are required to date this form and provide copies to your insurer or claims administrator and to the employee, dependent or representative who filed the claim within one working day of receipt of the form from the employee.

SIGNING THIS FORM IS NOT AN ADMISSION OF LIABILITY

☐ Employer copy/Copia del Empleado ☐ Employee copy/Copia del Empleado ☐ Claims Administrator/Administrador de Reclamos ☐ Temporary Receipt/Recibo del Empleado

6/10 Rev.
Any person who makes or causes to be made any knowingly false or fraudulent statement or material representation for the purpose of obtaining or denying workers' compensation benefits or payments is guilty of a felony.

NOTICE: California law requires employers to report within five days of knowledge every occupational injury or illness which results in lost time beyond the date of the incident OR requires medical treatment beyond first aid. If an employee subsequently dies as a result of a previously reported injury or illness, the employer must file within five days of knowledge an amended report indicating death. In addition, every serious injury/illness or death must be reported immediately by telephone or telegraph to the nearest office of the California Division of Occupational Safety and Health.
Notice to Employees--Injuries Caused By Work

You may be entitled to workers' compensation benefits if you are injured or become ill because of your job. Workers' compensation covers most work-related physical or mental injuries and illnesses. An injury or illness can be caused by one event (such as hurting your back in a fall) or by repeated exposures (such as hurting your wrist from doing the same motion over and over).

Benefits. Workers' compensation benefits include:

- **Medical Care**: Doctor visits, hospital services, physical therapy, lab tests, x-rays, and medicines that are reasonably necessary to treat your injury. You should never see a bill. There is a limit on some medical services.
- **Temporary Disability (TD) Benefits**: Payments if you lose wages while recovering. For most injuries, TD benefits may not be paid for more than 104 weeks within five years from the date of injury.
- **Permanent Disability (PD) Benefits**: Payments if your injury causes a permanent disability.
- **Supplemental Job Displacement Benefit**: A nontransferable voucher payable to a state approved school if your injury arises on or after 1/1/04 and results in a permanent disability that prevents you from returning to work within 60 days after TD ends, and your employer does not offer you modified or alternative work.
- **Death Benefits**: Paid to dependents of a worker who dies from a work-related injury or illness.

Naming Your Own Physician Before Injury or Illness (Predesignation). You may be able to choose the doctor who will treat you for a job injury or illness. If eligible, you must tell your employer, in writing, the name and address of your personal physician or medical group before you are injured and your physician must agree to treat you for your work injury. For instructions, see the written information about workers' compensation that your employer is required to give to new employees.

If You Get Hurt:
1. **Get Medical Care.** If you need emergency care, call 911 for help immediately from the hospital, ambulance, fire department or police department. If you need first aid, contact your employer.

2. **Report Your Injury.** Report the injury immediately to your supervisor or to an employer representative. Don't delay. There are time limits. If you wait too long, you may lose your rights to benefits. Your employer is required to provide you with a claim form within one working day after learning about your injury. Within one working day after you file a claim form, your employer shall authorize the provision of all treatment, consistent with the applicable treating guidelines, for your alleged injury and shall be liable for up to ten thousand dollars ($10,000) in treatment until the claim is accepted or rejected.

3. **See Your Primary Treating Physician (PTP).** This is the doctor with overall responsibility for treating your injury or illness. If you predesignate by naming your personal physician or medical group before injury (see above), you may see him or her for treatment in certain circumstances. Otherwise, your employer has the right to select the physician who will treat you for the first 30 days. You may be able to switch to a doctor of your choice after 30 days. Different rules apply if your employer offers a Health Care Organization (HCO) or has a Medical Provider Network (MPN). You should receive information from your employer if you are covered by an HCO or a MPN. Contact your employer for more information.

4. **Medical Provider Networks.** Your employer may be using a MPN, which is a selected network of health care providers to provide treatment to workers injured on the job. If your employer is using a MPN, a MPN notice should be posted next to this poster to explain how to use the MPN. You can request a copy of this notice by calling the MPN number below. If you have predesignated a personal physician prior to your work injury, then you may receive treatment from your predesignated doctor. If you have not predesignated and your employer is using a MPN, you are free to choose an appropriate provider from the MPN list after the first medical visit directed by your employer. If you are treating with a non-MPN doctor for an existing injury, you may be required to change to a doctor within the MPN. For more information, see the MPN contact information below:

   - Current MPN's toll free number: ........................................................................ MPN website: ........................................................................
   - MPN Effective Date: ........................................................................ Current MPN's address: ........................................................................

**Discrimination.** It is illegal for your employer to punish or fire you for having a work injury or illness, for filing a claim, or testifying in another person's workers' compensation case. If proven, you may receive lost wages, job reinstatement, increased benefits, and costs and expenses up to limits set by the state.

**Questions?** Learn more about workers' compensation by reading the information that your employer is required to give you at time of hire. If you have questions, see your employer or the claims administrator (who handles workers' compensation claims for your employer):

   - **Claims Administrator:** York Insurance Services Group, Inc. Phone ____________________
   - Workers' compensation insurer ___________________________________________ (Enter "self-insured" if appropriate)

   - Policy Expiration Date: _______________________

   If the workers' compensation policy has expired, contact a Labor Commissioner at the Division of Labor Standards Enforcement (DLSE).

You can also get free information from a State Division of Workers' Compensation Information & Assistance Officer. The nearest Information & Assistance Office can be found at location: __________________ or by calling toll-free (800) 736-7401. Learn more information about DWC and DLSE online: www.dwc.ca.gov or www.dir.ca.gov/dlse.

**False claims and false denials.** Any person who makes or causes to be made any knowingly false or fraudulent material statement or material representation for the purpose of obtaining or denying workers' compensation benefits or payments is guilty of a felony and may be fined and imprisoned.

Your employer may not be liable for the payment of workers' compensation benefits for any injury that arises from your voluntary participation in any off-duty, recreational, social, or athletic activity that is not part of your work-related duties.

DWC 7 (6/10)
Aviso a los Empleados—Lesiones Causadas por el Trabajo

Es posible que usted tenga derecho a beneficios de compensación de trabajadores si usted se lesionó o se enfermó en el curso de su trabajo. La compensación de trabajadores cubre la mayoría de las lesiones y enfermedades físicas o mentales relacionadas con el trabajo. Una lesión o enfermedad puede ser causada por un evento (como por ejemplo el lastimarse la espalda en una caída) o por acciones repetidas (como por ejemplo lastimarse la muñeca por hacer el mismo movimiento una y otra vez).

Beneficios: Los beneficios de compensación de trabajadores incluyen:

- **Atención Médica:** Consultas médicas, servicios de hospital, terapia física, análisis de laboratorio, radiografías y medicinas que son razonablemente necesarias para tratar su lesión. Usted nunca deberá ver un cobro. Hay un límite para ciertos servicios médicos.
- **Beneficios por Incapacidad Temporal (TD):** Pagos si usted pierde sueldo mientras se recupera. Para la mayoría de las lesiones, beneficios de TD no se pagarán por más de 104 semanas dentro de cinco años después de la fecha de la lesión.
- **Beneficios por Incapacidad Permanente (PD):** Pagos si su lesión le causa una incapacidad permanente.
- **Beneficio Suplementario por Desplazamiento de Trabajo:** Un vale no-transferible pagadero a una escuela aprobada por el estado si su lesión surge en o después del 1/1/04, y le ocasiona una incapacidad permanente que le impida regresar al trabajo dentro de 60 días después de que los pagos por TD terminen y su empleador no le ofrezca a usted un trabajo modificado o alternativo.
- **Beneficios por Muerte:** Pagados a los dependientes de un(a) trabajador(a) que muere a causa de una lesión o enfermedad relacionada con el trabajo.

**Designación de su Propio Médico Antes de una Lesión o Enfermedad (Designación previa).** Es posible que usted pueda elegir al médico que le atendrá en una lesión o enfermedad relacionada con el trabajo. Si elegible, debe informarle al empleador, por escrito, el nombre y la dirección de su médico personal o grupo médico, antes de que usted se lesione y su médico debe estar de acuerdo de atenderle la lesión causada por el trabajo. Para instrucciones, vea la información escrita sobre la compensación de trabajadores que se le exige a su empleador darle a los empleados nuevos.

**Si Usted se Lastima:**

1. **Obtenga Atención Médica.** Si usted necesita atención de emergencia, llame al 911 para ayuda inmediata de un hospital, una ambulancia, el departamento de bomberos o departamento de policía. Si usted necesita primeros auxilios, comuníquese con su empleador.

2. **Informe su Lesión.** Reporte la lesión inmediatamente a su supervisor(a) o a un representante del empleador. No se demore. Hay límites de tiempo. Si usted espera demasiado, es posible que usted pierda su derecho a beneficios. Su empleador está obligado a proporcionarle un formulario de reclamo dentro de un día laboral después de saber de su lesión. Dentro de un día después de que usted presente un formulario de reclamo, el empleador autorizará todo tratamiento médico de acuerdo con las pautas de tratamiento aplicables a su presunta lesión y será responsable por diez mil dólares ($10,000) en tratamiento hasta que el reclamo sea aceptado o rechazado.

3. **Consulte al Médico que le está Atendiendo (PTP).** Esto es el médico con la responsabilidad total de tratar su lesión o enfermedad. Si usted designó previamente a su médico personal o grupo médico antes lesionarse (vea uno de los párrafos anteriores), en ciertas circunstancias, usted puede consultarle para el tratamiento. De otra forma, su empleador tiene el derecho de seleccionar al médico que le atendía durante los primeros 30 días. Es posible que usted pueda cambiar a un médico de su preferencia después de 30 días. Hay reglas diferentes que se aplican cuando su empleador ofrece una Organización de Cuidado Médico (HCO) o si tiene una Red de Proveedores Médicos (MPN). Usted debe recibir información de su empleador si está cubierto por una HCO o una MPN. Hable con su empleador para más información.

4. **Red de Proveedores Médicos (MPN):** Es posible que su empleador use una MPN, lo cual es una red de proveedores de asistencia médica seleccionados para dar tratamiento a los trabajadores lesionados en el trabajo. Si su empleador usa una MPN, una notificación de la MPN debe estar al lado de este carta para explicar cómo usar una MPN. Usted puede pedir una copia de esta notificación hablando al número de la MPN o material descrito. Si usted ha hecho una designación previa de un médico personal antes de lesionarse en el trabajo, entonces usted puede recibir tratamiento de su médico previamente designado. Si usted no ha hecho una designación previa y su empleador está usando una MPN, usted puede escoger un proveedor apropiado de la lista de la MPN después de la primera visita médica dirigida por su empleador. Si usted está recibiendo tratamiento de parte de un médico que no pertenece a la MPN para una lesión existente, puede requerirse que usted se cambie a un médico dentro de la MPN. Para más información, vea la siguiente información del contrato de la MPN:

Número gratuito de la MPN vigente: ______________________  Página web de la MPN: ______________________
Fecha de vigencia de la MPN ______________________  Dirección de la MPN vigente ______________________

**Discriminación.** Es ilegal que su empleador le castigue o despidi ó por sufrir una lesión o enfermedad en el trabajo, por presentar un reclamo o por testificar en el caso de compensación de trabajadores de otra persona. De ser probado, usted puede recibir pagos por pérdida de sueldos, reposición del trabajo, aumento de beneficios y gastos hasta los límites establecidos por el estado.

¿Preguntas? Aprenda más sobre la compensación de trabajadores leyendo la información que se requiere que su empleador le dé cuando está contratado. Si tiene preguntas, vea a su empleador o al administrador de reclamos (que se encarga de los reclamos de compensación de trabajadores de su empleador):

**Administrador de Reclamos**
California Department of Industrial Relations, Division of Labor Standards Enforcement—DLSE.

**Asegurador del Seguro de Compensación de trabajador**
(Asegurador "autoasegurado" si es apropiado)
Fecha de Vencimiento de la Póliza ________________

Si la póliza de compensación de trabajadores se ha vencido, comuníquese con el Comisionado Laboral, en la División para el Cumplimiento de las Normas Laborales (Division of Labor Standards Enforcement—DLSE).


Los reclamos falsos y rechazos falsos del reclamo. Cualquier persona que haga o que ocasione que se haga una declaración o una representación material intencionalmente falsa o fraudulentamente, con el fin de obtener o negar beneficios o pagos de compensación de trabajadores, es culpable de un delito grave y puede ser multado y encarecido.

Es posible que su empleador no sea responsable por el pago de beneficios de compensación de trabajadores para ninguna lesión que proviene de su participación voluntaria en cualquier actividad fuera del trabajo, recreativa, social, o atlética que no sea parte de sus deberes laborales.
Workers’ compensation fraud is now illegal in California. As of January 1, 1994 any person who files or contributes to the filing of a false workers’ comp claim is committing a crime punishable by a prison sentence and/or a penalty fine.

What is a fraudulent claim? Here are some examples of activities for which you can be prosecuted:

• **Filing a claim for a non-existing injury**
  If you file a claim for an injury or illness that does not exist, you are guilty of workers’ compensation fraud.

• **Filing a claim for a non-work related injury**
  If you are injured off the job, but pretend it happened at work so you can collect workers’ comp benefits, you are committing a felony.

• **Aiding a co-worker in filing a false claim**
  If you make a false statement to support a fellow employee's claim for benefits, you are participating in a crime.

The law also applies to other participants in the workers’ compensation systems:

• **Attorneys**
  If an attorney knowingly makes fraudulent statements for the purpose of obtaining workers’ comp benefits for his or her client, he or she is guilty of a felony. If an attorney who negotiates workers’ comp claims offers commissions to any person for the referral or solicitation of clients, he or she can face suspension or disbarment and a prison term.

• **Doctors**
  If a doctor knowingly prepares false written reports in order to obtain payments, he or she can lose his or her medical license. It is a crime to assist or conspire with any person who engages in fraudulent activity.

Fraud harms employers by contributing to the increasingly high cost of insurance and harms employees by undermining the legitimacy of all workers’ compensation claims. Do your part to halt fraud today!

“Any person who knowingly presents a false or fraudulent claim for the payment of a loss is guilty of a crime, and may be subject to imprisonment in the state prison for up to 5 years, or by a fine up to $150,000, or both.”

*Insurance Code Section 1871-2*
Fraude de compensación de trabajadores es ahora ilegal en California. Deeds el primer de Enero de 1994, cual quien persona que entabla o, contribuye en la entablación de un reclamo de compensación de trabajadores de fraude esta cometiendo un delito penable por condena de cárcel y, también pena de multa.

¿Qué es reclamo de fraudulencia?
Lo siguientes son ejemplos de actividades a lo cual se puede ser procesado:

- **Entabla un reclamo de lesión que no existe**
  Si entable un reclamo para lesión o enfermedad que no existe, eres culpable de fraud de compensación de trabajadores.

- **Entablando un reclamo de lesión que no esta relacionado a su trabajo**
  Si esta lesionado afuero del trabajo, pero pretende que paso’ durante el transcurso del trabajo para que pudiere cobrar beneficios de compensación de trabajadores, esta cometiendo un delito mayor.

- **Asistiendo un compañero del trabajo en entablar reclamo falso**
  Si se hace declaración falsa para apoyar el reclamo del campanero del trabajo para poder él/ella cobrar beneficios, sé esta involucrando en un delito.

También se le aplica la ley a otros participantes en el sistema de compensación de trabajadores:

- **Licenciados**
  Si un licenciado intencionalmente dária declaraciones falsas, para el propósito de que su cliente obtenga beneficios de compensación de trabajadores, ese licenciado es culpable de un delito mayor. Si un licenciado a quien hace negaciones, ofrezca comisiones a cual quien persona para un refiere o solicitud de cliente para reclamos de compensación de trabajadores, él/ella se puede encontrar enfrentado con suspensión o exclusión del foro y la cárcel.

- **Médicos**
  Si un médico intencionalmente prepara reportes por escritos falsos para cobrar pagamentos, él/ella puede perder su título de medico. Es un delito asistir o, conspirar con cual quien persona quien se involucra en actividades de fraudulencia.

Fraudulencia daña a los empleadores por contribuyendo a los gastos de seguro que se aumentan cada vez mas y daña a los empleados por socavar la legitimidad de todos los reclamos de compensación de trabajadores. ¡Haga su parte hoy en parar fraudulencia!

“ Cual quien persona quien intencionalmente se presenta con un reclamo fraudulento para recibir beneficios de pagos es culpable de un delito, y puede ser sometido a encarcelación por prisión por hasta 5 años, o por una multa de hasta $150,000, o ambos.”

La Sección de Código de Seguro 1871-2
SUPervisor’s Report of Employee Injury

Name of Injured: ____________________________________________

Department: ____________________________ Job Title: ______________

Date of Injury: __________________________ Hour: __________________

Date Reported: __________________________ Hour: __________________

Time Employee Began Shift: ________________________________

Incident Location: _________________________________________

Nature of Injury: __________________________________________

Name of Medical Facility and Doctor, If Applicable:

____________________________________

____________________________________

DID INJURED LEAVE WORK: ( ) Yes ( ) No

DID INJURED RETURN TO WORK: ( ) Yes ( ) No

IF NOT, WHEN IS EMPLOYEE EXPECTED TO RETURN: __________________________

Describe How Accident Occurred: ________________________________

Describe Any Equipment, Materials and Chemicals Employee Was Using at the Time of Injury:

____________________________________

Name of Witnesses:

____________________________________

What Steps Have Been Taken to Prevent Similar Incidents: __________________________

____________________________________

Signature of Supervisor

____________________________________

Date

____________________________________

Phone

Revised: 08/09/02
SUPERVISOR’S REPORT OF EMPLOYEE OCCUPATIONAL EXPOSURE

1) NAME OF EXPOSED EMPLOYEE: Employee name.
2) DEPARTMENT: Enter department.
3) JOB TITLE: Enter job title.
4) DATE OF EXPOSURE: Click arrow to select date.
5) HOUR OF EXPOSURE: Enter hour of exposure.
6) DATE REPORTED: Click arrow to select date.
7) HOUR REPORTED: Enter hour reported.
8) TIME EMPLOYEE BEGAN SHIFT: Enter time shift began.
9) INCIDENT LOCATION: Enter incident location.
10) NATURE OF EXPOSURE: Enter nature of exposure.
11) NAME OF DOCTOR AND MEDICAL FACILITY, IF APPLICABLE:
    Enter doctor name.
    Enter facility name.
    Enter facility address/phone.

12) DID EXPOSED EMPLOYEE LEAVE WORK: □ Yes □ No
13) DID EXPOSED EMPLOYEE RETURN TO WORK: □ Yes □ No
14) IF NOT, WHEN IS EMPLOYEE EXPECTED TO RETURN: Enter expected return to work date.
15) DESCRIBE HOW EXPOSURE OCCURRED: Enter how exposure occurred.
16) DESCRIBE ANY EQUIPMENT, MATERIALS, AND CHEMICALS EMPLOYEE WAS USING AT THE TIME OF EXPOSURE: Enter information here.
17) NAME OF WITNESSES: Enter witness name(s).
18) WHAT STEPS HAVE BEEN TAKEN TO PREVENT SIMILAR INCIDENTS: Enter information here.

__________________________  __________________________
Supervisor’s Signature       Date

__________________________
Enter phone number.
Phone Number
The purpose of this form is to provide the patient with the necessary information that they need to give to their employer to help the employer make decisions about accommodating the patient, providing disability leave, or assessing if the patient can return to work.

Notes to physician

1. This form is not intended for Workers’ Compensation Board (WCB) purposes. For a work-related injury or illness, the required WCB forms must be completed.

2. This form does not replace forms related to an employee’s ability to work that are required by:
   - Workers’ Compensation Board,
   - third-party insurers, or
   - employer-funded medical benefit plans.

3. Where choices are indicated below, please mark your selection.

4. Please sign and date both pages 1 and 2, and keep a copy of this form.

Physician’s name and address (typewritten or printed)

I saw ____________________________ on ______________________.

(Print patient’s name) (Date)

Date of injury or illness ________________________.

(Date)

This patient is medically able to work with limitations or restrictions as of ________________________.

(Date)

Restrictions or limitations (see page 2 for details)

In my opinion, these restrictions or limitations are:

☐ Temporary:  ☐ ________days  ☐ 4 to 6 weeks
☐ less than 2 weeks  ☐ 6 weeks to 3 months
☐ 2 to 4 weeks  ☐ more than 3 months

☐ Permanent

   Date of next appointment is (indicate n/a if not applicable) ________________________.

(Date)

My opinion is based on the factors indicated below:

☐ Information provided by the patient
☐ My examination of the patient and my assessment of the findings and health information

______________________________ ________________________

(Physician’s signature) (Date)
**Medical Status Report for On Duty Injury**

(To be completed by attending physician)

**Specific functional restrictions and/or limitations**

Patient’s name ________________________________

Check ☑ only those items that apply in Section A, and provide details in Section B.

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<th>Section A</th>
<th>Restriction</th>
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<tr>
<td>Other (specify in section B)</td>
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*Does patient require medical aids (e.g. splint, brace) or personal protective equipment (e.g. gloves, mask)?*

☐ No  ☐ Yes (specify in section B)

<table>
<thead>
<tr>
<th>Mental</th>
<th>Restriction</th>
<th>Limitation</th>
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<tbody>
<tr>
<td>Thinking/Reasoning</td>
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<td>Concentration</td>
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<td>Memory</td>
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<td>Critical decision-making</td>
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<td>Interpersonal contact</td>
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<td>Alertness</td>
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<tr>
<td>Other (specify in section B)</td>
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<tr>
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<th>Restriction</th>
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<tr>
<td>Exposure to heat/cold</td>
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<td>Exposure to dust/fumes/odors</td>
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<td>Exposure to chemicals</td>
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<td>Food handling</td>
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<td>Other (specify in section B)</td>
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<table>
<thead>
<tr>
<th>Other</th>
<th>Restriction</th>
<th>Limitation</th>
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<tr>
<td>Shift/attendance duration</td>
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<td>Consecutive shift attendance</td>
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<td>Shift work</td>
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<td>Operating vehicle</td>
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<td>Operating equipment</td>
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<tr>
<td>Working at heights</td>
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<tr>
<td>Other (specify in section B)</td>
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</tbody>
</table>

**Definitions**

**Restriction:** This patient is advised not to perform this activity in any capacity.

**Limitation:** This patient is able to perform the activity in a reduced capacity. For example, the patient is not able to perform the job with the usual speed, strength or number of repetitions, or for the usual duration.

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**Section B**

Please provide necessary details about any restrictions or limitations you have identified. Typically, it is not necessary to provide a diagnosis or treatment information.

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*Employee must submit this form to physician for completion at each medical evaluation or at least every 60 days. This is not required for each physical therapy visit.*

City of Ridgecrest
3.0.48 MEDICAL EXAMINATION/TESTS

Upon probable cause, the Chief of Police or designee, may order medical, chemical or other tests to be administered in order to determine if an employee is fit for duty. All procedures carried out under this section, involving sworn personnel, will be pursuant to Government Code §3303.

3.0.50 INSUBORDINATION

For purposes of this section, Insubordination is defined as the willful refusal of an employee to follow the lawful order of a superior that is given and reasonably understood. A lawful order given to a subordinate shall be followed regardless of the method of conveyance. The willful failure to obey orders constitutes grounds for discipline, up to and including termination.

3.0.52 OBEDIENCE TO ORDERS

All lawful orders of superior officers shall be faithfully and promptly obeyed and enforced without question or argument. If an officer/employee to whom a lawful order is given does not clearly understand it, he/she shall ask for such information as may be necessary for a clear understanding but under no circumstances shall the authority of the superior officer be questioned.

3.0.54 CONFLICTING OR ILLEGAL ORDERS

Employees, who are given an otherwise proper order which is in conflict with a previous order, rule, or other directive, shall respectfully inform the superior officer issuing the order of the conflict. If the supervisor does not alter or retract the conflicting order, the original order shall stand. Under these circumstances, employees shall obey the conflicting order and the responsibility for the conflict shall be upon the superior officer.

Employees shall not obey any order which they know or reasonably believe would require them to commit an illegal act.

If in doubt as to the legality of an order, employees should either request clarification of the order or request that it be referred to a higher authority.

3.0.56 CONFIDENTIALITY AND DISSEMINATION OF INFORMATION
Employees shall treat the official business of the Department as confidential. Information regarding official businesses (including personnel matters) shall be disseminated only to those for whom it is intended, or as directed by a superior officer, in accordance with applicable law and established Departmental procedures. Employees shall not divulge the identity of persons giving confidential information, except as authorized by proper authority.

The following information shall not be released:

- Personnel background information via computer, fax, or telephone;
- Designated confidential information, data, materials or reports, and
- Reproduction or duplication of the contents of an employee’s personnel file without proper authorization.

3.0.58 INFORMATION: FALSE RECORDS OR REPORTING

No employee of the Department shall make false reports or knowingly or willfully enter, or cause to be entered, into any Department books, records or reports any inaccurate, false, or improper information. Employees shall not falsify, willfully mutilate, or destroy any original Department record, report, or document. Official records may be purged when authorized by proper authority. Employees shall not place false or misleading entries or statements for the purpose of altering the true facts in a police report or official document.

3.0.60 ADDRESSING RANKING OFFICERS

While in the presence of persons from outside the Department, officers and employees shall address fellow employees by their proper rank and/or title.

3.0.62 HORSEPLAY

Employees shall not engage in any conduct generally defined as horseplay that may result in property damage, offending a person’s emotions, or personal injury.

3.0.64 RUMORS

Personnel shall not spread rumors about a member of the Department concerning their personal character or conduct to the detriment of such person.

3.0.66 IMPARTIAL ATTITUDE
All employees shall perform their duties in a fair and impartial manner. Employees shall not allow personal bias, prejudice, animosities, or friendships to influence the manner in which they discharge their official duties.

3.0.68 REQUESTS FOR SERVICE

Requests for service will be addressed in an official, courteous manner, and will be properly acted upon consistent with established Departmental procedures.

3.0.70 OFF-DUTY POLICE RELATED INCIDENTS

When a crime is committed in the presence of an off-duty officer of this department, amounting to less than a serious life or health-threatening incident, personnel are encouraged to report it to the local agency having jurisdiction rather than intervening. In such incidents, the officer may serve as a reporting party, witness, or informant, the same as would a private person.

It is expected that sworn personnel, on or off-duty, will take the appropriate police action to the extent they are reasonably able regarding any serious life or health threatening felony committed in their presence within the State of California.

In less serious felony incidents observed by an off-duty officer, reasonable effort, given the circumstances of the particular situation shall be undertaken to deal with the incident.

In any incident in which an officer takes any official police action, identifying him or herself as a peace officer, that fact shall be reported in a timely fashion to the on-duty Watch Commander. In any off-duty incident which results in the documentation of that incident by the local jurisdiction, the officer shall request that a copy of that documentation be forwarded to the Department and directed to the Office of the Chief of Police.

In addition to the above requirements, any incident in which an off-duty officer makes an arrest, uses force of any type, or detains a suspect pending response of the local agency, a written report will be prepared and forwarded to his/her immediate supervisor on the employees next duty day unless directed otherwise.

3.0.72 TRUTHFULNESS

When questioned by the Chief of Police, superior officer, or designee, employees shall respond truthfully and to the fullest extent of their knowledge. Employees shall not knowingly make false and/or misleading statements when questioned, interviewed, or when submitting any written report or document. Interrogations of all employees will be conducted in conformance with
Government Code § 3303.

3.0.74 LETTERHEAD/STATIONARY: USE OF

Only those personnel authorized by the Chief of Police will send official correspondence using Department letterhead and stationary. At no time will it be used for personal business.

3.0.76 DEPARTMENT EQUIPMENT: USE OF

Employees shall utilize Department equipment only for its intended purpose, in accordance with established Departmental policies and procedures. Employees shall not intentionally abuse, maliciously damage or lose equipment. Employees shall not utilize Departmental equipment or vehicles without appropriate authorization.

Employees shall be responsible for all Departmental equipment issued to them. This equipment shall be maintained in proper order, and returned to the Department upon demand.

Any employee damaging or losing Departmental equipment shall immediately, or as soon as practical, complete a Statement of Loss, Damage, or Theft of City Equipment Report by memorandum and/or crime report and forward it to the appropriate supervisor.

Department equipment is not to be used for personal gain or business unless previously authorized.

3.0.78 MOBILE DATA COMPUTER (MDC) TERMINAL: USE OF

Authorized personnel may send brief point to point messages over Mobile Data Computers (MDC) and station computer terminals when the content is primarily relating to official matters of the Ridgecrest Police Department.

Matters of a personal nature should be limited to brief messages; more lengthy exchanges should be conducted in person or over the telephone when appropriate. In all cases, the use of the terminals shall not inhibit the safe driving of a department vehicle or the performance of one’s duties. In addition, the accessing employee shall use his or her password and not that of another employee. Point to point terminal messages shall not contain any language or comment concerning:

- Official information of a confidential nature;
- Sexual remarks (in any context);
• Ethnic comments or jokes;
• Profanity;
• Mental or physical disabilities;
• Rumors;
• Negative comments concerning other employees, citizens or supervisors;
• Complaints concerning the department, and/or
• Any and all jokes or off-color remarks relating to the use of police force, citizen contacts, and/or disposition of calls for service.

Point to point MDC and computer terminal message traffic shall be maintained for periodic departmental review.

3.0.80 LOCKERS

Lockers assigned to employees shall be maintained in good order and shall not be used for the storage of perishables or corrosive items.

Personnel shall not leave their lockers in an unlocked accessible condition in their absence.

All officers will be issued a locker for the safekeeping of uniforms and other equipment. Those persons whose primary job duties do not necessitate the use of a locker may be required to forfeit it to make room for personnel having the need for one.

Lockers may only be searched in accordance with guidelines set forth in Government Code § 3309.

3.0.82 DEPARTMENT MOTOR VEHICLES: OPERATION

Employees shall operate Department motor vehicles, when authorized to do so, in a careful and prudent manner, and shall obey all laws of the state and Departmental policies and procedures pertaining to such operation. Employees who operate Department motor vehicles shall maintain a valid driver’s license at all times. Loss or suspension of a driver’s license shall be reported to the Department as soon as that status becomes known to the employee.
All occupants of department vehicles shall wear seatbelts while the vehicle is in operation.

Except in an emergency, unattended Department vehicles will be locked with the keys removed.

Disabled vehicles may be pushed out of the roadway when creating a hazard and only when the Department vehicle is equipped with push bars.

Patrol vehicles are to be checked at the beginning of an officer’s tour of duty. Any damage or faulty equipment shall be reported to a supervisor.

City vehicles shall not be utilized for personal use or transportation to and from work unless previously authorized.

### 3.0.84 CITY VEHICLE ACCIDENTS: REPORTING

Members of the Department shall promptly notify their supervisor of any accident involving a Department or City vehicle operated by them or their charge. The supervisor shall determine what level of investigation is appropriate based on the amount of damage, number of parties involved, and overall general circumstances. In instances where a member becomes aware of damage to a vehicle not in their charge, they are responsible to ensure that it is reported properly. The supervisor, as soon as practical, when a city vehicle is involved, shall notify the Office of the Chief of Police via the chain of command.

### 3.0.86 MEALS

Personnel will be permitted to suspend patrol or other assigned activity, subject to immediate call at all times, for the purpose of having meals during their tour of duty. No more than two marked patrol units may meet for the purpose of taking a meal or break at the same location/time without supervisory approval.

Reasonable meal and break periods will be provided to all personnel in accordance with the following criteria:

- Personnel assigned to Field Services Division shall be allowed a half-hour meal break during the shift. One fifteen (15) minute break will be permitted before and after mealtime. Generally, breaks should be taken after the first hour on shift and before the last hour of duty.

- Personnel assigned to the Support Services Division shall be afforded the opportunity, whenever feasible, to take authorized work breaks away from their assigned stations.
The Support Services Supervisors shall coordinate available personnel assignments to accomplish this. When there is no Support Services Supervisor on duty, the Supervisor will be responsible for seeing that break relief is provided.

In order that Dispatchers be available immediately should an emergency arise, dispatch personnel shall be immediately accessible by phone or radio during breaks and meals.

Officers assigned to Special Enforcement Division shall have a one-half hour meal break as determined by the Division Commander. One fifteen (15) minute break will be allowed before and after mealtime.

Breaks shall not be taken in conjunction with the meal break.

Persons wishing to smoke shall use approved break periods for this purpose.

Patrol Officers shall comply with the following procedures relevant to their break time status:

a. Upon arrival at a location for either a meal break or shift break, Officers will advise communications from their patrol vehicle of their location and out-of-service status.

b. During the meal or break times, Officers will monitor their assigned portable police radio so as to be available for calls for service.

c. At the conclusion of the meal break or shift break, the Officers will advise Communications from the patrol vehicle of their in-service status.

d. No more than two patrol units will be out-of-service together at a location for mealtime or break time.

3.0.88 GIFTS, GRATUITIES AND/OR REWARDS

Employees shall not individually or collectively solicit any gifts, money, food, beverages, tickets, passes, travel, special accommodations, favors, or the use of property or facilities from any individual, group, or company when the receipt of the aforementioned is directly or indirectly tied to the employee’s position with the Police Department. Employees shall not seek or accept gratuities of any form where it may be reasonably inferred that the person, business, or organization
seeks to influence action of an official nature or affect the performance or non-performance of an official duty.

(A) DISCOUNTS

Personnel shall not accept any discount on the purchase of products or services that is offered as a result of employment with the Police Department, unless such a discount is made available to all Law Enforcement employees as a general practice or benefit, e.g., Magic Kingdom cards, Credit Union purchases, etc., as an ethical and socially responsible general practice or benefit.

Employees shall not solicit or knowingly cause a testimonial of any kind relative to the performance of their official duties unless specifically authorized by the Chief of Police.

(Exception): The Chief of Police may authorize the solicitation of donations to support official Department programs or functions such as: C.H.A.M.P.S., P.A.C.T., etc.

(B) BRIBES

Personnel shall not offer or accept a bribe of any kind.

3.0.90 UNAUTHORIZED USE OF DEPARTMENT ADDRESS/TELEPHONES

Employees are not to direct any personal or non-police related mail to be sent to the Police Department, City Hall, or any City offices.

Employees desirous of maintaining a confidential status for motor vehicle registration and/or ownership shall complete the appropriate DMV forms to initiate this status.

The use of Department telephones for personal calls should be kept to a minimum.

Any personal long distance or toll calls made on a Department telephone are to be charged to the individual employees personal telephone account; i.e., phone card, collect or home phone.

3.0.92 PERSONAL TELEPHONE/ADDRESS/NAME

Employees shall have telephones and/or cell phones in their residences and shall, as soon as practical, report any changes of telephone numbers, names or addresses to their immediate supervisor and to the Office of the Chief of Police.
3.0.94 DEPARTMENT NOTICES AND BULLETIN BOARDS

Employees shall not mark, alter, or deface any Department posted notice, order, or bulletin. Notices, orders, or bulletins shall not be posted on Department bulletin boards without the permission of a Department Supervisor.

Material which degrades any individual and/or group of individuals due to their nationality, gender, age, disability, social status, sexual preference, religion, or politics shall not be posted and/or circulated by any Department employee in a public building.

3.0.96 TOBACCO: USE OF

The use of tobacco products is expressly prohibited in any Department building or motor vehicle or as otherwise directed by City policy. While on-duty, employees may smoke during official breaks or during their assigned mealtime in accordance with policy. Employees shall not utilize tobacco products when directly conducting business with the public.

3.0.98 USE OF ALCOHOL: ON DUTY OR IN UNIFORM

Employees shall not consume alcoholic beverages while in uniform or on duty, except while in the performance of duty and while acting under proper and specific orders.

Employees shall not report for duty, or be on duty, while under the influence of any intoxicant to any degree, whatsoever. Employees shall not report for duty, or be on duty, with the odor of any intoxicant on their breath or person, unless in the performance of their assigned duty, as directed by a supervisor.

Employees shall not have in their possession nor store alcoholic beverages in any Department building or motor vehicle, unless the beverage is being held as evidence or found property pursuant to an official police investigation or part of an authorized department event.

3.0.100 POSSESSION AND USE OF DRUGS

Employees shall not possess or use any controlled substance, narcotics, hallucinogens, or prescription drugs, except when prescribed by a physician or dentist in the treatment of an illness.

Employees taking a controlled substance or other prescription medication which might affect their ability to perform their duties shall notify their supervisors prior to reporting for duty. The employee shall furnish the supervisor with a written
note from the employee’s physician, indicating a fitness for duty, job performance limitations, and any work restrictions that have been placed on the employee.

Employees shall not possess, store or bring into any Department facility or vehicle any controlled substance, narcotic drug, or hallucinogen, except when such material(s) are being held as evidence or found property, and are in the custody or en route to the Property and Evidence Unit.

(Note :) Controlled substance is defined under §11007 and §11054-58 of the California Health &Safety Code). The use of drugs in an “on-duty” status is only allowed per §11367 H&S (Immunity from prosecution).

3.0.102 GAMBLING

While on duty employees shall not engage or participate in any form of gambling except in the performance of assigned duties and while acting under proper and specific orders.

3.0.104 PUBLIC STATEMENTS AND APPEARANCES

No employee shall, as an official representative of the Department, address any public gathering, appear on any radio or television program, write or furnish any articles or manuscripts for publication concerning the operation or administration of the Department unless specifically authorized by the Chief of Police. Department personnel shall not publicly criticize or ridicule the Department, its policies, or employees by speech, writing, or other expression where such expression is defamatory, obscene, and unlawful tends to undermine the effectiveness of the Department, interferes with the maintenance of discipline, or is made with reckless disregard for truth or falseness.

3.0.106 PUBLIC DEMEANOR/SPEECH

When any person requests assistance in a police related matter or makes a complaint or report regarding a police related matter, either by telephone or in person, all pertinent information should be obtained in an official and courteous manner, and will be properly and judiciously acted upon consistent with established Department procedures.

3.0.108 POLITICAL ACTIVITY

Employees are prohibited, while on duty, whether in uniform or other attire, from:

- Using their official capacity to influence, interfere with, or affect the results of an election;
- Soliciting funds or contributions for political purposes from other
employees and/or the public;

- Directly or indirectly promise, threaten, or attempt to use any official influence to aid or interfere with any political function or activity;

- Passing out or posting any literature, buttons, or other paraphernalia, or obtaining signatures on any petition;

- Using Department equipment and/or supplies, while on or off-duty, including vehicles, uniform, insignia, logos, etc., to aid or assist in any political activity, and/or

- Engage in any political activity while on the premises of the Ridgecrest Police Department or other City facilities during any hours in which they are considered to be on-duty except at the attendance of a sanctioned association meeting.

3.0.110 SERVICE ENDORSEMENTS

Personnel shall not recommend or suggest in any manner, when acting in their official capacity, the employment, or procurement of a particular product, professional or commercial service such as: an attorney, physician, ambulance service, towing service, bondsman, etc.

3.0.112 LABOR ACTIVITIES: ILLEGAL

Employees shall not engage in any strike or other related job action. This includes the concerted failure to report for duty, willful absences from one’s position, unauthorized holidays, sickness not substantiated by a physician’s statement, the unwarranted acceleration or stoppage of work, or neglect of enforcement, or the abstinence in whole or in part from the full, faithful, and proper performance of the duties of employment for the purposes of inducing, influencing, or coercing a change in conditions, compensation, rights, privileges, or obligations of employment.

3.0.114 PARTICIPATION IN ADMINISTRATIVE INVESTIGATIONS

Upon the order of the Chief of Police, the Chief’s designee, or a superior officer, employees who are involved in administrative investigations and who have been guaranteed that no statement that they are ordered to make will be used against them, in a criminal and/or civil prosecution shall, after being afforded an opportunity to consult with their representative:

- Truthfully and honestly answer all questions which may be asked
of them which are specifically directed and narrowly related to the scope of their employment and to the operations of the Department;

· Submit to any medical, ballistics, chemical, or other required tests, photographs, or line-ups required in a particular administrative investigation being conducted by the Department, and

· Answer questions which are asked by their superiors in connection with any matter related to their employment, or to the City, including their compliance or noncompliance with these rules.

(Note :) These rules do not apply to routine supervisory contacts and normal day-to-day operations).

3.0.116 POLYGRAPH EXAMINATIONS

Personnel may voluntarily submit to polygraph examinations when the examinations are specifically directed and narrowly related to a particular investigation being conducted by the Department. For sworn personnel, any polygraph will be carried out pursuant to Government Code § 3303.

3.0.117 STATEMENTS OF OFFICER MISCONDUCT

Employees shall notify the Division Commander and the Chief of Police prior to giving any statements, testimonies, or depositions concerning the misconduct of a member of any allied law enforcement agency to any outside agency, group, or individual. This will include informal interviews with members of the Public Defenders and District Attorneys’ offices and officers of outside internal affairs units.

3.0.118 ADMINISTRATIVE LEAVE

In the event that an employee is placed on administrative leave, their hours of duty will be normal business hours, unless otherwise specified. The employee shall notify the Office of the Chief of Police or designee if the employee is to be at a location other than their residence.

3.0.120 INTEGRITY OF ARRESTS/CITATIONS

No employee of the Department shall use their employment or association with the city to tamper with or attempt to unlawfully “fix” or void any citation, complaint, or arrest for a traffic violation, infraction, or criminal offense.
3.0.122 ARREST, SEARCH AND SEIZURE

Officers shall not make any arrest, search or seizure which they know, or should have known is not in accordance with the law or established Departmental policies and procedures.

3.0.124 ARREST: TREATMENT OF ARRESTEE

Personnel shall refrain from using any unnecessary force in making arrests or, at any other time, in the handling of any person in their custody. Only that force which is necessary and lawful shall be used and the facts shall be fully set forth in a report of the incident pursuant to Department policy.

3.0.126 PROPERTY/EVIDENCE: HANDLING

Property which has been discovered, gathered, or received in connection with Department responsibilities will be processed in accordance with established procedures.

Personnel shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with, or withhold any property found in connection with any investigation or other police action.

3.0.128 OUTSIDE EMPLOYMENT

The City of Ridgecrest will permit, under certain circumstances, its employees to engage in outside employment regardless of whether the employee receives compensation in such employment. The department’s policy will be in compliance with Rule XIX of the City of Ridgecrest Personnel Rules and Regulations. In accordance with California Government Code §1126, such employment shall not be inconsistent with, or inimical to the employee’s duties in the City or with the duties, functions, or responsibilities of the City.

(A) PURPOSE

Respect for police officers is paramount to their ability to perform their duties. Therefore, engaging in any outside employment which brings discredit upon the department, either actual or perceived, would be considered to be incompatible and in conflict with the officer’s primary role as a police officer.

(B) DEFINITIONS

(1) Outside Employment: A secondary job with responsibilities and duties which are not associated with law enforcement in nature,
and does not involve the use of peace officer powers, department badge, identification, or equipment.

(2) **Conditioned outside Employment**: Private organizations or persons hiring the services of Ridgecrest Police personnel and/or equipment to perform law enforcement or security related responsibilities or duties.

(3) **Conditioned Employer**: Private organizations or persons hiring the services of Ridgecrest Police personnel and/or equipment to perform law enforcement or security related responsibilities or duties.

(C) **OUTSIDE EMPLOYMENT: PRIOR APPROVAL**

Outside employment shall mean any additional work undertaken by an employee of the Department for financial or property gain. All employees may work a second job provided they receive prior approval and such employment does not:

- Occur while the employee is on duty with the City of Ridgecrest;
- Interfere with the employee’s ability to perform their regularly assigned duties for the City of Ridgecrest;
- Impair the employee’s alertness or efficiency in fulfilling all the requirements of city employment.
- Require special considerations for scheduling work hours with the Department.
- Create an actual or potential conflict of interest with the employee’s duties with the City of Ridgecrest, such as; unethical activity, soliciting for outside work while on duty with the city, utilizing city equipment, recommending or referring work to private persons or concerns while on duty with the city.
- Require or permit utilization of work products such as plans, specifications, procedures software programs, manuals, City issued equipment, etc. which have been developed by or at the expense of City employees or consultants.
- Conflict with any existing local, state, or federal laws or regulations that prohibit such employment.
It is the responsibility of each supervisor to review the outside employment request(s) of their employees to determine if such employment will be in conflict with city employment as specified in.

Rule XIX of the City of Ridgecrest Personnel Rules and Regulations. Upon review, each supervisor shall sign and date the outside employment request(s) before forwarding to the Office of the Chief of Police for final approval. If it appears that there is a conflict, supervisors shall note such conflict on a cover memorandum and forward with the request through the chain of command to the Chief of Police.

In cases of outside employment; the primary duty, obligation, and responsibility of an employee is first and foremost to the Department. It is the employee’s responsibility to insure that he/she is in compliance with all applicable laws pertaining to such employment.

(D) OUTSIDE EMPLOYMENT PROHIBITED

Permission for outside employment shall not be approved for an employee of the Department to work:

- At any location or in any employment which will tend to bring the Department into disrepute or to reduce an employee’s efficiency or usefulness as an employee thereof;

- In any establishment where the sale of liquor is the principle business;

- In any employment requiring any affiliation, membership, or allegiance that would tend to interfere with the proper discharge of their duties as an employee of the Department or the public interest;

- In the uniform or equipment of the Department; except as assigned by Department Management;

- In any employment requiring the service of civil processes;

- On investigations or other work in which they must avail themselves of the access to confidential or restricted police information, records, files, or correspondence;
· For any other municipality or political subdivision of the State; except by express permission of the Chief of Police;

· As a private security officer/guard (Government Code §1126(b) regarding conflicting employment);

· Involves such time demands as would render performance of his or her duties less efficient;

· Which tends to expose the City to the potential of having to defend itself or its employees against suits for negligent training or supervision related to his or her police officer status;

· While carried on administrative leave, sick leave or IOD status except by specific permission of the Chief of Police, and/or

· At a time which will conflict with the employees normal tour of duty.

The approval of any outside employment must be granted by the Chief of Police. Personnel wishing to work outside the Department shall complete the necessary paperwork and submit it to the Office of the Chief of Police prior to commencing in secondary employment pursuant to City and Department policy.

(E) SCHEDULING

The Field Services Division Commander, or designee, will be responsible for scheduling personnel for conditioned outside employment, utilizing the established eligibility list, according to the guidelines contained within the current Memorandum of Understanding with the Police Association.

Once an employee accepts an assignment, there will be no modifications, or switching of assignments by the affected employee. If an emergency arises, or employees are unable to report due to illness, the employee shall report such absence to the on-duty Watch Commander, who will be responsible for replacing the absent employee.

Personnel assigned to work conditioned outside employment will report to the on-duty Watch Commander prior to the start of their assignment for issuance of a vehicle and/or proper equipment. The on-duty Watch Commander will make an entry into the Chief’s log regarding the conditioned outside employment assignment.

Personnel shall then report to the job site on a timely basis. Personnel on
assignment will be supervised by an on-duty supervisor unless one is also assigned to the outside employment.

### 3.0.130 VEHICLE TAKE HOME/ON-CALL

Certain departmental vehicles may be designated as “take home” vehicles. Those personnel who are assigned a take home vehicle are “on-call” and, unless otherwise authorized, shall utilize the vehicle for business purposes only. The following personnel are authorized a take home vehicle:

- Chief of Police;
- Captain(s) (Division Commander);
- Detective(s);
- School Resource Officer;
- And other personnel as authorized by the Chief of Police.

### 3.1 WORK PLACE HARASSMENT

The Disciplinary Work Place Harassment Policy and Complaint Procedure establishes the City of Ridgecrest’s commitment to provide a work environment free from harassment, defines discriminatory harassment, and sets forth the procedure for investigating and resolving internal complaints of harassment.

The policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, reinstatement, transfer, leave of absence, compensation, and training.

Harassment of an applicant, client, volunteer, or employee by a supervisor, management employee, or co-worker on the basis of race, religion, color, national origin, ancestry, disability, medical condition, marital status, pregnancy, sexual orientation, gender, or age is explicitly in violation of State and/or Federal law and will not be tolerated by the City of Ridgecrest. Employees will be held responsible for the provisions of the City of Ridgecrest’s policy on Work Place Harassment. See attachment.

### 3.2 PERSONNEL SERVICES

#### 3.2.1 RECRUITMENT

It is the policy of the Ridgecrest Police Department to recruit and select the best qualified personnel for each vacant position. The number of vacancies will be
determined by the number of authorized positions, retirements, resignations, and terminations.

(A) **EMPLOYEE PARTICIPATION: CAREER DAYS**

The Support Services Division will represent the Department at career day/job fairs. Officers from other divisions/bureaus may be asked to participate with the intention of enhancing the Department’s image.

(B) **RECRUITMENT EFFORTS**

The Support Services Division will conduct recruitment efforts as deemed necessary.

### 3.2.2 PERSONNEL SELECTION

(A) **CHIEF OF POLICE**

The Chief of Police has the authority and the responsibility for administering the selection process within the Department. Upon successful completion of the testing process, the Chief will evaluate the candidates and select those qualified for appointment.

This final selection is the sole responsibility of the Chief of Police, after considering:

- The needs of the Department;
- The skills and attributes of the candidates, and
- The application of testing instruments used.

(B) **BACKGROUND INVESTIGATION**

All applicants will be subject to a thorough background investigation. Sworn personnel and Dispatchers will undergo a background investigation based upon P.O.S.T. guidelines.

(C) **PROBATIONARY PERIODS**

The probationary period for police officers and lateral transfers shall be 18 months from the time of appointment as a sworn officer with the Ridgecrest Police Department. All entry-level training must be completed before a probationary employee is granted permanent status. All professional non-sworn probationary periods are outlined respective current M.O.U.’s.
(D) RE-APPLICATION

Applicants who fail to meet any part of the selection process will be disqualified. However, disqualified applicants may reapply after a one year period or as stipulated by the Chief of Police.

3.2.4 PROMOTIONAL PROCESS

All procedures used in the promotional process will be job-related, non-discriminatory, and in compliance with City Policy.

Eligibility lists will be established and forwarded to the Chief of Police for further consideration.

3.2.6 ASSIGNMENT/TRANSFER POLICY: POLICE OFFICER/SPECIALIST

(A) POLICY

Newly hired Police Officers will be assigned to the Patrol Bureau of the Field Services Division until they demonstrate proficiency in police services. After demonstrating this proficiency, the patrol officer will be given the opportunity to serve in various assignments within the Department.

All assignments and transfers shall not be considered permanent and will be made or revoked at the discretion of the Chief of Police.

(B) QUALIFICATIONS

All personnel classified as Police Officers may be considered for assignment or transfer, provided they meet the following minimum qualifications:

· Most recent performance evaluation must be “fully competent” or better;

· Is self-disciplined and has the ability to perform duties with minimal supervision, and

· Recommended by Division Commander and approved by the Chief of Police.
(C) TRANSFER REQUEST AND ASSIGNMENT SELECTION PROCEDURE

Personnel will be given advance notice of pending assignments in order to evaluate their qualifications and submit a memorandum of interest. Those who meet the minimum qualifications may submit a memo of interest to his/her Division Commander. Separate requests shall be submitted for each position sought with an order of preference.

(1) SELECTION CRITERIA

The department shall define the duties and responsibilities of all special assignments, and identify the experience, training, and special abilities which are required, highly desirable, or beneficial to each individual assignment. Applicants are encouraged to submit, on a separate sheet of paper, a personal resume detailing their education, experience, and training as it relates to the position requested.

All transfers will be based upon Departmental need to facilitate efficient operations, fill vacancies, and maintain authorized personnel strength within divisions. Effort will be taken to ensure that transfers take place in a manner which minimally disrupts the lives of affected personnel and that sufficient notice of transfer is given so that employees may make plans accordingly. The Division Commander shall notify the employee as soon as a decision is made to transfer.

(2) SUPERVISORY APPROVAL

The employee’s immediate supervisor shall review the application for transfer and:

- Verify that the employee meets the minimum requirements for the requested transfer;
- Ensure that the request for transfer is completed correctly, and
- Forward the request to the bureau commander.

(3) BUREAU COMMANDER: RESPONSIBILITY

The bureau commander will review the application to ensure that
The minimum qualifications have been met and will evaluate the comments of the applicants’ current and past bureau supervisors.

Any officer not endorsed for further consideration shall be notified by the division or bureau commander. Suggestions on how the officer may become eligible for future consideration will be made.

A copy of the denied Request for Transfer shall be returned to the employee with all comments attached.

The Division Commander shall forward a copy of each transfer request whether approved or denied to the Chief of Police and keep him apprised of all aspects of the assignment process. The original transfer request shall be forwarded to the Personnel and Training Unit and placed in the appropriate file.

When a decision is made to transfer any employee, the Division Commander shall take appropriate and immediate steps to notify that employee.

(4) SELECTION PROCESS

· The Department shall publish the eligibility criteria for each position when a vacancy is anticipated. The Department shall publish the selection process chosen by the Department to select personnel prior to soliciting applications. When possible, the Department will meet with the appropriate Employees Association and confer about the Department’s desired selection process.

· In all cases, the Department will first seek interested personnel to fill vacancies of special assignments. Eligible personnel wishing to apply for special assignments shall make application through their chain of command to the Commander responsible for the assignment sought.

· The Commander responsible for the assignment sought shall compile a list of the applicants and select a qualified individual based upon the published selection process published by the Department.

(5) DURATION OF ASSIGNMENT

Nothing precludes the Department from temporarily filling a vacancy when an emergency or unanticipated need arises until
such time as the selection process can be completed.

3.2.8 SPECIALISTS POSITIONS

(A) SPECIALIST POSITIONS

Selection and assignment of Specialist shall be by the Chief of Police at his sole discretion and shall include the following:

· Field Training Officer;
· Detective, and
· Motor Officer.

Any other Officer designated Specialist by the Chief of Police.

(B) REMOVAL FROM SPECIALIST POSITION

An employee may be removed from the Specialist position at the direction of the Chief of Police without prejudice to the employee.

3.2.10 JOB PERFORMANCE EVALUATIONS

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 decision relating to merit increases, training needs, promotions, reassignments, demotions, reductions in pay and terminations. The performance 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.

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 of time and should be based on performance during that period. The employee’s immediate supervisor will complete each evaluation. Other supervisors directly familiar with the employee’s performance during the rating period should be consulted by the immediate supervisor for their input.

All sworn and non-sworn supervisory personnel shall be sent to a POST approved supervisory course that includes training on the completion of performance evaluations within one year of the supervisory appointment.
(A) **FULL-TIME PROBATIONARY PERSONNEL**

Non-sworn personnel are on probation for six or twelve months depending on their current M.O.U. for that position, before being eligible for permanent employees.

Sworn personnel are on probation for eighteen months before being eligible for certification as permanent employees. Lateral officers are placed on probation for eighteen months.

Supervisors shall prepare a job performance evaluation on each probationary employee which reflects the employee’s progress. Probationary reports shall be made at the end of the FTO period, and the sixth, ninth, twelfth, and fifteenth month of the probationary period. At the end of the eighteenth month, the supervisor shall prepare a final probationary report which includes the supervisor’s recommendations regarding permanent employment.

(B) **FULL-TIME PERMANENT STATUS PERSONNEL**

Permanent employees are subject to three types of performance evaluations:

1. **Regular:** For personnel in assignments/positions that have scheduled shift changes, an evaluation shall be completed when the employee is transferred from one supervisor to another for a shift change.

2. **Transfer:** If an employee is transferred from one assignment to another in the middle of an evaluation period and more than 90 days have transpired since the shift change, the immediate supervisor shall complete an evaluation prior to the date of the transfer.

3. **Special:** A special evaluation may be completed any time the rater and the rater’s supervisor concur that one is necessary due to sub-standard employee performance. The special evaluation will be used as the tool to demonstrate those areas of performance deemed less than standard when follow-up action is planned; (i.e., remedial training, retraining, action plan, etc.). Nothing in this section shall exclude the use of a special evaluation to recognize outstanding performance.
(C) **ANNUAL REVIEW**

The annual review shall be the summary of the employee’s job performance throughout the previous year. The evaluation should be an accurate objective report of the employee’s job performance based on the supervisor’s observations and the observations of other department supervisors and/or managers evaluation on the back side of the report. After all signatures have been obtained on the report, a copy will be given to the employee.

The Chief of Police is responsible for checking evaluation reports for consistency, fairness, accuracy, and correctness. The Chief may add any specific objective information regarding performance to the report. The Chief of Police is ultimately responsible for the report, and the Chief’s signature indicates approval/concurrence with the report.

(D) **RATING CRITERIA**

When completing the Employee Performance Evaluation, the rater will place a mark in the column that best describes the employee’s performance. The following definition of each rating category is as follows:

1. **Outstanding**: Actual performance well beyond that required for the position. It is exceptional performance, definitely superior or extraordinary. Any rating under any job dimension marked “Outstanding” must be substantiated by the rater in the comments section of the evaluation.

2. **Exceeds Expectations**: Represents performance which is better than expected for the position. It is superior to what is expected but not exceptional enough to warrant an “Outstanding” rating.

3. **Fully Competent**: Performance of a competent employee. That performance which meets the standards required for the position.

4. **Needs Improvement**: A level of performance less than that expected of a fully competent employee and less than standards required of the position. A needs improvement rating must be thoroughly discussed with the employee.

5. **Unsatisfactory**: Performance which is inferior to the standards required of the position. It is inadequate or undesirable performance which cannot be tolerated. Any rating under any job dimension marked “Unsatisfactory” must be substantiated by the
rater in the comments section of the evaluation.

(E) **EMPLOYEE INTERVIEW**

When the supervisor has completed the performance evaluation, arrangements shall be made to conduct a private discussion with the employee.

(F) **EVALUATION REVIEW/SIGNATURE/APPEAL**

After the supervisor and the employee complete the review of the evaluation, both the employee and the supervisor are required to sign and date the evaluation. By signing the evaluation, the employee is not necessarily indicating whether he/she agrees with the contents, merely that the employee has reviewed the contents. Should the employee refuse to sign the evaluation, the supervisor shall so note “Refused to sign” on the employee’s signature block.

Performance evaluations are not subject to the City’s Grievance Procedure. The employee has a right to submit a written rebuttal to the evaluation and send it, via the chain-of-command, to the Chief of Police for attachment to the original evaluation.

The employee’s Division Commander and the Chief of Police will review each employee evaluation to ensure fairness, impartiality, uniformity, and consistency. The supervisor will be evaluated on the quality of the ratings prepared. The Division Commander and Chief of Police will sign the evaluation before distribution.

(G) **EVALUATION DISTRIBUTION**

The employee has a right to receive a copy of the performance evaluation at the time of the evaluation interview, even if the employee refuses to sign. The original document will be placed in the employee’s personnel file in the city’s Personnel Department.

3.2.11 **PERFORMANCE IMPROVEMENT PLAN PURPOSE AND SCOPE**

The policy of the Ridgecrest Police Department is that all employees are expected to perform in a competent manner in furtherance of the mission and objectives of the Department and in accordance with the law and the policies and procedures of the City of Ridgecrest and the Police Department.

(A) **PERFORMANCE IMPROVEMENT PROGRAM ESTABLISHED**
In furtherance of the Performance Improvement Program, the Department establishes this procedure whereby substandard/unacceptable performance can be identified and an appropriate program of corrective action can be established.

To accomplish this objective, this procedure is developed upon the following key criteria:

(1) Identification of the substandard/unacceptable performance/behavior.

(2) Communication of the deficiencies to the employee.

(3) Formal documentation of the deficiency and the expected change(s), and

(4) Development of the document which specifies an action plan.

(5) Performance Improvement Programs are not intended to be disciplinary in nature and therefore will not be made a part of an employee's personnel file if the employee successfully completes the program.

(6) Failure to successfully complete the program, resulting in reduction in pay, demotion, or termination, will result in the inclusion of the program documentation in the employee's personnel file.

(7) Program documentation for cases involving successful completion of the program will be maintained in a separate file by the Office of the Chief of Police until such time as it may be disposed of per current City Council Resolution for records destruction.

(B) INITIAL SUPERVISORY CORRECTIONS

When minor policy infractions and/or performance deficiencies are noted for the first time, verbal counseling is the preferred method for corrective action.

(1) When repeated policy infractions and/or performance deficiencies are noted, formal counseling sessions should be initiated. Such counseling sessions should be documented in a memo to the employee.

(2) The counseling session should address each policy infraction
and/or performance deficiency which has been identified and the expected corrective action by the employee for each one.

(3) The documentation of the counseling session should list each policy infraction and/or performance deficiency along with the expected corrective action.

(4) Should formal counseling fail to correct the performance deficiency and/or ensure compliance with policy, a Performance Improvement Program shall be implemented.

PERFORMANCE IMPROVEMENT PROGRAM OVERVIEW

(C) THE PERFORMANCE IMPROVEMENT PLAN PROCESS INCLUDES

(1) The supervisor prepares a draft Performance Improvement Plan (P.I.P).

(2) The supervisor forwards the draft P.I.P. to his/her supervisor for approval. The draft P.I.P. will be forwarded through the chain-of-command to the Chief of Police for approval.

(3) The supervisor discusses the draft P.I.P. with the employee and prepares the final version of the P.I.P.

(4) The supervisor implements the Supervisory Assistance Sections and conducts follow-up counseling.

(5) The supervisor completes the final progress report and forwards the completed file to the Division Captain for review and approval.

(6) Should punitive action be necessary; it will be implemented in accordance with the Department's Complaint Policy.

(a) HEADING

Standard memo headings shall be used:

- TO: (Name of the affected employee)

- FROM: (Name of the employee's supervisor)

- Subject: FAILURE TO MEET PERFORMANCE
STANDARDS

(b) PERFORMANCE STANDARDS AND HOW YOU FAILED TO MEET THEM

· List each performance standard in which the employee is deficient. Example: "An employee shall be punctual in reporting for duty at the time and place specified by his superior. (Cite specific Manual Section)

· List specifically and with detail each occasion where the employee failed to meet the listed standard.

· Repeat this process for each standard.

(c) HOW TO IMPROVE YOUR PERFORMANCE

This section is a summary of the positive behavior the supervisor expects the employee to exhibit in order to be regarded as an acceptable employee.

(d) SUPERVISORY ASSISTANCE AND GUIDANCE

· The supervisor sets a review schedule where the supervisor will review the progress of the employee with him/her. Such reviews will be done either weekly or bi-weekly.

· The supervisor may direct the employee to obtain training and/or counseling when appropriate.

(e) TIME FRAME CONSEQUENCES

· The supervisor will set the duration of the Performance Improvement Program.

· Normally, a Performance Improvement Program will be 90 days in length. The minimum specified time for such a program is 60 days and the maximum time is 120 days.

· Should the employee progress at an accelerated rate, the Performance Improvement Program may be shortened from the specified time.
The consequences of failing to satisfactorily complete the Performance Improvement Program must be clearly stated. In most situations, the consequence will be termination for failure to meet the specified performance standards within the allotted time. When appropriate, demotion and reduction in pay may be administered.

(f) THE INITIAL INTERVIEW

- The supervisor will address each performance deficiency identified in the Performance Improvement Plan along with the expected corrective behavior.

- The supervisor should emphasize the objectives of the Performance Improvement Process as stated in this General Order.

- The supervisor should advise the employee of the intent of the supervisor to assist the employee in his/her improvement.

- The supervisor should encourage employee input and take appropriate notes concerning the employee's viewpoints. This information may be incorporated into the Performance Improvement Plan.

- The supervisor will advise the employee of the review process and the schedule for the review sessions.

- The supervisor will inform the employee of any outside training and/or counseling that is required as part of the Performance Improvement Program.

- The supervisor will inform the employee of the consequences that may result in the event the employee fails to satisfactorily complete the Performance Improvement Program.

(g) FOLLOW-UP COUNSELING

- During the duration of the Performance Improvement Program, the supervisor will meet in formal counseling sessions with the employee as specified in the Performance Improvement Plan.
✓ The supervisor will review the employee's progress as it relates to each identified performance deficiency.

✓ Appropriate reinforcement should be given to the employee depending on whether the employee is improving or not.

✓ The counseling session will be documented in a Supervisor's Log.

(h) **FINAL REPORT**

✓ At the end of the Performance Improvement Program, the supervisor shall prepare a final report regarding the employee's progress in the Performance Improvement Program.

✓ When the employee successfully completes the program, the final report should reinforce the employee's improved performance and encourage continued acceptable performance.

✓ In the event the employee does not successfully complete the program, the report should:

   i. Specify those standards the employee failed to achieve and how he/she failed to do so,

   ii. State that the supervisor is recommending that the penalty contained in the Performance Improvement Plan as a consequence for non-improvement, be Implemented, and

   iii. Contain a detailed account of the employee's comments regarding the final report.

✓ The Final Report along with all follow-up reports and other appropriate documentation will be forwarded via the chain-of-command, to the Chief of Police for review and appropriate action.

3.2.12 **JOB RELATED INJURY AND ILLNESS**
The Ridgecrest Police Department shall comply with all Federal and State laws dealing with the health and safety of employees.

(A) **ACCIDENT: DEFINED**

An accident is any occurrence in which bodily injury, damage to property, or exposure to hazardous materials results.

(B) **INDUSTRIAL ACCIDENT OR ILLNESS: DEFINED**

An industrial accident or illness in any situation where a member of this Department is injured, any illness, or disease is contracted by exposure to infected persons or animals during the course of the employee’s duties, or an employee is exposed to hazardous materials. Employees shall immediately report injuries to their supervisors regardless of how slight the injury may be.

(C) **VEHICULAR ACCIDENT: DEFINED**

An accident involving the operation of a motor vehicle that results in damage to any property or injury to any person shall be defined as a vehicular accident.

The following shall be reported:

- Any accident involving an on-duty employee, and
- Any accident involving city owned leased or rented vehicles.

(D) **INJURY/ILLNESS REQUIRING MEDICAL ATTENTION OR LOST TIME**

The Watch Commander shall be immediately notified of any on-duty injury incurred by an employee of the Patrol Bureau. Employees from other bureaus shall also notify the Watch Commander in the absence of their supervisor. In all cases, the Chief of Police shall be notified as soon as practical of any injuries via the chain of command.

If medical attention is necessary, employees shall be sent or transported to the nearest medical facility whenever such medical aid is warranted. If out of the Ridgecrest area, a need for medical attention arises, the employee shall be transported to the nearest appropriate medical facility capable of rendering aid.
(E) REPORTING PROCEDURES

All job related lost time accidents or illness, and all accidents or illness requiring medical attention, require the completion of the City of Ridgecrest Supervisor’s Report of Injury Form and Employee’s Claim for Worker’s Compensation Benefits Form. Upon their completion, all forms shall be submitted to the Chief of Police via the chain of command.

The supervisor is responsible for ensuring all the forms are properly and completely filled out and forwarded, as soon as possible, but no later than the end of their shift.

(F) RETURN TO DUTY

Before any employee, who has suffered a job related lost time accident or illness may return to duty, a written release to duty from the attending physician must be obtained. The release shall be forwarded to the Chief of Police via the Chain of Command.

3.2.14 LINE OF DUTY DEATHS

This policy sets forth the procedures to be followed when a police employee of this Department dies while on duty or performing the duties of a peace officer.

(A) WATCH COMMANDER NOTIFICATION

Any member of this Department, who receives notification that a member of the Department has died, shall immediately notify the on-duty Watch Commander.

(B) WATCH COMMANDER RESPONSIBILITY

The Watch Commander will obtain as many facts as possible regarding the circumstances which led to the employee’s death. After obtaining the circumstances which led to the employee’s death, the Watch Commander shall notify the Chief of Police via the chain of command.

(C) DEATH NOTIFICATION: RESPONSIBILITY

The Chief of Police or his/her designee will assume responsibility for notifying the decedent’s next of kin, notifying on-duty Department employees, coordinating arrangements for the funeral, and providing assistance to the family (e.g., acting as a liaison between the family and
PERS, RPOA, and other organizations, providing information to the family, and assisting with funeral/mortuary arrangements).

(D) NOTIFICATION OF NEXT OF KIN

The Chief of Police or his designee will direct the assembly of the death notification detail. The detail may consist of:

· The Chief of Police or designated Command Staff Officer;
· The decedent’s Division/Bureau Commander/Supervisor;
· Any other officers deemed necessary and proper, and
· A Department chaplain, if available.

The notification detail should be limited to a maximum of three (3) people.

If the deceased has made any wishes known regarding the notification procedure, those requests, if at all possible, should be honored.

(E) NOTIFICATION OF NEXT OF KIN TO BE MADE IN PERSON

The notification of the next of kin shall be made in person. If it is not possible for members of this Department to personally make the notification, the law enforcement agency closest to the deceased’s next of kin may be requested to make the notification. The agency shall be requested to make the notification in person, and this Department will provide the necessary details regarding the death.

(F) NOTIFICATION OF ON-DUTY DEPARTMENT PERSONNEL

The on-duty Watch Commander will coordinate the notification of Department personnel regarding the death. The Watch Commander is responsible for notifying all management personnel. Managers shall be responsible for notifying employees under their command.

In all cases, on-duty employees shall be notified of the death in person. The death notification shall not be broadcast over the voice radio or mobile digital terminal.

(G) NOTIFICATION OF OFF-DUTY EMPLOYEES
Off-duty employees at the time of the original notification will be notified of the death in person by a supervisor, as soon as possible.

(H) AVAILABILITY OF COUNSELING

The Department recognizes the fact that the death of a Department employee is a traumatic incident, and many members of the Department are close, personal friends. In the event of a line-of-duty death, counseling services will be available for all Ridgecrest Police Department employees through the City.

(I) INVESTIGATION OF DEATH: INFORMATION

In the case of a line-of-duty death, this Department will provide employees to the extent possible, with accurate information regarding the circumstances surrounding the death and the progress of the investigation.

3.2.16 SERVICE RETIREMENTS

An employee is considered to be honorably retired when he/she has successfully completed the necessary time requirement for a service retirement.

3.2.18 RETIREMENT BADGES: ISSUE AND RECALL

Retirement badges can be purchased from the Sun Badge Company, with the approval of the Chief of Police, for all honorably retired (badge carrying) personnel and may be recalled, with cause, as determined by the Chief of Police.

3.2.20 IDENTIFICATION CARD

Retired employees will be issued a Department “Retired” Identification Card by the Chief of Police upon retirement from service.

3.2.22 PERMITS FOR CONCEALED WEAPONS: RETIRED PEACE OFFICERS

(A) CONCEALED WEAPONS PERMIT: GENERAL

An honorably retired peace officer of the Ridgecrest Police Department may obtain certification to carry a concealed weapon from this Agency by complying with the provisions established by the Penal Code of the State of California and the provisions of this policy. It is understood that the use of the word “permit” means “authorization to carry”:
The certification, when granted, does not relieve the person of any legal responsibilities regarding the use of firearms, nor does it grant any special privileges in the use or carrying of firearms, or of the powers of arrest, except as an exemption to 12025 P.C.

Any person requesting and receiving a certification agrees to be bound by the provisions of the Ridgecrest Police Manual and all other legal requirements pertaining to the carrying and use of firearms.

The certification granted by the Chief of Police to carry a concealed weapon may be denied or the privilege revoked for any one of the causes enumerated in this policy.

(B) **ISSUANCE OF CONCEALED WEAPONS PERMIT**

Every peace officer honorably retired from the Ridgecrest Police Department, who desires to carry a concealed weapon under authority of Penal Code §12027 (a) 12027.1 and 12031:

- Must initially, upon retirement and before the lapse of each five (5) years thereafter, request authorization to carry a concealed weapon from the Chief of Police.

- Must demonstrate shooting proficiency by obtaining a qualifying score on the Ridgecrest Police Department firing range or at another suitable location within this state if prior approval is obtained from the Chief of Police within thirty (30) days of the request.

- Must furnish and maintain their legal residence (domicile) address with the Office of the Chief of Police.

- Must, during the term that the privilege to carry a concealed weapon is granted, report all major physical or mental injuries or illnesses incurred to the Chief of Police as soon as practical after such injury or illness.

- Must be knowledgeable of, understand, and agree to abide by the provisions in the manual of the Ridgecrest Police Department and all other legal requirements regarding the carrying and use of firearms.

- Must submit, as soon as practical, a written report to the Ridgecrest Chief of Police, on all incidents involving the
discharge of a concealable weapon if other than on a firing range.

(C) RENEWAL OF CONCEALED WEAPONS PERMIT

Unless otherwise indicated on the face of the certificate, the privilege to carry a concealed weapon shall be granted for a period of five (5) years from the date of issuance. Retired peace officers must reapply for renewal to the Office of the Chief of Police before his lapse of each five (5) year period thereafter.

- Upon a request for renewal, the Chief of Police shall direct a letter to the appropriate law enforcement agency where the retiree resides, informing them of the application for renewal and requesting a review of their files to determine whether the retiree has been involved in any conduct that would be relevant to the retiree’s qualifications to carry a concealed weapon.

- Prior to the Chief of Police granting a renewal, the retired peace officer must demonstrate proficiency to the range master with the type of weapon carried by the retiree. However, the retiree may, with prior approval of the Chief of Police, demonstrate such proficiency and obtain the necessary certification from another California law enforcement agency.

(D) DENIAL OR REVOCATION OF CONCEALED WEAPONS PERMIT

Based upon good cause, the Chief of Police may deny the issuance of or revoke a retired Ridgecrest peace officer’s privilege to carry a concealed weapon. Denial or revocation of the privilege to carry a concealed weapon may be based in whole or in part upon:

- The retiree having a physical or mental injury/illness that in the opinion of the Chief of Police could seriously impair the retiree’s ability to exercise proper judgment in the use of firearms. Retirement based upon a psychological disability shall be a presumptive cause for denial.

- The retiree’s failure to meet the established requirements for issuance of the permit.
Information from any legitimate source that alleges the retiree’s conduct manifests incompetence to carry a concealed weapon. Such conduct may include, but not be limited to any act or omission which would normally result in the arrest, suspension, or removal of an active duty peace officer.

Once this privilege is denied or revoked, the Chief of Police shall issue to the concerned retiree an identification card without an endorsement to carry a concealed firearm.

(E) SURRENDER OF PERMIT

Retired peace officers that have been certified to carry a concealed firearm, and who are later notified by the Chief of Police that their privilege has been revoked or that a renewal request is being denied, shall surrender their permit on demand.

3.4 RECOGNITION AND AWARDS

3.4.1 MERITORIOUS CONDUCT

Acts of heroism and other praiseworthy conduct are frequently not publicly rewarded and courageous acts sometimes pass unnoticed. Therefore, it is the policy of this Department to identify such acts or conduct and give appropriate recognition to the person(s) performing them.

3.4.2 REPORTING MERITORIOUS ACTS

It shall be the responsibility of each unit employee to report incidents of meritorious conduct and acts of valor involving members of this Department and citizens from the community.

Supervisors, who became aware by whatever means of possible meritorious conduct and acts of valor by members of this Department or citizens from the community, shall investigate the incident and complete a detailed report. A list of Department and civilian witnesses at the occurrence should be included in the report along with all pertinent facts and circumstances.

Statements of employees and other individuals shall be obtained as soon as possible and include the employee’s and other person’s version of the occurrence with particular attention to awareness, state of mind, perception of danger, and reasoning.
The final report and attachments shall be routed via chain of command to the Chief of Police.

3.4.4 AUTHORIZED AWARDS

The following awards are listed in the order of importance and authorized by the Chief of Police:

(A) POLICE CROSS

This is the highest award in the department. It is awarded where an officer is killed in the line of duty and under honorable circumstances. The Police Cross may be awarded in addition to any other award that the officer may be entitled to in making the supreme sacrifice.

(B) POLICE MEDAL OF HONOR

This is awarded to those who voluntarily distinguish him/herself conspicuously by gallantry and extraordinary heroism. The act must be in excess of normal demands and of such a nature that the officer was fully aware of the imminent threat to his/her personal safety and of such a nature that the officer was fully aware of the imminent threat to his personal safety and acted above and beyond the call of duty at the risk of his/her life.

(C) POLICE MEDAL OF VALOR AWARD

The Medal of Valor is awarded for acts meeting the following criteria:

- Extraordinary bravery far above and beyond that expected in the line of duty;
- Risk to the officer’s life actually existed and the employee perceived the risk, and
- The person acted voluntarily in the course of action and was not acting on written or verbal orders.

(D) MERITORIOUS CONDUCT AWARD

The Meritorious Conduct Award is presented for outstanding performance involving great risk to his/her personal safety while in the performance of official duties.
This may be presented to any police officer for outstanding contributions to law enforcement through the success of difficult police projects, programs, or situations with such contributions being made in a highly professional degree of accomplishment.

(E) LIFE SAVING AWARD

The Life Saving Award is presented for direct involvement in saving a human life. Documentation and supporting evidence must be presented to substantiate the award.

(F) THE POLICE SHIELD

The Police Shield may be awarded to any employee of the department who is seriously injured in the line of duty. The award may be presented in addition to higher department awards if the facts show that the recipient is entitled to such an award.

(G) CERTIFICATE OF MERIT

The Certificate of Merit is awarded to Ridgecrest police officers and civilian employees of any rank or position for outstanding performance of duties under hazardous conditions and/or exceptional work over any period of time.

This may be awarded to any police officer from another law enforcement agency qualifying under the above mentioned conditions if earned while aiding, assisting, or working with any officer of the Ridgecrest Police Department.

The award may also be presented to any civilian, either working for the Ridgecrest Police Department or any civilian who assists in bringing favorable recognition to the department through their cooperation or involvement with the department.

The Certificate of Merit will not be awarded in conjunction with any other department award for the same deed.

(H) SUPERVISOR/OFFICER/EMPLOYEE OF THE YEAR AWARD

This acknowledges the employee who has served the Department and the community with the utmost excellence during the year, has represented the Department in a positive and professional manner, presented by the Chief of Police.
Criteria for nomination should include but is not limited to:

- Extent and quality of work;
- Positive work ethic;
- Respect of his/her peers;
- Dedication of the well-being of the community;
- Volunteerism and unselfish dedication;
- A combination of actions, exceeding assigned duties, assisting co-workers, or gaining positive recognition for the Police Department;
- Dedication to public service;
- Uniform or personal appearance, and/or
- Ability to function independently.

3.4.6 DISPLAY OF AWARD DECORATION

Recipients of the authorized awards may display the appropriate award insignias upon their Department uniform above the right breast pocket.

Recipients of the Medal of Valor may display their respective medals with ribbons at appropriate civil functions when wearing the Class A dress uniform.

Award will consist of a medal, ribbon, uniform bar, certificate, citation, and/or combination thereof.

3.6 LABOR RELATIONS

3.6.1 MEMORANDUM OF UNDERSTANDING

The Ridgecrest Police Department recognizes the right of its employees to form an organized group or groups which, among other functions, negotiates labor agreements with the City of Ridgecrest. Negotiations between the City of Ridgecrest and employee bargaining units shall be conducted in conformance with California law and on the principle of “good faith.”
(A) **MEMORANDUM OF UNDERSTANDING: DEFINED**

The agreements produced between the City and the employee bargaining units are published in the form of a Memorandum of Understanding. The Memorandum of Understanding, upon approval of the employee bargaining unit and the City Council, contains an agreement on wages, benefits, and conditions of work which will remain in effect for a specified period of time.

(B) **MEMORANDUM OF UNDERSTANDING: PRECEDENCE**

Conditions contained within the Memorandum of Understanding constitute an agreement between the City of Ridgecrest and the employee association. As such, conditions contained within the Memorandum of Understanding will take precedence over any policy contained within this manual when the two documents are in conflict.

(C) **DOCUMENTS: ORDER OF PRECEDENCE**

Occasionally, conflicts may arise between various documents and policies within the Department and the City. In the case of a conflict, the following documents shall be used in the specified order of precedence. The order of precedence is as follows: (highest priority to lowest priority).

- The current Memorandum of Understanding;
- The Municipal Code;
- Personnel Rules and Regulations, and
- Department Rules of Conduct.

3.6.2 **GRIEVANCE PROCEDURE**

When an employee feels unfairly treated, or does not agree with the supervision on a policy interpretation, the employee may initiate a formal action to secure a review of a grievance by top management. However, such an action should be used only after an informal discussion with the employee’s immediate supervisor has been unsuccessful. It is the spirit and intent of this procedure that all grievances be settled quickly and fairly, without any subsequent discrimination against employees who may seek to adjust a grievance, real or imagined.

A grievance is any dispute concerning the interpretation of application of
Personnel Rules, Regulations, or orders and/or policies of the city governing personnel practices or working conditions as provided for in Rule XVII of the City of Ridgecrest Personnel Rules and Regulations.

3.8 PERSONNEL COMPLAINTS

3.8.1 ROLE OF THE PERSONNEL COMPLAINT PROCESS

(A) RELATIONSHIP

A proper relationship between the public and its police, fostered by confidence and trust, is essential to effective law enforcement. Police Department employees must be able to act independently and make decisions within the bounds of the authority granted. They must be free to exercise their best judgment and to initiate action in a reasonable, lawful, and impartial manner, without fear or reprisal. However, all employees must carefully observe the rights of all people.

(B) ROLE

Upon the Chief of Police rests the responsibility for providing a system of disciplinary procedures, which will not only subject personnel to corrective action when improper conduct is determined, but protect them from unwarranted charges or criticism when duties are properly performed. It is therefore imperative that provisions be made for prompt investigation and disposition of complaints regarding the conduct of employees of the Department.

(C) RESPONSIBILITY

The responsibility of an investigator is to seek the truth while maintaining objectivity. His/her role is that of fact finder and nothing more.

3.8.2 RECEIPT AND INVESTIGATION OF CITIZEN COMPLAINTS

Penal Code §832.5(a) mandates that each department or agency in this state which employs peace officers shall establish a procedure to investigate citizens’ complaints against the personnel of such departments or agencies, and shall make a written description of the procedure available to the public.

3.8.4 DEFINITIONS

(A) COMPLAINT REGARDING OFFICIAL ACTIONS: DEFINED
A complaint regarding official actions is defined as a difference of opinion between an employee and a citizen over the issuance of a traffic citation or other official action. Complaints regarding official actions do not include any allegation that the employee violated a law, policy, or procedure. A complaint regarding official actions is not a personnel complaint and shall not be entered against the employee’s personnel file.

(B) INQUIRY: DEFINED

An inquiry is defined as a citizen’s complaint alleging misconduct about a Department employee, which has been resolved in the preliminary interview during the complaint intake process. Complaints which have been resolved as an inquiry are not personnel complaints.

(C) MISCONDUCT: DEFINED

Misconduct for the purposes of taking disciplinary action shall constitute:

- Commission of any act which could constitute a criminal offense as defined by local ordinance, state or federal law;
- Violation of City of Ridgecrest Personnel Rules and Regulations and/or Police Department rules, regulations, policy and/or procedure;
- Neglect of duty, and
- Conduct which may be detrimental to the Department.

(D) PERSONNEL COMPLAINT: DEFINED

A personnel complaint is defined as an allegation of employee misconduct. Sustained personnel complaints may be the basis for the imposition of disciplinary action against an employee.

(E) SERVICE COMPLAINT: DEFINED

A service complaint is defined as a request for clarification or explanation of a particular policy or procedure. A service complaint is not a personnel complaint and shall not be entered into the employee’s personnel file.

3.8.6 PERSONNEL COMPLAINTS: TYPE

Personnel Complaint (PC) is a complaint initiated by a private person alleging misconduct by an employee of the police department.
Personnel Internal Investigation (PII) is a complaint initiated by an internal source (i.e., department member) alleging misconduct by an employee of the police department.

3.8.8 SOURCE OF COMPLAINTS

Complaints against any Department employee, whether received first or second hand, shall be reported. Complaints may be received at any time, day, or night and may originate from within or outside of the Department. Complaints shall be accepted from any source, whether made in person, by mail or by telephone.

When a personnel complaint is received from a person less than eighteen years of age, the juvenile shall be accompanied by his/her parent or guardian at the time the complaint is recorded.

Any employee receiving information alleging misconduct or inadequate service shall not attempt to dissuade the person from making the complaint, even if the employee feels that the complaint is of minor importance.

3.8.10 COMPLAINT INTAKE: RECEIPT OF COMPLAINT

(A) EXTERNALLY GENERATED COMPLAINTS

Any employee who receives written or verbal information regarding an alleged act of misconduct shall immediately make the on-duty watch commander aware of the complaint. The Watch Commander will contact the complainant and, if appropriate, cause the initiation of a personnel investigation. Whenever possible, the statement should be tape recorded. The Watch Commander will then process the complaint and forward it directly to the Chief of Police.

If the complainant demands to bypass the involved employee’s chain of command and insists on contacting the Office of the Chief of Police directly, and the office is open, the complainant should be directed to that office.

(B) PERSONNEL INTERNAL INVESTIGATION (PII) COMPLAINTS

Personnel Internal Investigation (PII) complaints which are initiated by an internal source (i.e., Department employee) may be reported on a personnel complaint form. The complaint may be given to a supervisory or management staff member for intake, processing and forwarded directly to his/her bureau commander. After review of the Bureau Commander, the complaint shall be forwarded to the Office of the Chief of Police via the
3.8.12 COMPLAINT INTAKE: PRELIMINARY INTERVIEW

(A) PURPOSE

The supervisor contacting the complainant for the first time shall conduct a preliminary interview with the complainant to:

- Determine the nature of the complaint;
- Determine if the complaint can be successfully resolved while meeting the needs of the complainant and the Department;
- Determine if the nature of the allegations are of a serious nature or constitute criminal conduct, and
- Cause the complainant’s written complaint or written summary of the verbal complaint to be forwarded to the Chief of Police.

(B) DETERMINATION OF A SERVICE COMPLAINT

If the substance of the complaint clearly shows that the allegations constitute a service complaint, the relevant statute, policy, or procedure shall be explained to the complainant and the matter resolved to the complainant’s satisfaction. The service complaint does not require documentation.

If the complainant is not satisfied with this explanation and insists upon filing a formal complaint, they shall be allowed to complete a Citizen Complaint Form. The complaint category shall be marked “Service” and forwarded via chain of command to the Chief of Police.

3.8.14 RESOLUTION OF COMPLAINT DURING PRELIMINARY INTERVIEW

In certain cases the early resolution of a citizen’s concern at the preliminary interview stage is appropriate and can often spare both the Department and the employee a great deal of time, effort, and trauma. It is the responsibility of the handling supervisor to be able to justify the resolution of the complaint against the needs of both the complainant and the Department. Such resolved complaints shall be deemed as “inquiries.”
(A) RESOLUTION CRITERIA

An informal resolution of a complaint during the preliminary interview cannot be made if one or more of the following conditions exist:

· The complainant’s concerns have not been resolved satisfactorily or further action by the Department is requested;
• The allegations made by the complainant constitute criminal conduct or serious misconduct, and
• The necessity of furthering the complaint process based on Department needs outweighs the benefits of an immediate formal resolution.

The needs of the Department to continue the complaint process may include supervisory knowledge of the background of the incident and/or the employee involved. The handling supervisor may not be familiar enough with the totality of the facts to make this determination. Under these circumstances, the supervisor should obtain all of the information necessary to continue with the complaint process and defer the decision to informally resolve the complaint to a supervisor or manager who is more qualified to make the determination.

(B) INQUIRY DOCUMENTATION

Complaints resolved at the preliminary investigation stage and closed, as an inquiry shall be documented.

3.8.16 DETERMINATION OF A PERSONNEL COMPLAINT

All other complaints that involve allegations of misconduct that have not been resolved as inquiries shall be deemed personnel complaints.

3.8.18 COMPLAINANT’S STATEMENT

The complainant’s statement shall be documented as follows:

· The complainant may write out the complaint, preferably on a Personnel Complaint form.
· The handling supervisor may reduce the verbal complaint to writing on the proper form.
· Completed Statement. After completion of a written complaint, the complainant shall be requested to sign the complaint form
3.8.20 ADDITIONAL INFORMATION FROM PRELIMINARY INTERVIEW

The handling supervisor shall note the statements, appearance, and behavior of the complainant and those accompanying the complainant during the preliminary interview process. Visible injuries alleged by the complainant or witnesses or damage attributed to the actions of Department employees by the complainant should be documented in writing supplemented by photographs.

If the complainant or other parties have already sought or intend(s) to seek medical treatment, the handling supervisor shall attempt to elicit the identity of the treating medical doctor, medical facility, and obtain copies of medical documents.

The handling supervisor shall document all pertinent facts related to the allegations not covered in the complainant’s statement.

The complaint package shall then be sealed in an envelope marked “Confidential” and forwarded directly to the Office of the Chief of Police without delay.

3.8.22 ALLEGATIONS OF A SERIOUS NATURE: IMMEDIATE NOTIFICATION

Complaints of a sufficient gravity (such as allegations of serious misconduct and/or criminal conduct) may require immediate action. The Watch Commander or his/her designee should normally notify:

- The Bureau Commander of the involved employee;
- Any on-duty staff officer if the Bureau Commander of the involved employee cannot be located;
- The Division Commander of the employee involved, and
- The Chief of Police.

3.8.24 BUREAU COMMANDER REVIEW

Upon receiving a complaint package, the Bureau Commander will forward the complaint to the Chief of Police via the Chain of Command with his/her recommendations for further actions. Based upon this review, the Bureau Commander will determine:

- The need for further investigation, and
3.8.26  COMPLAINT PROCESSING

The individual(s) or outside source designated to handle the investigation.

Upon the receipt of the original personnel complaint package, by the Chief of Police, the complaint will be logged, appropriate notification forms will be prepared, and copies of the complaint will be forwarded to the investigator.

The individual conducting the investigation shall serve the involved employee(s) in writing at the commencement of the administrative investigation. This written notice shall include the date, time, and location of the alleged incident; the general acts of the alleged misconduct, and the related report or citation number.

If the investigation would be jeopardized, impeded, hindered or otherwise frustrated by providing notification to the accused sworn employee prior to the interview and the need for confidentiality outweighs the need for the employee to be notified, the investigator shall note in the administrative investigation case file the reasons justifying the lack of notification.

The investigator shall contact the complainant either by letter, phone or in person for the purpose of notifying the complainant of who will be conducting the investigation.

The first progress report will be due to the Chief of Police or his designee within 30 days from the date the investigator received the complaint. Progress reports will be due every two weeks thereafter until completed.

3.8.28  PERSONNEL COMPLAINT INVESTIGATION

All interviews related to an administrative investigation shall be recorded. The date, time, location and identity of all persons present during the interview shall be stated on the recordings as well as the time when the recording is stopped for any reason and the date, time, location and identity of all persons present when the tape is restarted.

When transcribed, all recordings should be transcribed verbatim.

Recordings of interviews shall be retained by the Office of the Chief of Police upon closure of the investigation.
3.8.30 INTERVIEW OF ACCUSED SWORN EMPLOYEE

(A) SCHEDULING THE ACCUSED’S INTERVIEW

The interview shall be conducted at a reasonable hour, preferably at a time when the officer is on duty or during normal waking hours for the officer, unless the seriousness of the investigation requires otherwise. If the interview does occur during the officer’s off-duty time, compensation shall be paid in accordance with the current memorandum of understanding.

(B) PRE-INTERVIEW DISCOVERY

Prior to beginning the interview of the accused sworn employee, the employee shall be informed of the nature of the investigation. The investigator may provide the accused sworn employee with a verbal or written summary of the general sum and substance of the nature of the investigation and alleged misconduct.

Prior to beginning the interview of the accused sworn employee, the investigator may allow the employee to review the citizen’s written complaint and/or the supervisor’s complaint. Having reviewed these documents, the accused shall be allowed a reasonable period of time to consult with a representative prior to the beginning of the interview, unless, in the investigator’s assessment, the scheduling of completion of the interview and/or the continuity of the investigative process would be hindered or disrupted.

(C) INTERVIEW PROCEDURES

The following procedures shall generally be adhered to when conducting interviews of accused sworn employees:

· If there is a possibility that the allegations will result in criminal charges, the “Administration Rights Admonition” shall be made prior to the commencement of the interview.
· The employee shall be informed of the nature of the investigation, the name, and rank of the officer in charge of the investigation, and the name and rank of any other persons present.
· The employee shall be advised that the administrative investigation is being conducted that any information or evidence gained under duress, coercion, or threat of punitive action cannot be used in any
subsequent state criminal proceeding. The employee’s statements may be used in any subsequent administrative investigation.

- The employee shall be ordered to answer all of the investigator’s questions in a truthful manner. The employee shall be advised that failure to answer the investigator’s questions shall be considered an act of insubordination, and punishable in and of itself with disciplinary action ranging from a written reprimand to termination.

- No more than two interviewers shall ask all questions directed to the employee at one time.

- The interview session shall be for a reasonable period, taking into consideration the gravity and complexity of the issue being investigated. The employee shall be allowed to attend to any personal and/or physical necessities.

**D) REPRESENTATION**

Upon filing a formal written statement of charges, or whenever an interview focuses on matters which are likely to result in punitive action against any sworn employee, that employee, at his/her request, shall have the right to be represented by the employee’s chosen representative, who may be present at all times during the interview. The representative shall not be a person connected in any way to the incident being investigated.

Sworn officers who are considered to be witnesses to an investigation are not entitled to representation. However, if during the course of the investigation, there is a “reasonable belief” that the officer is, or may be, a principal in the investigation and subject to potential discipline, that officer will be entitled to representation. The “reasonable belief” must be articulated by the officer and, upon agreement by the interviewer, the officer will not be questioned further until such representation is provided or obtained at the officer’s request.

This section shall not apply to any questioning of a sworn employee in the normal course of duty, counseling, instruction, informal verbal admonishment, or other routine contact with a supervisor or any other sworn employee. Regarding investigations of a criminal nature (and not administrative), the employee shall be afforded the rights and representation afforded any citizen under like circumstances.

**3.8.32 POLYGRAPH**
No employee shall be compelled to submit to a polygraph examination. Disciplinary action or other recrimination shall not be taken against any employee refusing to submit to a polygraph examination, nor shall any comment be entered in the investigator’s notes or anywhere else that the employee refused to take a polygraph examination.

3.8.34 DOCUMENTATION

After the investigation is complete, the statements and evidence discovered pursuant to the investigation must be documented. From the statements and evidence, the investigator shall identify the facts that were ascertained from the investigation.

The investigator shall refrain from interjecting any personal opinions into the documentation of the investigation. A concerted effort to maintain the utmost objectivity in the written content shall be made. The goal of the documentation is to accurately relate all the available facts of the incident.

The detail of the documentation shall be determined by the investigator based on an assessment of the totality of the investigation. This assessment shall include, but not be limited to:

- The severity of the allegations made by the complainant, and
- The detail needed to accurately convey the impartiality of the investigation and support the facts derived.

All reports shall have a Department cover sheet and be clearly marked “Confidential.” The cover shall have the Administrative Investigation case number clearly printed on its face. No other information shall be displayed on the cover sheet.

3.8.36 SUMMARY REPORT

A summary report format may be used at the conclusion of an administrative investigation if the prima facie evidence shows any of the following:

- The case is unfounded;
- The employee(s) actions were not sustained;
- Department employees were not involved, or
- The complaint is a “Service Complaint.”
The summary report shall consist of:

- **Involved Parties:** Identification of the involved parties, including the accused employee(s), the complainant(s), and all witnesses.

- **Background:** A factual synopsis of the events leading to filing the complaint.

- **Summary:** A short synopsis of the investigation.

- **Recommendation:** An assessment of the complaint allegations in light of the facts disclosed by the investigation.

- **Attachments:** any documents pertaining to the investigation.

### 3.8.38 ADMINISTRATIVE INVESTIGATION REPORT FORMAT

An administrative investigation report format shall be used for investigations that cannot be reported as a “Summary Report.” The components of the format are as follows:

- **Summary of Allegations:** Brief summary of the allegations made by the complainant.

- **Date/Time/Location:** Identification of the date, time, and location of the incident from which the complaint arose.

- **Involved Parties:** Identification of the involved parties, including the accused employee(s), the complainant, and all witnesses.

- **Background:** A brief synopsis of the events leading to the filing of the complaint. This shall include the facts of the incident from which the complaint arose.

- **Investigation:** A factual reporting of the Administrative Investigation documented in chronological order, beginning with the receipt of the complaint.

The “Investigation” section may contain:

- Complainant’s interview;

- Witness interviews;
3.8.40 DETERMINATION OF FINDINGS

(A) CLASSIFICATION

The following classifications shall be used to close an administrative investigation:

- **Unfounded:** The investigation reveals that the allegation did not occur or did not involve Department personnel;

- **Exonerated:** The investigation discloses that the act occurred but that the act was justified, lawful, and in accordance with Department policy.

- **Not Sustained:** The investigation discloses insufficient evidence to clearly prove or disprove the allegations;

- **Sustained:** The investigation discloses that the allegation of misconduct did occur.

(B) DIVISION COMMANDER REVIEW AND RECOMMENDATIONS

The completed investigative report shall be submitted to the Bureau Commander of the accused employee. The Division Commander shall review the investigation and assess its completeness and factual basis. The review will also address any misconduct not based on the initial complaint, but which occurred or came to the Department’s attention
during the investigation. The Division Commander may return the investigation to the investigator for follow-up or clarification. The Division Commander may take additional steps to ensure that all relevant information and perspectives have been considered, including:

- Soliciting input from the accused employee’s supervisor(s);
- Reviewing the investigation with the investigator(s), and
- Reviewing the personnel and training files of the accused employee.

The Division Commander shall prepare an interdepartmental communication to the Chief of Police Commander that specifies:

- The individual allegations for each accused employee;
- The recommended finding for each allegation;
- The recommended action based on the finding;
- Any policy or training issues identified pursuant to the investigation, and
- Completion of investigation may reclassify as Inquiry Complaint or Service Complaint.

The Bureau Commander will then forward the completed investigative report to the Chief of Division Commander of the accused employee for review.

3.8.42 FINAL DETERMINATION

The Chief of Police will review the investigation with the Bureau and/or Division Commander and make a final determination as to what action should be taken.

The Chief of Police will then forward the approved findings and recommended actions to the Division Commander for closure procedures.

3.8.44 CLOSURE OF INVESTIGATION

(A) COMPLAINANT NOTIFICATION

The Chief of Police shall author a letter to the complainant advising of the conclusion of the investigation.
(B) ACCUSED EMPLOYEE(S) NOTIFICATION OF OTHER THAN SUSTAINED COMPLAINT

When the finding of the investigation is anything but sustained, the Chief of Police shall direct a memorandum to the accused employee(s) advising them of the finding of the Chief of Police and the closure of the administrative investigation.

(C) ACCUSED EMPLOYEE(S) NOTIFICATION OF SUSTAINED COMPLAINTS

In complaints where the finding is “sustained” and the approved disciplinary action ranges from suspension without pay to termination, the Chief of Police shall initiate the appropriate disciplinary documents and procedures.

The Chief of Police may initiate disciplinary action of a level below suspension.

A copy of all documents prepared pursuant to the imposition of disciplinary action related to a complaint investigation shall be included in the case file.

3.8.46 MAINTENANCE OF PERSONNEL COMPLAINTS

The Office of the Chief of Police shall be responsible for the maintenance and security of personnel complaints and their investigation files for the time period prescribed by statute and policy.

3.8.48 APPLICABILITY TO ALL PERSONNEL

This section shall apply to all personnel employed by the Ridgecrest PD.

3.10 EMPLOYEE INVOLVED INCIDENTS

3.10.1 POLICY

Investigations of police involved fatal or serious injury incidents are often complex and demanding. These cases attract considerable public and news media interest. The consequences of these incidents can be profound and affect many people. It is the policy of the Ridgecrest Police Department that incidents of this nature shall be fully and objectively investigated.
This policy is designed to cover any police investigation in which an on-duty or off-duty police employee is involved and death or serious injury results. Such incidents include, but are not limited to:

- Intentional and accidental shootings;
- Intentional and accidental use of any other deadly or dangerous weapon;
- Assaults upon police employees who are performing law enforcement function;
- Deaths and serious injuries of persons while in police custody or under police control, and/or
- Off-duty incidents in which the police employee is acting in a private capacity.

3.10.2 INVESTIGATION GOALS

The investigation goals in a police involved incident are to determine the existence or non-existence of criminal conduct. If criminal conduct does exist, determine the identity of the person(s) responsible for the conduct and determine:

- The degree of the crime;
- The existence of any factors which would mitigate or aggravate punishment for the conduct;
- Whether or not any Department policies or procedures were violated, and
- If any Departmental training needs have been identified.

The investigation will be performed to develop all relevant information. It will be professional, thorough, and conducted in cooperation with other involved units or agencies.

3.10.4 CRIMINAL INVESTIGATIVE RESPONSIBILITY

In any incident of this nature, there may be multiple investigations conducted simultaneously. These investigative responsibilities are outlined as follows:

- **Criminal Investigation:** In all police shootings and other applicable incidents involving Department personnel, which result
in death or serious injury to any person within the City of Ridgecrest, a criminal investigation will be conducted the Kern County District Attorney’s Office. Ridgecrest police personnel will be responsible for conducting a concurrent administrative investigation in cooperation with the District Attorney’s Office. Incidents involving serious injuries only, involving Department personnel, the criminal investigation will be conducted as assigned by the Detective Bureau Commander.

**Supervision:** The Detective Bureau Supervisor will be responsible for the coordination and supervision of the investigation.

**Call-Out Team:** The Detective Supervisor will be responsible for the formulation of the “Call-out Team”. The “Call-out Team will” consist of the Detective Bureau Supervisor, Detectives, Crime Scene Investigator and support personnel as necessary. Upon arrival of the Detective Bureau Supervisor, he/she will assume responsibility for the investigation.

**Additional Personnel:** The Detective Bureau Supervisor will have the authority to call in as many Department personnel as needed to ensure that the investigation is conducted in an effective and expeditious manner. The circumstances of the incident will determine the size of the team.

**Memorandum(s) and Reports:** All memos and reports generated as a result of the investigation will be submitted to the Detective Bureau Supervisor in their original form, and approved by the Commander prior to any distribution. Officer(s) writing reports will have an immediate supervisor review and approve all reports prior to submittal to the Detective Bureau Commander. At the conclusion of the criminal investigation by the “Call-out Team” the reports of the investigation will be submitted to the District Attorney for review and disposition.

**Traffic Collisions:** On-duty fatal or serious injuries resulting from traffic collisions will be investigated by an outside law enforcement agency. Responsibility for investigation of on-duty property damage traffic collisions will be at the discretion of the on-duty Watch Commander.

Officers shall have the same rights as any citizen in the conduct of any criminal investigation.
3.10.6 FIRST RESPONDER: PRELIMINARY RESPONSIBILITIES

Officers initially assigned to a call that develops into a police involved fatal or serious injury incident are responsible for the following:

· Ensuring that first aid is provided and medical assistance provided when necessary;

· Notifying their supervisor immediately and requesting any additional assistance and resources needed at the incident scene(s), and

· Protection and security of the scene and maintaining a log of all persons entering and leaving.

(A) PRIMARY RESPONSIBILITY

The responding officer who is given primary responsibility for the call shall be responsible for completing the initial report unless otherwise directed by the Call-out Team Supervisor.

The Watch Commander shall be responsible to see that the essential witnesses are sequestered and cared for until they can be interviewed by investigators.

The Watch Commander who responds to the incident is responsible for the following:

· Ensuring the basic steps listed in the preceding section are completed;

· Assessing the situation, notifying the Patrol Bureau Commander. Ensure that procedures for the proper handling of evidence are adhered to;

· Isolate the officer(s) involved as soon as possible, make certain that the officer(s) involved does not discuss the situation at the scene with anyone other than the responding supervisor or investigators;

· Interview the involved officer(s) to develop sufficient information for a tactical response and to provide investigators with an overview of the incident, and
· Ensure that the officer(s) involved is removed from the scene as soon as possible and that another employee who was not present at the incident is assigned to accompany the officer(s). The uninvolved employee shall remain with the officer(s) until they are interviewed.

(B) HOSPITALIZATION

In the event that any injured person, suspect or officer, is being transported to a hospital, the responding supervisor shall assign a non-involved officer to accompany the injured person, take necessary statements, obtain, and preserve clothing and other items of evidence, and protect the chain of the evidence.

(C) FIELD SERVICES DIVISION COMMANDER NOTIFICATION

The Watch Commander shall immediately notify the Field Services Division Commander.

(D) FAMILY NOTIFICATION

In cases where an employee is injured, the Chief of Police or his designee will be notified and will be responsible for the notification of the employee’s family and providing any other assistance that may be needed.

3.10.8 ADMINISTRATIVE INVESTIGATION RESPONSIBILITY

In addition to the criminal investigation in all fatal, serious injury and Officer Involved Shooting (OIS) incidents involving Department personnel, whether on-duty or off-duty, an administrative investigation will be conducted by personnel assigned by the Support Services Division Commander. This investigation will focus on administrative and non-criminal matters to ensure that proper safeguards are established to protect the employee and the Department. The administrative investigation may be conducted after or concurrent with the criminal investigation.

During the course of an administrative investigation, the Support Services Division Commander will have the following responsibilities:

· In all cases, review all investigative reports to determine if Department rules, regulations, policies, and procedures were adhered to.
- When appropriate, re-contact and re-interview witnesses, including police personnel.

- In all cases prepare a report of the incident which will be forwarded to the Chief of Police.

If, during the administrative review, investigators discover information indicating possible criminal conduct not noted during the criminal investigation, they shall stop their investigation and provide the new information to Investigations for further follow-up.

In keeping with the legislative intent of Government Code §3300, et seq, as amended January 1, 1995, and judicial interpretation, any information gathered as a result of the coerced statements of the employee (sworn or non-sworn) shall not be provided to the criminal investigator(s) or this or any other investigative agency.

3.10.10 OFFICER INVOLVED SHOOTING INCIDENTS (OIS): POLICY

It shall be the policy of the Ridgecrest Police Department whose officer(s) become involved in shootings while on duty and in the performance of their duties, in the jurisdiction of the City of Ridgecrest to contact the Kern County District Attorney’s Office to assume primary responsibility for the criminal investigation of that incident. If the Officer Involved Shooting occurs in an outside jurisdiction, the Ridgecrest Police Department will request the involved jurisdiction to conduct the criminal investigation. If the jurisdiction declines to conduct the investigation, the Ridgecrest Police Department will contact the Kern County District Attorney’s Office to conduct the investigation. A liaison will be assigned with the agency in whose jurisdiction the officer involved shooting occurred to assist and to monitor the investigation.

DEFINITIONS:

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

- **On-Duty**: On-Duty refers to the working hours during which an officer is on salary and actively pursuing the objectives of the employing agency.

The foregoing policy is general in nature and shall not preclude alternative investigative options by mutual agreement.
3.10.12 OFF-DUTY OFFICER: OUTSIDE RIDGECREST CITY LIMITS

Whenever a Ridgecrest officer is involved in an off-duty incident outside the city limits and a criminal investigation is being conducted by the agency having jurisdiction, the Ridgecrest Police Department will be responsible for a concurrent administrative investigation and will respond as follows:

(A) WITHIN DRIVING DISTANCE

A patrol supervisor will immediately respond to the scene to assist the involved officer, and to obtain the preliminary details surrounding the incident. The patrol supervisor will:

- Provide liaison with the agency conducting the investigation;
- Provide assistance to the officer involved;
- Debrief the Field Services Division Commander;
- Provide assistance, if requested, to the agency conducting the investigation, and
- Notify the Chief of Police

(B) OUTSIDE OF DRIVING DISTANCE

The Watch Commander will contact the Field Services Division Commander and obtain as much information as possible. The Watch Commander will inform the Patrol Bureau Commander as soon as possible.

The Chief of Police will decide if a Call-out Team will respond to the jurisdiction where the incident occurred. In the event that the Call-out Team does not respond immediately, they will be responsible for conducting an administrative review of the incident as soon as possible. It shall be the involved officer’s responsibility to ensure that the on-duty Ridgecrest Police Department Watch Commander is notified of the incident as soon as possible.

3.10.14 INTOXICANT TESTING

If the sobriety of a police employee is determined to be relevant to the investigation, the criminal investigator(s) shall proceed as with any member of the public in a similar situation. The options are as follows: obtain the employee’s valid consent for the sample, obtain a sample pursuant to a valid arrest, or utilize
CVC §13353, if applicable.

The preferred sample for testing is blood. A urine sample should also be obtained wherever possible.

**3.10.16 REFUSAL OF INTOXICANT TESTING.**

In the event of a refusal of the involved officer(s)/employee(s) to cooperate in the investigation or provide a sample for testing, the Field Services Division Commander in charge of administrative investigations or the Support Services Division Commander will determine the proper action to be taken, which may include employee(s) being ordered to provide the sample, statement, etc.

If the officer is ordered to provide a blood sample, the Call-out Team will be responsible for obtaining it. The Administrative Investigator(s) will safeguard any sample taken for administrative use to ensure that it is used for the administrative investigation only. This sample may not be subsequently used against the employee for criminal prosecution.

If an officer/employee is ordered to give a statement, the officer/employee shall be afforded the right of representation.

If another agency wants a sample for employee related purposes, their options for their employee are: to obtain the employee’s valid consent or order the employee to provide the sample based on the employee-employer relationship.

The employing agency’s efforts to obtain a sample should not interfere with the investigation being conducted by this Department.

**3.12 LEGAL ASPECTS**

**3.12.1 CIVIL LITIGATION**

Law enforcement agencies and their employees may be civilly sued for a myriad of state or federal civil actions. Depending on the grounds alleged, employees, their supervisors, the Chief of Police, and/or the Department may be named in the civil complaint. If the actions are determined to be within the “scope and course” of employment, or if the City is named as a defendant, the City of Ridgecrest will provide representation for the defendants and coordinate the required litigation.

**3.12.2 CIVIL COMPLAINTS**

**(A) SERVICE OF THE COMPLAINT**

When a plaintiff has initiated a lawsuit at either the Federal or State level,
the plaintiff must serve a copy of the summons (demanding a court appearance by the defendant) and the complaint (detailing the allegations of the lawsuit) on the defendant. A summons listing the City of Ridgecrest as a defendant must be served directly to the City Clerk’s office.

The service of other named defendants may be done personally, by substitute service (usually to a supervisor), or by mail. Certain legal requirements as specified in the Code of Civil Procedure must be met in order for the service to be lawful and proper.

(B) PERSONAL SERVICE

Personal service is generally completed when the Department employee named on the summons is personally served by the process server and is advised of the nature of the service at the time. A Department employee need not “accept” service for it to be completed properly.

The process server shall be advised if the employee is available for service and when future contact may be attempted. If the process server insists on leaving the summons, a substitute service may be made.

(C) SUBSTITUTE SERVICE.

When the Department employee is not available for service and the process server insists on making a substitute service, the supervisor of the employee (if available) or the appropriate Bureau Commander shall be called to accept the summons. If the service is being made during on-duty hours for the appropriate supervisor, the Watch Commander shall be called to accept the summons. When receiving the summons, the supervisor or commander shall determine the identity and address of the process server, whom the service is for and the nature of the civil complaint.

(D) SERVICE BY MAIL.

The Department employee may receive a copy of a summons and complaint in the mail. The copies are accompanied by a “Notice and Acknowledgment of Receipt” form. This form shall not be signed by the employee; instead the employee shall immediately forward all documents to the City Attorney.

(E) RECEIPT OF COMPLAINT.

In State actions, the City must respond to a civil summons within thirty
(30) days. In a Federal action, the City has a twenty (20) day window. A failure to respond to the summons within the specified time periods could result in the City and/or the employee defaulting on the lawsuit. This may allow the plaintiff to win a judgment against the City and/or the employee without further hearings. Therefore, a timely forwarding of the summons and complaint is necessary to protect all named parties.

Whether personally served with a summons, receiving one under substitute service, or receiving one by mail, the employee shall send all documents and information regarding the date, time, and method of service to the Chief of Police by the next business day. The Chief of Police will forward the information to the City Clerk that day.

3.12.4 SUBPOENA OF DEPARTMENT EMPLOYEES AND/OR RECORDS

(A) PARTY SUBPOENAS

When subpoenas are served for the production of witnesses and/or documents for cases in which the City is a party, the subpoena shall be sent to the City Attorney. It is not necessary to serve a “deposition subpoena” to compel the attendance of Department employees. Proper service of a Notice of Deposition to the City Attorney will also compel the attendance of Police personnel at a deposition. However, attorneys may continue to serve subpoenas on Police Dept. employees. These subpoenas shall be referred to the City Attorney.

(B) WITNESS SUBPOENAS

Subpoenas may be served on Department employees regarding events perceived or investigated by them during the scope and course of their duties. In the event that a subpoena is served on an employee in an action where the City is not a party, the following procedure shall be followed:

- Department personnel need not be personally served but can effectively be served through the normal subpoena process.
- The requesting party is required to deposit a sum of $150.00 with the Police Dept. before the subpoena will be accepted. This deposit is to cover the costs of the officer’s time to attend the hearing. The clerk accepting the subpoena shall sign and verify, on the subpoena, that the appropriate fees have been collected.
The subpoena shall be forwarded to the Subpoena Control officer as soon as possible.

When the City is a party to the action, the deposit is not required. In such cases, the employee is entitled to receive the same witness fees and mileage payable to other deponents.

(C) SUBPOENA DUCES TECUM (SUBPOENA FOR RECORDS).

In cases where the City is not named as a party, subpoenas requesting the production of police records in civil cases must be forwarded directly to the Custodian of Records. The Custodian of Records shall be responsible for producing the records within the appropriate time constrains in coordination with the City Attorney.

3.12.6 INFORMATION REGARDING A CITY INVOLVED INCIDENT.

When a Department employee is approached by an attorney or an attorney’s representative about an incident in which the City is involved, the employee shall not release any information without first contacting the City Attorney via the chain of command. This includes all City related incidents, regardless of whether or not a claim for damage or civil complaint has been filed.
CHAPTER 4: OPERATIONS AND SUPPORT SERVICES

4.0 FIELD SERVICES DIVISION

4.0.1 DUTIES AND RESPONSIBILITIES

The Field Services Division bears the primary responsibility for carrying out the Department’s service commitment to the community. It provides prompt, courteous, and professional law enforcement services to all segments of Ridgecrest’s diverse community. The duties carried out by the Field Services Division reflect, and are in keeping with, the overall goals of the Ridgecrest Police Department.

4.1 PATROL BUREAU

The Patrol Bureau is responsible for providing 24 hour law enforcement services to the City of Ridgecrest. Duties of the Patrol Bureau include, but are not limited to:

- The protection of life and property;
- Responding to calls for service in a timely and professional manner;
- Conducting and documenting preliminary criminal and specific non-criminal investigations;
- The pro-active suppression of criminal activity through the active pursuit, apprehension, and prosecution of criminal offenders;
- Traffic enforcement and secondary responsibility for conducting traffic accident investigations, and
- Providing assistance during major emergencies or disasters.

4.1.1 PATROL BRIEFING

Prior to deploying officers in the field, a briefing session will be conducted. Supervisors, officers and other personnel (if available) of the on-coming watch will attend the briefing session. The briefing session shall be used for the following purposes:

- Roll-call and announcement of duty assignments;
- Reading of the daily log and dissemination of information related to the Patrol Bureau and its duty assignments;
- Training and issuance of instructions, dissemination of information and
discussion of problems and special duties, and

· Inspection of personnel.

(A) PREPARATION FOR BRIEFING

Personnel assigned to uniform duty shall attend briefing in the proper uniform of the day and be properly equipped for duty.

(B) WATCH COMMANDER RESPONSIBILITIES

The Watch Commander and Supervisory personnel of a watch should assemble in sufficient time prior to roll call to gather material and information to be presented to the on-duty personnel and are responsible for conducting the briefing session. Prior to the briefing session, the Watch Commander and the Supervisors should gather information and material for dissemination.

(C) BRIEFING INFORMATION

During the briefing, information regarding Department orders and directives that affect patrol functions and information regarding criminal activity shall be provided. Personnel that was not present for the briefing(s) on their regularly assigned shift should contact a supervisor to obtain prior briefing information.

Personnel attending the briefing should remain cognizant of the intelligence and operational information disseminated during the course of each briefing session.

(D) SPECIAL DETAILS

The Officer-In-Charge of a special detail may direct the personnel assigned to the detail to participate in a briefing session. The Officer-In-Charge of the detail will determine the time and structure of the briefing.

(E) PATROL RESPONSIBILITY

Until properly relieved, the Patrol team deployed in the field shall be responsible for the Department’s patrol function. Personnel shall work the full tour of duty until properly relieved.

· An employee assigned to a duty requiring continuity of assignment may be relieved prior to the time established for the change of watch provided the employee relieving accepts full responsibility for the assigned duties of the employee relieved.
An employee assigned duties not normally requiring continuity of assignment into the succeeding watch shall remain on duty until the time established as end of watch, but need not be replaced in his/her duties by another employee in order to go off duty.

4.1.2 PATROL BEATS

The City of Ridgecrest may be divided into primary patrol beats. There may be secondary overlap beats that supplement the beat deployment when sufficient personnel are on duty.

4.1.4 PATROL BEAT ACCOUNTABILITY

Personnel are responsible for providing appropriate police services within their assigned district. Personnel may leave their assigned beat only when authorized by a supervisor or the provisions of this Manual.

4.1.6 MEAL BREAKS: CODE-7 POLICY

Meal breaks during the last one (1) hour of a shift will only be granted under the following conditions with a supervisor's approval:

- The officer was unable to take a meal break earlier in the shift because of a special detail or assignment, or
- The officer requested a meal break earlier and was denied.

Meal breaks are subject to cancellation (even under non-emergent circumstances) at the discretion of the supervisor.
(Also refer to Manual Section 3.0.86 regarding meals).

4.1.8 VEHICLE ASSIGNMENTS

Marked vehicles assigned to the Patrol Bureau are primarily designed for use in carrying out the Department's patrol function. Patrol Bureau vehicles shall only be used for the necessary business activities of the Ridgecrest Police Department unless otherwise approved by a supervisor.

(A) RESPONSIBILITY FOR ASSIGNMENT OF VEHICLES

The primary supervisor shall be responsible for assigning vehicles for the oncoming watch. All other vehicle assignments are the responsibility of the Watch Commander or on-duty supervisor. All vehicle assignments are to be documented on the appropriate form.
(B) DESIGNATED UNITS

Designated units are those police units which are assigned on a semi-permanent basis to a designated officer. When a designated unit becomes inoperable or unsafe to drive, another designated unit assigned to that officer shall be used. When no such vehicle is available, a non-designated unit should be used.

4.1.10 VEHICLE INSPECTIONS

(A) EMPLOYEE VEHICLE INSPECTION.

Each individual using a Field Services Division vehicle shall conduct a thorough inspection and inventory at the beginning of a tour of duty to determine the condition of the assigned unit.

The employee’s inspection shall also include all lighting devices, safety equipment, and items of equipment essential for the operation of the vehicle. The employee shall immediately report any equipment noted to be damaged, missing, inoperative, or present, but not assigned to that vehicle, to a Patrol Bureau Supervisor prior to placing that vehicle into service. The officer shall then complete and turn in a designated vehicle checklist that details the condition of the assigned vehicle.

(B) SUPERVISORY VEHICLE INSPECTION

Vehicles used by on-coming personnel shall be periodically inspected by a Field Services Division Supervisor, or designee, to ensure the accuracy of the employee vehicle inspection.

The supervisor’s inspection shall include, but is not limited to:

· A visual inspection of the vehicle’s interior and exterior, and

· An evaluation of any and all noted damage, inoperative equipment, and missing inventory.

4.1.12 DAMAGED OR DEFECTIVE VEHICLES

All Department vehicles will be regularly serviced and maintained to ensure maximum performance and safety. All mechanical defects, damage, or missing equipment must be reported for service.

(A) MECHANICAL DEFECTS.
Personnel, who become aware that a particular vehicle or vehicle-related equipment needs to be repaired or requires service, shall complete the appropriate form and notify the on-duty Watch Commander.

If the missing, damaged, or defective equipment is essential to the safe and efficient operation of the vehicle, the vehicle shall be removed from service. A vehicle’s removal from service is subject to supervisory approval.

(B) VEHICLE DAMAGE REPORTING

Each employee who is responsible for the operation of a vehicle shall, upon discovery of damage to that vehicle, report the damage to the supervisor as soon as possible. In all cases, the damage shall be reported to a supervisor prior to the end of the employee’s shift.

When unreported damage to a Field Services Division vehicle is discovered, a supervisor shall, as soon as possible, initiate an investigation in order to determine the cause of the damage.

(C) MISSING VEHICLE EQUIPMENT

When an employee notices that items in a vehicle inventory are damaged, or there are items missing from the vehicle’s inventory, the employee will notify a supervisor. Replacement of certain equipment normally contained in the vehicle may be obtained from the appropriate city personnel. However, the missing or damaged equipment shall not be replaced with items from another vehicle without the express approval of a supervisor.

When a supervisor becomes aware that the inventory items in a particular vehicle are damaged or missing, the supervisor shall determine the reason for the missing/damaged equipment and take the necessary steps to have the equipment repaired or replaced.

(D) UNAUTHORIZED CHANGES IN EQUIPMENT

No employee shall make any alterations, additions, removals, or repairs, to a city-owned or controlled vehicle nor allow any work to be done on a city-owned or controlled vehicle unless specifically authorized to do so.

4.1.14 ROUTINE VEHICLE SERVICE: RESPONSIBILITY

Patrol Bureau vehicles are scheduled by the Fleet Maintenance Coordinator for routine maintenance and service on a regular basis. In accordance with the fleet maintenance schedule, the Fleet Maintenance Coordinator is responsible for having vehicles scheduled for service. The Community Service
Officer assigned will indicate the unit number and date, on the Watch Commander’s information board indicating which vehicles are to be serviced.

(A) PARTS AND REPAIR: GENERAL

Whenever it is determined that a vehicle is in need of repair, it shall be brought to the attention of a supervisor to be scheduled for service.

(B) PARTS AND REPAIR: EMERGENCY

A city vehicle may be taken directly to a city approved facility for an immediate repair only when it is imperative that the vehicle remain in service and only when authorized by a supervisor.

(C) TOW SERVICE: CITY VEHICLE

Tow service will be available through the City’s designated tow service on a twenty-four hour basis. Requests to have a city vehicle towed must be authorized by a supervisor.

(D) The Watch Commander is responsible for coordinating maintenance and equipment needs of the Watch Commander’s Vehicle which serves as the department’s command post. The Watch Commander or designee shall ensure that the command post is inspected routinely in conjunction with the inspection of the vehicle fleet.

4.1.16 MISCELLANEOUS EQUIPMENT PROCEDURES

Supervisors are responsible for the issuance, return, and control of patrol bags and other equipment under their command. Supervisors shall insure that any equipment issued to an individual is recorded on the appropriate form. Personnel will remove equipment assigned to the Field Services Division only with the approval of, and under the guidance of, a Division Supervisor. Any damage or malfunction of this equipment will be reported immediately to a Supervisor.

4.1.18 SHOTGUNS

Officers will be responsible for ensuring that their assigned vehicle is equipped with a department authorized shotgun. The shotgun will be secured and locked in the vehicle’s shotgun rack and will be maintained with an empty chamber while in the vehicle.

Shotguns will be inspected at the beginning of each shift and routinely inspected by supervisors during vehicle inspections.
Shotguns shall be unloaded prior to entering the police facility and stored in the appropriate storage area.

4.1.20 SUPERVISION: FIELD PERSONNEL

In order to promote efficiency and responsibility, employees shall generally be accountable to only one supervisor at a time.

(A) PRIMARY SUPERVISOR RESPONSIBILITIES

The Watch Commander is responsible for the scheduling and deployment of field personnel, the supervision of field resources, and the performance of related duties.

(B) SUPERVISORY RESPONSIBILITY: FIELD PROBLEMS

The Watch Commander shall retain control of all field personnel and incidents, either directly or through the assigned Field Supervisor.

4.1.22 NOTIFICATIONS: EMERGENCY

The Chief of Police and Division Commander(s) shall be notified of the following incidents by the on-duty Watch Commander as soon as practical:

- Homicide/Suicide;
- Kidnapping/Abducted Child;
- Critical Missing Juvenile;
- Crime or fire involving major injuries or death;
- Fatal traffic accident;
- Hostage/Barricaded Suspect;
- Accidents with City/Department vehicle;
- City Council member, official or employee arrested;
- Officer involved shooting;
- Officer injured or killed;
- Officer in custody, and
Any other situation where the Watch Commander deems it appropriate.

4.1.24 SUPERVISOR’S SHIFT LOG

(A) MAINTENANCE

The Supervisor’s Shift Log is designed to detail all events of interest that occur during each tour of duty. The Watch Commander shall be responsible for the maintenance of a comprehensive log of activities.

(B) OFF-DUTY INCIDENTS: WATCH COMMANDER’S LOG ENTRY

When an officer of this Department reports an off-duty incident of a personal nature, a Watch Commander’s log entry should be made. Since the log is a public record, the entry should be general in nature. Specific details shall not be included in the log entry; however, a confidential memorandum shall be forwarded to the appropriate command staff.

4.1.26 ANIMAL CONTROL

The Animal Control Bureau of the Ridgecrest Police Department is supervised directly by the Senior Animal Control Officer. The primary function of Animal Control is to provide safe, efficient, and professional control and enforcement of city codes relative to animals and their owners.

(A) RESPONSIBILITIES

Animal Control is responsible for conducting preliminary investigations and handling all routine complaints involving animals. Outside normal business hours, Animal Control personnel may respond to the following types of emergency incidents when approved by the Watch Commander:

- Injured animals (domestic and wildlife) requiring medical treatment when the owners cannot reasonably be located;
- Determining whether an animal (that is too large to transport) should be destroyed;
- Complaints of vicious or suspected rabid animals;
- Incidents involving bovine, equine, and unusual animals (e.g., monkeys, strange or uncommon fowl, and rattlesnakes);
- Response to an unleashed animal if there is a threat to public safety, and
- Any other situation involving animals or fowl, which requires immediate action, and the officer, is not equipped to handle it (i.e., prisoners’ property, person dead).

Animal Control will also respond, at the request of the Police Department, to locations outside of Ridgecrest if an animal is known to exist at a residence (or vehicle) involved in a criminal investigation, and the animal requires protective housing.

(B) INJURED ANIMALS

In the case where an animal is injured and the owner cannot be located within a reasonable period of time, the animal shall be transported to a veterinary hospital. Animal Control is responsible for handling injured animals; however, the officer may transport the injured animal if it is feasible to do so.

Animal Control should be notified any time there is an injured animal that is too large to transport and will assume responsibility for arranging the transportation and disposition of the animal’s body.

(C) ANIMAL RELATED INCIDENT REPORTS

The Police Department may initiate a police report whenever the circumstances indicate a report is necessary. A police report may be appropriate in the following circumstances:

1. All penal code violations involving animals;
2. All incidents in which weapons or deadly force are used against animals or fowl;
3. In all incidents where an animal bites a person, breaking the skin, an incident report shall be completed. An attempt should be made to locate the animal and detain it until an animal control officer arrives. Copies of all reports should be forwarded to animal control;
4. All aggravated complaints of barking dogs, leash law violations, property damage or other disturbances involving animals or fowl, and
5. All incidents of animals injuring or attacking people or suspected rabid animals.
USE OF COLLAPSIBLE BITE STICK, PEPPER SPRAY AND TRANQUILIZER DART GUNS BY ANIMAL CONTROL OFFICERS

(A) PURPOSE

The intent of this Directive is to establish departmental policy and procedure guidelines for the use of the collapsible bite stick, pepper spray and tranquilizer dart guns to deliver an immobilizing agent to factious, vicious or wild animals by Officers of the Ridgecrest Police Department Animal Control Unit.

(B) POLICY

It is important that Officers of the Animal Control Unit have the necessary equipment to safely deal with vicious, aggressive, or wild animals they encounter during the performance of their duties. Animal Control Officers may carry a collapsible bite stick, pepper spray and a tranquilizer dart pistol that has been approved for use by the Chief of Police. This equipment may only be carried and used by Animal Control Officers while on duty and after the successful completion of the appropriate certification courses.

Use of the collapsible bite stick, pepper spray and tranquilizer dart gun by Animal Control Officers is restricted to animals and shall only be used in the defense of self or others. The collapsible bite stick, pepper spray and dart gun (or drug) shall not be used against humans.

The necessity for the use of the bite stick, pepper spray or tranquilizer dart gun is dictated by each individual situation, and is greatly dependant upon the Animal Control Officer’s judgment and discretion.

(C) RESPONSIBILITY

It is the responsibility of the Animal Control Officer to use the collapsible bite stick and pepper spray or employ the tranquilizer dart gun in the manner set forth in the certification courses.

Use of the collapsible bite stick as an impact weapon by an Animal Control Officer while on duty shall be documented as an Incident Report and submitted to the Supervising Animal Control Officer before the end of the shift when the incident occurred.

Additionally, permission to use the tranquilizer dart gun will be granted by the Watch Commander on duty. A post Immobilization/ Incident Report shall be submitted to the Watch Commander via the Supervising Animal Control Officer before the end of the shift when the capture occurred.
4.1.28 ALARM RESPONSE: FALSE ALARMS

The response to a silent burglary or robbery alarm is considered to be a priority response. However, chronic false burglary alarms should be documented and handled as necessary.

(A) ADDRESS NOTIFICATION

An officer handling an alarm incident without a specific address shall attempt to locate the source of the alarm. If the source of the alarm is located and determined to be false, the officer will advise Communications of the exact address of the alarm. Communications will enter the exact address into the computer system.

(B) ALARM NOTIFICATION CARDS

After checking the location of an alarm and determining that the alarm was false, the officer shall leave an Alarm Notification Card in a conspicuous place. Any unusual conditions, such as unsecured doors or windows, should be noted on the card.

(C) CHRONIC ALARMS

Personnel who become aware of an alarm system, that is known to chronically issue false alarms, shall notify the Records Bureau. The Records Bureau shall follow the procedures outlined in the City of Ridgecrest Municipal Code.

If the location of a chronic alarm is a City of Ridgecrest building, the officer shall complete a memorandum and forward it to a supervisor. The supervisor shall make a copy of the memorandum and forward one copy to the affected department and the other copy to the Chief’s Office.

4.1.30 BUILDING SECURITY: BOARD UP PROCEDURE

Whenever an officer responds to an incident where a building cannot be secured, the officer will attempt to contact a person responsible for the location. If a responsible party cannot be located, and the only means of securing the building is by having an officer stand by, the building may be boarded up with the approval of the Watch Commander.

In order to have a building “boarded up,” the officer will obtain a supervisor’s approval and notify Communications. Communications will contact the appropriate company and have them respond to the location. The officer may leave the location once it has been secured.
4.1.32 FIELD IDENTIFICATION OF SUSPECTS

When a suspect has been detained in connection with an active field investigation, and victims or witnesses can provide a timely identification of the suspect to either connect or disassociate the suspect from the investigation, officers may conduct field identification.

(A) FIELD IDENTIFICATION ADMONISHMENT

Prior to commencing the Field Identification, officers shall advise the witness or victim of the admonishment authorized by State and/or Federal law.

(B) GENERAL PROCEDURES

When conducting field identifications, officers must have witnesses or victims view the suspect separately. In order to preclude the possibility of an incorrect identification, witnesses and/or victims should remain separated so that they do not discuss their identification with one another.

Generally, witnesses or victims should be transported to the location of the suspect’s detention.

(C) TRANSPORTATION OF SUSPECT FOR IDENTIFICATION

The suspect may be transported for the purposes of field identification when:

· The suspect has given a voluntary and willing waiver to participate in the field identification and to be transported in a police unit for that purpose;

· The suspect is under arrest, or

· The victims or witnesses are unable to be transported to the location of the suspect’s detention (e.g., when the victim or witness has been transported to a hospital).

4.1.34 RESTRAINING ORDER: ENFORCEMENT AND FILES

Restraining orders submitted to this agency for enforcement and informational purposes shall be immediately forwarded to the dispatcher. Those orders meeting the criteria set forth for retention shall be filed alphabetically and entered into the appropriate computer systems.

A designated dispatcher shall ensure that the restraining order files are reviewed and that expired orders and those not meeting the retention criteria shall be purged. This should be done on a monthly basis.
4.1.36 VEHICLE THEFT REPORTS

Any time an officer accepts a stolen vehicle report, the officer shall notify the dispatcher without delay in order to facilitate entry of the vehicle into the Stolen Vehicle System.

If a stolen vehicle is equipped with “LO-JACK” or other vehicle locating device, this information shall be provided to Communications and included in the report.

If the vehicle was taken by force (e.g., in a robbery), or if weapons are reported to have been in the stolen vehicle, the officer shall advise the dispatcher that the vehicle occupant is armed and dangerous. A description of the outstanding suspects and types of weapons used shall also be provided for entry into the Stolen Vehicle System.

4.1.37 STATE-WIDE TRANSPORTING OF RIDGECREST WARRANTS

Ridgecrest arrest warrants are entered into the State Department of Justice computer system via NCIC and the Department is frequently notified of persons in custody at locations throughout the state.

The Ridgecrest Police Department will return to this jurisdiction those persons named in local “felony” warrants when such persons are available for release. If the arresting jurisdiction is out of the immediate Southern California area, arrangements for transportation will be made with the appropriate transportation service.

In the case of a “misdemeanor” warrant pursuant to PC 827.1, the arresting agency will be advised to book and release on a citation to appear.

Upon being notified that” custody” has taken place on a Ridgecrest felony warrant, dispatch personnel shall immediately transmit an abstract of the warrant to the holding agency. An inquiry will also be made at that time to determine whether the person is available for release.

If advised that, for any other reason, the person is not immediately available, dispatch personnel shall, upon being advised that this is the case, contact the Watch Commander.

4.1.38 WARRANT PICKUP PROCEDURES (INCLUDING OUT OF STATE EXTRADITIONS): FIELD SERVICES BUREAU

The responsibility for coordinating pick-ups within Kern County lies with the Watch Commander. Whenever appropriate, pick-ups should be made without delay whenever possible.

When assigning officers for warrant pick-ups, officers actually assigned to the case
should be considered. The opportunity to further develop the case during transportation should not be overlooked, especially in cases of a serious nature. Such an assignment must be made with the concurrence of appropriate supervisors.

The Watch Commander has the primary responsibility for coordinating warrant pick-ups beyond county lines. In most cases, out of county extraditions will be handled by an extradition service, which is available upon request. The Investigations Bureau Commander is responsible for coordinating out-of-state extraditions.

4.1.40 FRONT DESK OFFICER/CLERK

The front desk officer/clerk shall assist and direct all persons entering the Police Facility through the front entrance. The front desk officer/clerk will be responsible for ascertaining the particular needs of an individual and ensuring that the person is provided with the appropriate assistance.

The front desk officer/clerk will remain cognizant of visitor needs and address those needs in a timely and professional manner. The employee assigned to the front desk is responsible for directing visitors to the appropriate sources of services and information. In addition to providing referral services within the Department (i.e., investigative services, fingerprint service, reports/records information), the front desk officer/clerk should direct visitors to the resources of other agencies (i.e., City Departments, other governmental agencies, social services agencies, etc.) when suitable. If conditions are such that the front desk officer/clerk cannot provide the appropriate level of service, the Watch Commander should be advised and appropriate action taken.

(A) FRONT DESK: TELEPHONE COMMUNICATIONS

During normal business hours, the front desk officer/clerk usually will answer in-coming telephone lines. Outside business hours, Communications shall have the primary responsibility of answering the Department’s designated information lines. The front desk officer/clerk shall limit self-initiated telephone calls to those that are essential to the officer’s assigned duties.

(B) POLICE REPORTS

The front desk officer/clerk will request a field unit to take an incident report under the following circumstances:

When as a matter of convenience to the reporting party, who would be required to return to the location of occurrence and the facts of the matter, do not necessitate an on-scene investigation. Counter or telephonic reports should be limited to reports that do not have suspect information, do not require an on-scene investigation, or do not
require an immediate follow-up investigation.

(C) POLICE FACILITY VISITORS

The front desk officer/clerk or other appropriate person shall determine the needs of each visitor. If the visitor has legitimate business with the Department, the visitor will be directed to the appropriate individual or bureau. All visitors to the police building should check in at the front desk.

The front desk officer/clerk shall contact the appropriate employee prior to permitting the visitor to access the facility. The visitor will only be admitted to the facility when escorted by a Department employee. Exceptions may be authorized by the Watch Commander or Supervisor.

When it is apparent that a visitor does not intend to conduct legitimate business within the Police Facility, or the visitor poses a potential threat to Police Operations and/or personnel, the front desk officer/clerk will take immediate and appropriate action to remedy the situation.

The front desk officer/clerk shall immediately notify the supervisor whenever a visitor poses a threat to police operations and/or personnel; there is a disturbance at the front desk, or a disruption of City business at the front desk.

(D) FRONT DESK: BUILDING SECURITY

The front desk officer/clerk is responsible for ensuring that adequate security is maintained at the front entrance of the police facility.

The access door adjacent to the front desk counter shall remain secured, and visitors shall not be permitted beyond the front desk lobby until such time that the front desk officer/clerk has determined a legitimate need for access. Only those persons requesting or requiring services provided by this agency shall be permitted to remain within the police facility.

(E) DELIVERIES AT THE FRONT DESK

The front desk officer/clerk is responsible for routing deliveries received at the front desk both during and after business hours.

During business hours, all mail and newspapers received at the front desk shall be forwarded without unnecessary delay to Records for distribution. When deliveries are from other than commercial delivery services, the receiving officer/clerk shall obtain the identity of the delivery person.
4.2 TRAFFIC MANAGEMENT

4.2.1 DUTIES AND RESPONSIBILITIES

Traffic enforcement is the responsibility of all uniformed officers assigned to the Patrol Bureau. Traffic duties and responsibilities include:

· The investigation of fatal, personal injury, property damage only, City property involved, and hit and run accidents;

· The follow-up, review and analysis of accident reports and records;

· The development and coordination of the Departments selective enforcement program such as specialized D.U.I. and speed enforcement efforts;

· Providing parking enforcement;

· The operation of speed measuring devices;

· Traffic safety education and public information;

· Traffic enforcement action seeking to detect, apprehend, and deter traffic law violations, and

· Other traffic enforcement functions as assigned.

4.2.2 TRAFFIC COLLISION REPORT FORMS

The department uses three report forms in the documentation of traffic collisions. These forms are:

(A) TRAFFIC COLLISION REPORT/PROPERTY DAMAGE ONLY: CHP FORM 555 (R.I.M.S.)

This format will be used when there is:

· A one or two party non-injury collision, and

· A hit and run, non-injury collision, with no suspect or suspect vehicle information, (including private property).

(B) TRAFFIC COLLISION REPORT/ INVESTIGATIVE FORMAT: CHP FORM 555, PAGES 1 THROUGH 4: NARRATIVE PAGE(S): FORM CHP 556
This format will be used when:

- There is a fatal collision or injury (including complaint of pain);
- An injured party is transported directly to a medical facility, there are visible injuries, or there is a complaint of pain or injury by any party;
- There is a hit and run accident with information (including private property) sufficient to follow up and prosecute the suspect;
- Non-injury collision, with two parties or more, where prosecution will be sought;
- D.U.I. driver arrested;
- Unlicensed driver, uninsured driver, or driver with a suspended or revoked license is involved;
- Hazardous materials incident;
- City property is involved. (The short form CHP 555 may be used if the circumstances indicate that the standards for short form usage have been met.), or
- There is a special traffic collision (i.e., a collision with major property damage, outside agency collision, etc.) and, at the discretion of the supervisor or traffic investigator on scene, a report is necessary.

4.2.4 TRAFFIC CITATIONS: FORMS

The Ridgecrest Police Department shall use Traffic and Parking Citation Forms that comply with all legal requirements. These citations shall conform to the recommendations of the Judicial Council of California. The citations shall be comprised of sufficient copies to permit adequate administrative control and to facilitate the purpose for which they are designed.

(A) CITATION BOOKS: GENERAL

Department personnel shall obtain citation books from the Traffic Unit and be accountable for each book so issued.

Upon receiving a Citation Book, the employee shall check it to ensure that it contains the correct number of consecutively numbered citations. If a discrepancy is found, the employee shall immediately report this information verbally or in a memorandum to a supervisor.
(B) CITATION BOOKS: RESPONSIBILITY

Every employee shall be held strictly accountable for each issued Citation Book and its contents.

(C) MISSING CITATIONS OR CITATION BOOK: EMPLOYEES

Upon the discovery that a citation or a Citation Book is missing, employees shall immediately report this information to their immediate supervisor.

(D) MISSING CITATION OR CITATION BOOK: SUPERVISOR

If a citation or a Citation Book cannot be located, the Records Unit Supervisor shall inform the Commander of the Field Services Division. The employee’s Division Commander shall request an explanation in writing from the employee who was issued the Citation Book. The employee shall state any knowledge or reasons why the missing citation(s) or Citation Book cannot be accounted for.

4.2.6 COMPLETION OF CITATIONS

The Judicial Council of the State of California establishes the format of the Notice to Appear form. The Department will utilize the format established by the Council.

(A) WRITING OF CITATIONS

When completing citations, the employee shall use a ball-point pen that will leave a legible impression on all copies of the citation. Aluminum or other hard-surfaced plate should be used under the last copy of the citation to ensure that underlying citations are not marked. Upper case block letters should be used and the employee shall write legibly. The original citation shall not contain any information which does not appear on the violator’s copy.

(B) ERRORS OR OMISSIONS ON CITATIONS

When an error is made, noted and the violator’s copy is still available, the employees shall correct the error by drawing a single line through the error and legibly printing the corrected information next to the error.

The employee shall then initial the error on the citation. Employees shall complete all citations legibly, providing accurate and complete information. When an error or omission is noted on the citation after the violator has left, the employee shall notify the on-duty supervisor. Violator notification and/or dismissal of the citation (if it cannot be corrected) is the responsibility of the employee issuing the citation.
(C) **RETURNING COMPLETED CITATIONS**

The employee shall submit the original and second copy of completed citation(s) to the Watch Commander as soon as possible, but no later than the end of the employee’s tour of duty. The officer’s copy of the citation may be retained by the officer for future reference or submitted to the Records Section with the original citation.

(D) **CANCELLATION OF CITATIONS: CRITERIA**

The following criteria shall be used when determining whether a citation should be canceled or voided:

- The person to whom the citation was issued is subsequently arrested and booked, and the violation for which the person was cited is merged with the arrest offense;
- The officer has mistakenly identified the person to whom the citation was issued;
- The offender is identified as being entitled to diplomatic immunity;
- The citing officer makes an error in the completion of the citation or it is mutilated and another citation is issued to the offender;
- The cause of issuance was apparent disobedience to any official sign or traffic control device, and it is subsequently determined that the device or sign was obscured, displaced, or malfunctioning, or
- The officer receives an emergent call for service prior to completing the citation.

(E) **CANCELLATION OF CITATIONS PROCEDURE**

In order to establish responsibility and maintain control of the citation process, only the Traffic Unit Supervisor or designated alternate approved by the Chief of Police is authorized to cancel or request the dismissal of citations. All employees must first obtain approval from their immediate supervisor before this process is utilized.

(1) **DEFINITIONS**

For purposes of this section, the following definitions shall be used:

- **Void:** Refers to the action necessary when a citation has not
been processed and where all copies are intact.

- Cancel: Refers to the action necessary when a citation has been written and processed.

(2) CANCELLATION OF CITATIONS: EMPLOYEE’S DUTIES

Employees needing to void or cancel a citation shall attempt to collect all copies of the citation. The citation shall not be marked or altered in any way. All originally recorded information must remain intact.

The employees shall complete a citation dismissal form stating the reasons for the cancellation request. The citation shall then be attached to this communication and forwarded to the employee’s immediate supervisor.

(3) CANCELLATION OF CITATIONS: SUPERVISOR'S DUTIES

The employee’s immediate supervisor shall review the memorandum and indicate approval of the request by signing it. The supervisor shall then forward the memorandum and citation to the Traffic Unit Supervisor.

(4) CANCELLATION OF CITATIONS: TRAFFIC UNIT SUPERVISOR DUTIES

The Traffic Unit Supervisor shall review the citation. In the case of Parking Citations, “void” or “cancel” shall be marked on the face of the citation, and it shall be signed off as approved. In the case of other traffic citation, the Traffic Unit Supervisor shall initiate a request for court dismissal.

4.2.8 PARKING CITATIONS

Parking citations shall be used for the enforcement of violations of the Ridgecrest Municipal Code and California Vehicle Code pertaining to vehicles that are parked, stopped, or standing on a highway or private property.

4.2.10 CANCELLATION OF PARKING CITATIONS: CRITERIA

The following criteria shall be used for determining the cancellation of parking citations:
Mechanical or physical failure (e.g., a broken parking meter or the sign restricting the parking privilege was obscured or missing);

Written in error (e.g., the officer failing to note a handicapped plate, placard, or special permit or when the vehicle had been previously cited);

Written incorrectly (e.g., when on code violation has been marked or the wrong code section has been entered), and

Damaged citation (e.g., damage caused by inclement weather or erroneous markings).

**4.2.12 COURT APPEARANCE**

Officers who are subpoenaed to court shall be punctual in attendance and prepared to testify and present evidence as required.

(A) **COURT LOCATION AND DATE: ADULT OFFENDERS**

Adults shall be cited into the East Kern County Superior Court, at least thirty (30) calendar days from the issuance of the citation.

(B) **COURT LOCATION AND DATE: JUVENILE OFFENDERS**

Juveniles shall be cited into the East Kern County Superior Court and officers will indicate “to be notified” on the citation regarding the date/time of appearance. The court date notification will be made by mail.

(C) **COURT ATTIRE**

Officers appearing in court shall wear the approved uniform of the day or suitable business attire. Suitable business attire for men consist of a business suit and tie or sport jacket with dress slacks and a tie. For women, suitable business attire consists of a dress jacket with a skirt or slacks and a dress blouse. In all cases, business attire should be conservative.

(D) **COURT TESTIMONY**

When giving testimony in court, personnel should speak calmly and explicitly in a clear, distinct, and audible tone, so as to be easily heard by the court and/or jury. Personnel shall testify with the strictest accuracy and neither suppresses nor overstates circumstances with the objective of favoring or discrediting anyone.
(E) REFUSAL TO TESTIFY

Any employee appearing before any of the following bodies, and who invokes his/her constitutional privilege and refuses to testify or provide requested information, may be subject to corrective counseling or discipline:

- Any competent legislative body;
- A Judicial tribunal, or
- A hearing board.

4.2.14 CHANGE OF VENUE

Under certain circumstances, a person cited for a traffic violation may request to appear at the court designated as the County Seat. When this occurs, the person will be cited to appear at one of the given branch courts such as the appropriate court in the county seat.

4.2.16 REQUESTS FOR COURT DISMISSALS

Requests for court dismissals are made only in the event the citation has been issued in error. The request shall be made in the same manner and form as outlined in this Manual, except that the officer making this request will state that it is for court dismissal. In addition to other required information, the request shall contain the citation number, name and address of the person cited, and any other information necessary for clarification to the court. After evaluation, and having determined that the reason for dismissal is valid, the Traffic Unit Supervisor will prepare and submit a formal request to the court. If the dismissal is granted by the court, the Traffic Unit Supervisor shall be responsible for making written notification of the action taken on the person on whose behalf the dismissal was sought.

4.2.18 ASSISTING DISABLED MOTORISTS

A request for assistance shall be deemed to have been made by any or all of the following actions by a disabled motorist:

- A call from a citizen or an enforcement agency;
- A physical request for assistance, such as waving the arms, or
- An obvious need for assistance, such as a person standing by a disabled vehicle.

(A) DISABLED MOTORIST: OFFICER RESPONSIBILITY

When possible, it is the responsibility of each uniformed member of this Department to provide assistance to disabled motorists within the City of Ridgecrest. Officers noting motorists in need on a state highway or in other jurisdictions should attempt to advise the appropriate agency if circumstances permit.

Assistance of any kind which will expedite the removal, or return to operation, of disabled vehicles is of primary importance. This may include such actions as calling a tow service or requesting Communications to contact an assisting party or commercial transportation, etc.

- Public safety is the primary concern with efficient traffic management the secondary concern.

- Disabled motorists who appear to have received assistance from some other source and no longer require further assistance need not be contacted.

- An officer assisting a disabled motorist, who is a female, appears vulnerable, or who requests further assistance, shall remain on scene until assistance has arrived.

**POLICY INTENT**

The intent of this policy is to provide a uniform delivery of service to disabled motorists. Nothing herein shall be construed to impose liability on the City of Ridgecrest or its police officers.

**IMPOUNDED/STORED VEHICLES: VEHICLE REPORT CHP 180**

**PURPOSE**

The number of drivers, who are unlicensed, or driving with a suspended or revoked license, has steadily increased over the past several years. It has been estimated that 20 percent of all drivers who are involved in fatal traffic collisions are unlicensed out of state drivers and that Californians who comply with the law are frequently victims in traffic collisions caused by out of state drivers. Studies have shown that drivers who have had their licenses either suspended or revoked were involved in four times as many fatal traffic collisions; six times as many injury crashes, and had eleven times as many drunk driving convictions as licensed drivers. Suspended and outside drivers are responsible for 50 percent of the hit and run traffic collisions. In an effort to combat the problem, § 22651(p) of the California Vehicle Code was enacted to authorize the removal of vehicles from the highway when operated by unlicensed outside drivers.
CVC § 22651 empowers any employee of the Police Department, engaged in traffic direction or enforcement or enforcing parking laws and regulations, to remove a vehicle from a highway when the vehicle is in violation of specific vehicle code violations. Additionally the US Supreme Court has held that after an arrest is made or a citation issued, whether an impoundment is reasonable depends on whether vehicles are creating a hazard, impeding traffic, threatening public safety or subject to vandalism or theft. Under the Fourth Amendment this is known as the “Community Caretaking Doctrine”. Officers will evaluate the circumstances around a possible vehicle tow/impound and determine the necessity to tow/impound the vehicle. This evaluation will be documented and the officer’s report will minimally contain the reason why the vehicle was either towed or not towed under the Community Caretaking policy or as evidence in an underlying case. Officers shall note the condition of the vehicle as well as the area the vehicle is parked in. Officers shall also determine if the vehicle is legally parked and/or posing a traffic hazard. If an unimpaired, licensed driver is available to move the vehicle promptly at the request of the driver they shall be allowed to do so. Officers shall ask the driver or registered owner if they would like the vehicle towed for safekeeping or left at the scene. Towing/Impoundment (in reference to a 30 day hold) is allowable when the driver is arrested/cited when licensed is suspended or revoked. The vehicle may be towed under CVC 22651 (p) with a 30 day hold pursuant to CVC 14602.6 (a).

**CHP 180 Form Procedures:**

The initial responsibility for establishing ownership of the vehicle rests with the officer handling the incident. Whenever possible, the registration certificate shall be located and examined to ascertain the name and address of the registered owner, the legal owner, and the Vehicle Identification Number. In all cases where vehicles are stored or impounded, the license number or the Vehicle Identification Number shall be checked through the Stolen Vehicle System to determine if the vehicle has been reported stolen or embezzled.

The officer impounding or storing a vehicle shall complete a Vehicle Report (CHP 180). The report shall be completed as accurately as possible. However, if part of the report cannot be completed because the information is unknown, the abbreviation "unk" may be placed in the appropriate space. Upon completion, the officer shall sign the report. The tow company agent receiving the vehicle shall sign the Vehicle Report, and a copy of the report shall be given to the tow company agent at the scene. After completing the storage or impound, the officer shall notify the dispatcher, as soon as possible, of the storage/impound. The dispatcher notified and the time of the notification shall be indicated on the report.

If you store/impound the vehicle for the 30 day hold, then you must complete the
CHP 180 form as follows:

Write the words “30 Day Hold” across the top of the CHP 180 form. List the proper and applicable storage authority in the designated area “Storage Authority/Reason” section. In the “Remarks” section list the driver name, arrested and arrest section (if applicable). Below the driver name box you’ll find an area to write a small narrative. This narrative shall include the circumstances surrounded the storage of said vehicle (Example: Above listed driver arrested for CVC 23152(a), vehicle abandoned on public roadway over 72 hours, etc.).

Make sure to notify the registered and legal owner of the stored vehicle pursuant to CVC 22852. Whether you have given personal delivery of the stored vehicle, or you mail the required notice to the registered/legal owner, you must “X” the appropriate box on the CHP 180 form, indicating the proper and required Legal Notice has been sent via US Mail. The registered/legal owner shall also be notified if the vehicle has been towed/stored for other reasons (abandoned, etc.). When mailing a “30 Day Hold” notice to the registered and/or legal owner, make sure to complete the Certified Mail paperwork and receipt. The certified mail paperwork and receipts are located in the main report writing room.

(B) DEFINITIONS

(1) **Nonresident Driver:** A nonresident driver may operate a motor vehicle in the State of California without obtaining a driver’s license if the nonresident is over the age of 18 years and has in his/her possession a valid driver’s license issued in another jurisdiction of which he/she is a resident, except as provided in CVC §12505. (Also refer to Division 6, Chapter 1, and Article 1 of the California Vehicle Code).

(2) **§ 22651(p) CVC:** “When the peace officer issues the driver of a vehicle a notice to appear for a violation of §§12500, 14601, 14601.1, 14601.2, 14601.3, 14601.4, 14601.5, or 14604 and the vehicle has not been impounded pursuant to §22655.5. Any vehicle so removed from the highway or any public lands, or from private property after having been on a highway or public lands, shall not be released to the registered owner or his or her agent, except upon presentation of the registered owner’s or his or her agent’s currently valid driver’s license to operate the vehicle and proof of current vehicle registration, or upon order of a court.”

(3) **§ 14602.6 CVC:** “Driving without a license; arrest; seizure and impoundment of vehicle; notice to owner; storage hearing; release of vehicle.” (Also Subsections (a) through (i))
(C) VEHICLES: IMPOUND AND STORAGE

The California Vehicle Code mandates specific procedures for the removal and storage of vehicles from highways, public property, and private property. These laws are to insure the prompt and efficient processing of vehicle storage reports, notifications, and to protect vehicle owners from depreciation of their property or unnecessary costs.

1. VEHICLE STORED

Vehicles removed from highways, public property, or private property which does not require any further investigation shall be classified and processed as “Stored Vehicles.”

2. VEHICLE IMPOUNDED

All vehicles removed from highways, public property, or private property which is to be held as evidence or require investigation shall be processed as “Impounded Vehicles.”

3. STORAGE AND IMPOUND: GENERAL PROCEDURES

The initial responsibility for establishing ownership of the vehicle rests with the officer handling the incident. Whenever possible, the registration certificate shall be located and examined to ascertain the name and address of the registered owner, the legal owner, and the Vehicle Identification Number.

In all cases where vehicles are stored or impounded, the license number or the Vehicle Identification Number shall be checked through the Stolen Vehicle System to determine if the vehicle has been reported stolen or embezzled.

The officer impounding or storing a vehicle shall complete a Vehicle Report (CHP 180). The report shall be completed as accurately as possible. However, if part of the report cannot be completed because the information is unknown, the abbreviation "unk" may be placed in the appropriate space. Upon completion, the officer shall sign the report.

The tow company agent receiving the vehicle shall sign the Vehicle Report, and a copy of the report shall be given to the tow company agent at the scene.

After completing the storage or impound, the officer shall notify the
dispatcher, as soon as possible, of the storage/impound. The dispatcher notified and the time of the notification shall be indicated on the report.

4. INVENTORY SEARCH: REQUIREMENT

All vehicles stored or impounded shall be inventoried and searched for items of value. All accessories, equipment, and tools normally used for emergency repairs shall be left in the vehicle unless it is necessary to seize the items as evidence.

This search should include all portions of the vehicle including the glove compartment, console compartments, trunk, and other miscellaneous storage areas. All storage containers not a component of, but located within the vehicle should also be searched. These containers include, but are not limited to: purses, wallets, briefcases, suitcases, backpacks, coolers, and all other miscellaneous types of closed containers. All items of value located during the search should be inventoried and recorded on the CHP 180 form. All items found should be left within the vehicle unless they are seized as evidence, or the impounding officer believes that specific items of value require additional safekeeping measures.

5. STOLEN VEHICLES RECOVERY

All stolen and embezzled vehicles recovered by members of this Department shall be processed as impounded vehicles.

At the discretion of the officer, a stolen vehicle which has been recovered by the owner may be released to the owner at the scene. A Form CHP 180 shall be completed and the vehicle owner shall be required to sign it in the appropriate place. The officer shall notify the Dispatcher immediately regarding the recovery and release of the vehicle.

(D) UNLICENSED DRIVERS: VEHICLE IMPOUND/STORAGE PROCEDURE

Upon issuing a citation to the driver of a vehicle for violation of §§ 12500, 14601, 14601.1, or 14601.2 of the California Vehicle Code, and when there is no other licensed person in the vehicle who has the owner’s authorization to drive the vehicle, it may be removed from the highway and stored pursuant to CVC § 22651(p). Before a vehicle is stored, the following conditions must be
satisfied prior to storing a vehicle:

· The driver, at the time of the stop, will be issued a Notice to Appear for a violation of CVC §§ 12500, 14601, 14601.1, 14601.2, 14601.3, 14601.4, 14601.5 or 14604;

· The vehicle being stored was observed on a highway or on public lands, or from private property after having been on a highway or public lands, and

· Prior to a vehicle being stored under this section, a supervisor should be informed as to the intent to store.

(E) VEHICLE RELEASE

Vehicles stored under § 22651(p) CVC shall not be released except under the following circumstances:

· Upon the personal appearance of the registered owner and upon presentation of a valid driver’s license and proof of ownership of the vehicle.

· Upon the simultaneous personal appearance of the registered owner and his/her agent and upon presentation of the following documents: valid driver’s license of the owner’s agent and proof of ownership.

· In cases where the vehicle is to be released to the owner’s agent, that person will be interviewed by a supervisor to determine the appropriateness of the release.

· Vehicles stored under § 22651(p) CVC shall be released upon receipt of a valid order of the court.

· In cases where an attempt is made by the legal owner to secure the release of a vehicle stored under § 22651(p) CVC, in connection with a repossession, the release shall be authorized by a supervisor.

Vehicles stored under § 14602.6 CVC shall be stored for a minimum of 30 days and not be released except as provided by this section. A vehicle may be released to the registered owner or his or her agent prior to the end of 30 days’ impoundment under any of the following circumstances:

· When the vehicle is a stolen vehicle;

· When the vehicle is subject to bailment and is driven by an
outside employee of a business establishment, including a parking service or repair garage, and

- When the license of the driver was suspended or revoked for an offense other than those included in the provisions outlined in CVC § 14602.6 (d) (1) (C).

(F) VEHICLE RELEASE: OTHER EXCEPTIONS TO 30 DAY IMPOUND

A vehicle shall be released to the legal owner of the vehicle or the legal owner’s agent prior to the end of 30 day’s impoundment if all the following conditions are met:

- 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;

- The legal owner or the legal owner’s agent pays all towing and storage fees related to the seizure of the vehicle;

- The legal owner or the legal owner’s agent presents foreclosure documents or an affidavit of repossession for the vehicle;

- The agent of the legal owner signs a release agreement accepting liability for the vehicle, its condition, and contents. (In order to meet the legislative intent of § 14602.6 CVC and to protect the financial interest of banks, licensed lending institutions, commercial vehicle rental companies and licensed auto dealers holding a lien on the vehicle, the following policy has been adopted;

- If a request to release the vehicle is made by a bank, a licensed auto dealer holding a lien on the vehicle, or licensed lending institution, the agent or the legal owner shall sign a release agreement stipulating that the driver at the time of impoundment will not have access to the vehicle until the end of the 30 day impoundment period;

- If a request is made by a commercial vehicle rental company, the agent for the rental company shall sign a release agreement stipulating that they will not return the vehicle or rent any other vehicle to the individual who was the driver at the time of impoundment during the remainder of the 30 day impoundment period, and thereafter only when properly licensed as required.
by CVC § 14604, and

· The City of Ridgecrest Declaration and Legal Owner’s Release and Indemnification Agreement form will be used for this purpose. Legal owners will be responsible for payment of the Department Release Fee prior to release of the vehicle.

(No vehicle shall be released pursuant to the above except upon presentation of the registered owner’s or agents currently valid driver’s license to operate the vehicle and proof of current vehicle registration, or upon court order).

This policy is consistent with the legislative intent by attempting to ensure that drivers will not have access to their vehicles, while not unnecessarily penalizing the legal owners. A City of Ridgecrest Declaration and Legal Owner’s Release and Indemnification Agreement shall be completed by a Records Clerk. It shall be signed by the vehicle representative prior to release, when release is made pursuant to this exception.

The Department recognizes that officers will come across unusual situations and circumstances involving the towing of vehicles. In those situations, officers shall review the circumstances with a supervisor prior to towing a vehicle.

(G) VEHICLE REPORT

Any member of this Department who orders the removal of a vehicle under the provisions of the Vehicle Code shall complete the Vehicle Report at the scene. The reason for the removal of the vehicle shall be indicated in the “Remarks” section of the Vehicle Report.

(H) WAIVER OF IMPOUND FEES

Impound fees shall not be collected on vehicles impounded for the following reasons:

· When the vehicle is a recovered stolen and the vehicle is being released to the owner or a designate;

· When the vehicle was taken as evidence, or as the container of evidence, or as part of a criminal investigation and the registered owner of the vehicle was a witness or victim of a crime, and not the suspect;

· When the vehicle was impounded in error, or
When a post-storage hearing was requested, and it is determined after the hearing that the facts disclosed warrant a waiver of fees. (The Traffic Unit supervisor shall approve this type of waiver).

(I) POST STORAGE HEARINGS: § 22852 CVC

1. **Notification:** § 22852 CVC requires a public agency which directs the storage of a vehicle, to notify the registered and legal owners, or their agents, of the opportunity for a post storage hearing to determine the validity of the storage. The notice is to be mailed certified, return receipt requested, or personally delivered to the legal and registered owners within 48 hours of the request, excluding weekends.

2. **Request for Hearing:** When a request is made by the registered owner, legal owner or agent either by telephone or in person, the registered owner’s or legal owner’s name, address, pager number, telephone(s) number where he/she can be reached during the day and night time hours should be obtained. The information shall be immediately and personally forwarded to the Traffic Unit supervisor. If the Traffic Unit supervisor can not be reached, the information shall be forwarded to the Watch Commander, who will cause the information to be forwarded. The supervisor will then cause the registered or legal owner to be contacted and a post storage hearing scheduled pursuant to § 22852 CVC.

   Post storage hearings can be conducted on the telephone at the time the person is making the request for a hearing. However, it must be made absolutely clear to the person requesting the post storage hearing that the hearing will be conducted, at that time, over the telephone.

3. **Hearing Officer:** The post storage hearing officer will be the Traffic Unit supervisor. All post storage hearings shall include a Vehicle Storage Hearing Report. The CR number assigned to the “hearing report” will be the same CR as assigned to the CHP 180 report. The post storage hearing report(s) will be filed with the appropriate CHP 180. At the time of the post storage hearing, the hearing officer will make it absolutely clear to the person who requested the post storage hearing that, in face, a post storage hearing is actually being conducted.

4.2.22 ABANDONED VEHICLE(S)

Procedures for handling impounded and stored vehicles are outlined in the subsections that follow:

(A) POLICY
Whenever a complaint is received regarding an obviously abandoned vehicle or a vehicle allegedly parked in violation of Section 4-8.102.1 of the Ridgecrest Municipal Code, it is the policy of this Department to dispatch an officer to the scene to determine the circumstances and to examine the vehicle. This initial investigation shall include the following:

- Contact the informant for any additional information as necessary;
- Query the license number or the Vehicle Identification Number through the Stolen Vehicle and Registration System, and
- Determine if a permit has been previously granted by the Chief of Police.

(B) REMOVAL

If ownership of the vehicle cannot be established and/or the owner is incapable or unwilling to move the vehicle immediately, the officer shall proceed in one of these two ways:

- Officer(s) responding to an obviously abandoned vehicle shall seize and store the vehicle immediately.
- Officer(s) responding to a report of an abandoned vehicle, find there is no evidence that the vehicle is abandoned, the officer(s) shall properly mark the vehicle by placing a paper clip or other object on the top of the tire or by marking a tire with crayon in such a way that it will be possible to determine that the vehicle was not moved within the last 72 hours. After a period of 72 consecutive hours, officer(s) may take appropriate action.

4.2.24 STORAGE: VEHICLE COLLISIONS

A collision report will be completed if a vehicle is damaged in a traffic collision and a tow truck is necessary to remove the vehicle from the roadway. Vehicles will be stored as outlined in the subsections that follow:

(A) POLICY

Vehicles involved in traffic collisions and obstructing traffic should be removed at the request of the persons in charge of the vehicles whenever possible. The
persons in charge of the vehicles should also be consulted regarding their preferences concerning tow service or location of storage, unless they are unavailable or the vehicles constitute such a hazard as to require immediate removal.

(B) REPORTING: CHP FORM 180

Any vehicle removed from the highway to a garage or other location at the request of the owner or person in charge of the vehicle, does not require a CHP 180 form. The police tow service may request the officer's approval for those circumstances wherein the owner was unable to remain with the vehicle.

If the owner or person in charge of the vehicle did not request tow services at the scene because of injuries or other emergent situations, the investigating officer shall order removal and storage of the vehicle. A CHP 180 form shall be completed.

4.2.26 STORAGE: RELEASE OF STORED VEHICLES.

The California Vehicle Code states that whenever a peace officer finds a vehicle standing on a highway in violation of a Vehicle Code section dealing with Stopping, Standing, and Parking, the officer may move the vehicle or require the driver or other person in charge of the vehicle to move it to the nearest parking location. The officer may also remove and store the vehicle if moving it off the roadway to a parking location is impractical.

When a person makes an inquiry regarding the release of a stored vehicle, that individual shall be referred to the garage where the vehicle is being stored. This individual should further be advised that in order to secure the release of the vehicle, proof of ownership along with satisfactory identification must be presented to the towing company. If an individual other than the registered owner is attempting to retrieve the stored vehicle, then written authorization from the owner must be presented. Any vehicle classified as “stored” requires a release from this Department.

4.2.28 VEHICLES: GENERAL PROVISIONS.

All vehicles used in crimes, vehicles seized due to their evidentiary value, stolen or embezzled vehicles, those involved in hit and run incidents and/or violations of specific sections of the vehicle code, may be impounded under the appropriate Vehicle Code section(s).

(A) RELEASE EXCEPTIONS

When an officer recovers a stolen vehicle or impounds a vehicle, it shall be
available for release with the following exceptions:

- There are holds placed in the Stolen Vehicle System (SVS) by outside agencies;
- There is physical evidence to recover;
- A hold has been placed on the vehicle by Investigative Services personnel;
- The vehicle has been used in a crime, or
- Follow up by the Traffic Unit is necessary.

If a vehicle is held for one of the above circumstances, the word ‘HOLD’ shall be written across the upper right portion of the report in 1” letters.

(B) VEHICLE IMPOUND: OUTSIDE AGENCY

All stolen vehicles with holds placed by an outside agency or by this Department shall be impounded and released only by the investigating agency or the Ridgecrest investigator assigned to the case.

(C) VEHICLE IMPOUND: STOLEN OR EMBEZZLED NOTIFICATION

It shall be the responsibility of the officer who recovered the vehicle to ensure that the following notification and cancellation procedures are accomplished:

- If the vehicle has been stolen or embezzled from another jurisdiction within Kern County, the reporting agency shall be notified by telephone of the recovery of the vehicle. All pertinent information as to the name, address, and telephone number of the registered owner shall be verified to ensure accuracy.

- If the owner resides within the City of Ridgecrest, the owner should be notified by telephone and informed that the vehicle has been recovered and that it is/is not available for release. If it is not available, the owner shall be advised to contact the Auto Theft Detail.

- Ensure that the Stolen Vehicle System (SVS) is updated by immediately notifying Communications Bureau personnel. Communications Bureau personnel shall attach the original copy of the teletype update to the original vehicle report.
If the vehicle has been stolen or embezzled from another jurisdiction, ensure that the reporting agency is officially notified of the recovery of the vehicle by direct teletype computer message. The Records Section shall attach a copy of this teletype computer message to the original vehicle report.

(D) VEHICLE IMPOUND: HIT AND RUN VEHICLE.

The California Vehicle Code, § 22655, empowers a police officer to impound a vehicle from a highway, if the officer has reasonable cause to believe that the vehicle has been involved in a hit and run accident. Impounding the vehicle is not mandatory. If an arrest is made, the vehicle should be stored pursuant to § 22651(H) CVC.

A vehicle impounded under § 22655(B) CVC must be released on the demand of the owner upon the expiration of forty-eight hours (from the time of impound of the vehicle). Therefore, it is the responsibility of the officer impounding the vehicle to make arrangements for the scientific examination of the vehicle.

(E) VEHICLE IMPOUND: SCIENTIFIC EXAMINATIONS.

It is plainly within the realm of a police investigation to subject an object properly seized to scientific examination.

Occasionally, a scientific examination of the vehicle or a laboratory analysis of its contents is desired, and conditions at the scene or at a regular place of impound are unfavorable or are not conductive to a thorough examination. To ensure the safekeeping and security of the vehicle under such conditions, a supervisor may authorize the storage of the vehicle in the secured police department parking lot or other approved location until such time as the examination can be performed. When the examination has been completed, the impounded vehicle shall be removed to a regular place of impound.

4.2.30 RELEASE OF IMPOUNDED VEHICLES

The officer releasing an impounded vehicle shall confirm that all obligations with the Department of Motor Vehicles, the courts, and this agency have been complied with. All outstanding citations must have been paid, the registration must be in order, and the person taking possession of the vehicle must have a valid license.

A vehicle may be released to a licensed driver other than the registered owner by either of two ways:
The registered owner is present and signs the release form, or

A notarized letter from the registered owner is presented authorizing the third party to take possession of the vehicle.

If the vehicle is being held in an investigation, the assigned investigator must authorize the release of the vehicle. Once this has been done, the Vehicle Impound Release Form can be completed and the release fee collected. The individual taking possession of the vehicle shall be given a copy of the release form and told which towing company to contact. Upon presentation of satisfactory identification, proof of ownership or written authorization from the present owner, the vehicle may be released by the towing company. Towing and storage fees are the responsibility of the registered owner.

Unless otherwise specified, all impounded vehicles shall be available for release at the expiration of 48 hours.

4.2.32 STORED/IMPOUNDED

(A) NOTIFICATION TO DEPARTMENT OF MOTOR VEHICLES

To expedite notification proceedings, and to insure accurate and proper notification, communications (teletype or computer) to the Department of Motor Vehicles, the dispatch personnel will send registration information as soon as possible on all vehicles stored or impounded by members of this Department.

Upon receipt of registration information from DMV, the information shall be checked with that contained on the original Vehicle Report. Dispatch personnel will contact the Watch Commander of any corrections or inclusions that need to be made. The registration information will become a part of the Department’s records and attached and filed with the original Vehicle Report.

(B) STATE STOLEN VEHICLE SYSTEM

Information concerning all vehicles stored or impounded in which a Vehicle Reports submitted shall be placed into the State Stolen Vehicle System files as an impounded vehicle by dispatch personnel using a Vehicle Entry Form.

Dispatch personnel shall insure that the teletype reply to all queries and the entry of the impounded vehicle into the State Stolen Vehicle System are attached to the original Vehicle Report and are a part of the Department records.
4.2.33 WRITTEN NOTIFICATION: STORED OR IMPOUNDED VEHICLES

The California Vehicle Code, § 22852, requires that when a vehicle is stored or impounded as authorized by the Code, the registered owner and the legal owner shall be notified in writing of the grounds for removal and the place of storage. It is the responsibility of the reporting officer to make such written notification. The owner of the tow service is provided with a copy of the CHP 180 Report by the officer at the location.

Written notices need not be sent, when it has been determined that the vehicle has been returned to the person formerly in charge of the vehicle shortly after being stored or impounded, and the forwarding of the notices would serve no purpose.

4.2.35 UNINSURE MOTORISTS AT FAULT IN TRAFFIC ACCIDENTS

(A) PURPOSE

To ensure that Ridgecrest Police Department effectively deals with Uninsured Motorists who are at fault in Traffic Accidents.

California Vehicle Code section 16028(c) allows a Peace Officer to issue the drive of a motor vehicle, who fails to provide evidence of financial responsibility, a Notice to Appear for violation of CDC 16028(a) at the scene of a Traffic Accident.

Additionally, California Vehicle Code Section 40600 states that a Peace Officer who has successfully completed a course or courses of instruction, approved by the Commission on Peace Officer Standards and Training (POST), in the investigation of traffic accidents may issue a driver a Notice to Appear when the peace officer has reasonable cause to believe that the driver involved in the traffic accident has violated a provision of the Vehicle Code (not a felony or local ordinance) and the violation was a factor in the occurrence of the traffic accident.

1. Every officer that investigates a traffic collision involving an uninsured motorist (driver), who is determined to be at fault, shall conduct a “Full Investigation” of the accident;

2. Officers who have attended a POST approved Accident Investigation course shall, when the primary collision factor (PCF) is “obvious”, issue the “at fault” uninsured motorist a Notice to Appear charging that driver with the appropriate vehicle code violation (primary collision factor), and violation of CDC 16028(a) Uninsured Motorist;
3. Those officers that have not attended a POST approved Accident Investigation course shall, under the “RECOMMENDATIONS” heading in the report, recommend that the “at fault” uninsured driver be cited for the appropriate violation (PCF), and violation of CVC 16028 (a) Uninsured motorist;

4. The Traffic Sergeant may, based upon the officer’s report, send (via US Mail) the uninsured motorist a Notice to Appear for the violations;

5. In those instances where the PCF is not “obvious” to the investigating officer, the Traffic Sergeant shall determine whether or not a citation is issued.

4.4 TRAFFIC ACCIDENTS: GENERAL

Officers of the Ridgecrest Police Department shall respond to all traffic accidents which are brought to the attention of the Department, either through a call for service by observation or any other means.

(A) DEFINITIONS AND CLASSIFICATIONS OF TRAFFIC ACCIDENTS

Definitions and classifications of traffic accidents should be in accordance with the standards set forth in the Collision Investigation Manual published by the California Highway Patrol. These definitions are compatible with the procedures used in reporting traffic accidents under the Statewide Integrated Traffic Records System (S.W.I.T.R.S.) and shall be used by Department personnel when reporting traffic accidents.

(B) TRAFFIC ACCIDENT: FIRST OFFICER ON SCENE DUTIES

The first officer arriving at the scene of a traffic accident shall:

· Determine if there are injuries and/or fatalities as a result of the accident;

· Summon an ambulance, if necessary;

· Render first aid;

· Protect involved vehicles, personal property, and involved persons;

· Facilitate the clearing of the roadway and the resumption of the traffic flow, and
Protect all evidence and document the placement of vehicles.

(C) TRAFFIC ACCIDENT: PRIMARY OFFICER DUTIES

The officer assigned as the primary unit on a traffic accident shall determine whether the accident shall be reported under the Department's guidelines. If the accident does fall within these guidelines, it is that officer's responsibility to conduct the on-scene investigation and complete all necessary reports.

If needed, the primary officer may request additional officers to assist with the investigation. The primary officer shall specify the number of additional officers required and designate their intended assignment. Such assignments may include, but are not limited to, traffic control, clearing of the roadway, removal of disabled vehicles, transportation of suspect(s), or completing a factual diagram of the scene.

The primary officer shall also be responsible for verifying that the correct exchange of information has taken place. The officer shall advise involved parties regarding the requirement for the submitting of a state form SR-1 to the Department of Motor Vehicles in certain accident situations.

4.4.2 REPORTABLE TRAFFIC ACCIDENTS

All calls for service regarding traffic accidents will be screened by Communications personnel, and a police unit dispatched to conduct an investigation and complete an accident investigation report under the following circumstances:

(A) PROPERTY DAMAGE

Property damage only accidents occurring on a public highway or public alley when both drivers are still at the traffic accident scene and a report is requested.

(B) INJURY

All injuries which occur upon a highway.

(C) CITY PROPERTY

All accidents involving Ridgecrest City Property and/or on-duty personnel.

(D) HIT AND RUN

All hit and run accidents when the struck vehicle is still at the scene, regardless of whether the registered owner is at the scene or is the reporting party. If the struck vehicle has been moved from the scene, a report shall be taken if evidence is available, such as a license number, description of the driver or
vehicle, witness information that could result in the identification of the hit and run driver, or when the registered owner requests a report.

(E) DRIVING UNDER THE INFLUENCE

All accidents involving drivers under the influence of alcohol or drugs or a combination thereof.

4.4.4 TRAFFIC ACCIDENT: PHOTOGRAPHS

Photographs shall be taken of all traffic collisions.

4.4.6 TRAFFIC ACCIDENT: ALTERATION OF A REPORT

Once a Traffic Accident Report has been completed, approved, and filed with the Records Section, it shall not be altered. If it becomes necessary to record statements or facts in addition to those contained in the original report, a supplemental report shall be completed.

4.4.8 TRAFFIC ACCIDENT: SUPERVISORY REVIEW AND APPROVAL

Each traffic accident report shall be reviewed by a supervisor. Reports that are not complete or are in error shall be returned to the investigating officer for correction or completion. After corrections are made, the supervisor shall indicate approval by initialing the report in the spaces indicated.

4.4.10 TRAFFIC ACCIDENT: AVAILABILITY OF REPORTS TO THE PUBLIC

Officers will advise those individuals involved in a traffic accident and who wish to get a copy of the report to wait at least ten (10) days.

Should an involved party wish to contest the contents of a Traffic Accident Report, that individual should either be referred to the Traffic Accident Investigator or instructed to submit a written statement concerning the accident to the Traffic Unit.

4.4.12 TRAFFIC ACCIDENT: POLICE DEPARTMENT PERSONNEL INVOLVED

When a Department employee is involved in a traffic accident while operating a City-owned vehicle, or while operating a private vehicle in the course of City business, that employee shall:

- Determine if there are injuries involved and, if so, request an ambulance or render aid., and
- Request the dispatching of a supervisor and a unit to the scene for a
traffic accident investigation.

(A) INJURIES

In the event of an employee-involved traffic accident where an injury is sustained that requires medical attention, the Watch Commander or Sergeant shall be contacted and Traffic Unit personnel or the CHP will be assigned to investigate the accident at the discretion of the Watch Commander.

This includes all traffic accidents involving injury to on-duty Department personnel or other parties, and accidents occurring within the City boundaries involving off-duty Department personnel operating city owned vehicle.

The officer involved in the accident shall not make any statements regarding the accident to anyone not connected with the City, without prior approval of a supervisor.

(B) OUTSIDE THE CITY LIMITS

On-duty Department personnel involved in an accident outside the city limits of Ridgecrest shall notify this Department and request that the agency in the jurisdiction in which the accident occurred conduct a Traffic Accident Investigation. Upon completion of this investigation, a copy of the report will be obtained by this agency. Watch Commander or designee may respond to the location and document the collision information for administrative follow-up.

(C) PRIMARY OFFICER RESPONSIBILITIES

The officer assigned to handle a traffic accident, involving on-duty Department employees and/or a Department vehicle, shall be of a higher rank, and shall conduct a traffic accident investigation at the scene. This investigation shall include the names and personal information of involved parties, statements, officer's observations, and other pertinent information. The information shall be reported on a Traffic Collision Report.

When the accident involves a sworn Department employee (or a fire fighter) in an emergency vehicle, the investigating officer shall print “On-duty Emergency Vehicle” on the face of the report above the printed heading. “Traffic Collision Report.”

(D) SUPERVISOR'S DUTIES

The supervisor responding to the scene shall coordinate the investigation of the traffic accident and ensure that the investigation is complete, accurate, and unbiased. If necessary, the supervisor may request photographs of the accident
scene.

The supervisor shall also submit a memorandum to the Division Commander, setting forth an overview and an evaluation of the traffic accident.

4.4.14 TRAFFIC ACCIDENT: CITY PROPERTY INVOLVED

Any City employee involved in an accident while operating a City-owned vehicle, or while operating a private vehicle in the course of City business, shall report the accident immediately. A traffic accident report will be completed as prescribed with a notation in the “Special Conditions” box on the face page stating, “T.A.C.P.I.”

4.4.16 TRAFFIC ACCIDENT: HIT AND RUN.

When an officer arriving at the scene of a traffic accident determines that one party has fled the scene without complying with the “Duty to Report” provisions of the California Vehicle Code, the officer may initiate a crime broadcast which includes, but is not limited to, the following information:

· Type of hit-and-run (felony or misdemeanor);

· Time delay;

· Description of the vehicle, including the location of damage, unusual features, license, etc., and

· Other pertinent information (such as possible destination, weapons involved in situation, etc.).

4.4.18 TRAFFIC ACCIDENT: STATE HIGHWAYS AND FREEWAYS

The California Highway Patrol has responsibility and primary jurisdiction for the administration and enforcement of traffic laws, use of highways, and the investigation of traffic accidents on unincorporated state highways and freeways, including freeway on/off ramps. Telephonic reports of accidents occurring on freeways will be transferred to the CHP Communication’s Center.

4.4.20 TRAFFIC DEATH(S): PRIMARY OFFICER DUTIES

The primary officer assigned to a traffic accident which results or will probably result in death shall:

· Advise the Watch Commander that the accident involves or may involve a traffic death, and
Conduct the preliminary traffic accident investigation and complete a Traffic Collision Report

(A) TRAFFIC DEATH(S): WATCH COMMANDER DUTIES

Upon being notified of a fatal traffic accident, the Watch Commander shall notify the Field Services Division Commander and the Traffic Unit Supervisor. The Watch Commander may initiate the call-out of the Traffic Unit Supervisor if the Field Services Division Commander is unavailable.

(B) IMPOUNDING VEHICLE INVOLVED IN A FATAL TRAFFIC ACCIDENT

An officer impounding a vehicle involved in a fatal traffic accident shall follow the procedures as previously described under the Vehicle Impound section.

4.4.22 TRAFFIC ACCIDENT: ARREST(S)

When an arrest is made during an incident where a Traffic Collision Report is made, information pertaining to the testing, arrest, booking, and statement(s) of the suspect, shall be documented on a supplemental report. The supplemental report is necessary due to the availability of the accident report to an involved party.

4.6 DRIVING UNDER THE INFLUENCE: ARREST(S)

An arrest for driving under the influence [§§ 23152(a), 23152(b), 23153(a), 23153(b) CVC] shall be made when:

- An officer observes a person commit the elements of driving while under the influence or has reasonable cause to believe that the person was the driver as enumerated in the Vehicle Code;
- The under-the-influence driver was lawfully arrested or detained by an officer of this Department or another law enforcement agency, and
- The under-the-influence driver was lawfully arrested or detained by a private person.

4.6.1 TRAFFIC ACCIDENT: D.U.I. ARREST(S)

Pursuant to § 40300.5 CVC, an officer may arrest a driver for §§ 23152(a), 23152(b), 23153(a) and/or 23153(b) CVC, when there is reasonable cause to believe that the driver involved in the accident was driving a vehicle while under the influence of an intoxicating liquor or the combination of an intoxicating liquor and drug(s). The requirement of “reasonable cause” may be established by many factors, including but not limited to:
Statements of other involved parties or witnesses placing the driver behind the wheel of the car;

- The driver's statements including vehicular control;

- Officer's observations (such as seeing a driver slumped behind the wheel of a vehicle without any other vehicle occupants, odor of an alcoholic beverage on the suspect's breath, slurred speech, lack of balance, distinct nystagmus, failure to follow instructions, etc.), and

- Utilizing the D.U.I. sobriety field tests or the drug abuse recognition tests to determine the sobriety of the driver.

### 4.6.2 FIELD SOBRIETY TESTS

When an officer suspects that a driver is under the influence, the officer may conduct field sobriety tests when the driver is willing to perform them. The tests shall be given to assist the officer in determining the extent that the driver's impairment was the result of drugs or alcoholic beverage consumption. Each field sobriety test should be explained verbally and physically demonstrated prior to administration. The driver should indicate an understanding of the test after receiving the instructions from the officer. Whenever practical, a witness officer should be present.

If the driver is arrested for driving under the influence pursuant to the officer's investigation, the results of the field sobriety tests shall be recorded in the report.

### 4.6.4 CHEMICAL TESTS: IMPLIED CONSENT LAW

**(A) D.U.I.: ALCOHOL**

Upon placing a driver under arrest for driving under the influence, the officer shall advise the driver of the provisions of the Implied Consent Law and offer the choice of a blood, or breath test. The admonition recommended by the Department of Motor Vehicles should be utilized.

Officer(s) shall then obtain an indication of the driver's understanding of the admonition. If the driver indicates a lack of understanding, the officer shall re-advice and explain the unclear portions to the driver. When the driver indicates an understanding of the admonition, the officer shall ask the driver to choose a chemical test.

**(B) LIMITED TEST ADMONITION**

If the driver requires medical treatment or has an existing medical condition
and is transported to a medical facility for such treatment, the driver’s choice of a chemical test shall be limited to those available at that facility. In this event, the amendment below shall be used in the “Chemical Test Admonition.”

“Since medical treatment is needed, your choice of a test is limited to blood or urine. These are the only tests available at this medical facility.” The officer shall then briefly advise the driver of the reason for medical treatment.

(C) D.U.I.: DRUGS OR COMBINATION

Pursuant to § 13353(b) CVC, a driver suspected of being under the influence of drugs or combination of drugs and alcohol must submit to either a urine or blood test to determine any drug content even if the driver has chosen and taken the breath test as the first choice. A refusal by a driver to submit to a urine or blood test shall result in the suspension of the driving privilege by the Department of Motor Vehicles.

The recommended admonition is the same as for D.U.I. ALCOHOL with the exception that the following admonition should be used:

“Because I believe you are under the influence of drugs or a combination of drugs and alcohol, you are required by State law to submit to a blood or urine test to determine the drug content of your blood.”

(D) REFUSAL TO SUBMIT TO OR COMPLETE A CHEMICAL TEST

When a driver who has been arrested for operating a motor vehicle while under the influence refuses to submit to or complete a chemical test, the officer shall indicate such refusal in the Drunk Driving Report.

The officer shall also complete the Administrative Per Se documentation and submit it with the original report. The approving supervisor shall forward the “Officer's Statement” portion to Records where it shall be mailed to the Department of Motor Vehicles.

If the driver refuses to submit to one of the required chemical tests, the officer shall complete a “Supplement of Officer's Statement” and submit it with the original report.

4.6.6 BREATH TEST: LOCATION OF BREATH TESTING EQUIPMENT

The breath testing equipment to be used by Department employees is located at the Kern County jail, Ridgecrest substation. When this equipment is unavailable, the Watch Commander shall make arrangements with the China Lake Police Department for temporary use of their equipment.
The Department currently utilizes the ‘Drager’ breath testing machine. Operation of the ‘Drager’ shall be restricted to personnel who have received training and are certified in its use. The operator of the Drager shall conduct the test in accordance with current Kern County Crime Lab procedures.

4.6.8 BLOOD TEST: LOCATION FOR BLOOD SAMPLE REMOVAL.

When a blood test is to be used in determining the alcoholic or drug content of a driver's blood, the driver/arrestee shall be transported to Ridgecrest Regional Hospital unless extenuating circumstances necessitate use of a different facility.

(A) CRITERIA FOR BLOOD TEST

A blood sample may be obtained when:

- The driver has chosen the blood test pursuant to the Implied Consent Law;
- The driver is in custody for a felony and the level of intoxication is an essential element of a successful prosecution or as authorized by law in some misdemeanor arrests, or
- The driver is unconscious or so impaired so as to be unable to consent to a chemical test.

(B) PERSONS EXEMPT FROM BLOOD TEST

Any person who is afflicted with hemophilia or any person who is afflicted with a heart condition and using an anti-coagulant under the direction of a doctor is exempt from the blood test. Officers wishing to obtain a blood sample shall first determine whether the driver falls into the exempt category. If the driver is unable or refuses to respond to questions regarding medical conditions, the officer should:

- Check for medical information on the driver's person, such as a “Medic Alert” bracelet or necklace or any other item indicating the driver's medical condition;
- Inform the attending physician of all information in the officer's possession which may have a bearing on the arrestee's physical condition, and
- If the driver is a hemophiliac or suffers from a heart condition requiring the use of an anti-coagulant under a doctor's care, the
officer shall offer the driver a breath test.

(C) **BLOOD TEST: WITHDRAWAL REQUEST**

Whenever a blood sample is obtained from an arrestee, the officer may prepare and sign a Request for Withdrawal of Blood as requested from that facility.

This request form contains a statement regarding the reason for obtaining the blood sample and a waiver stating that the driver is not afflicted with one of the exempting ailments. The driver shall be asked to sign the request and indicate the date and time of the signing in the presence of the officer or another witness. The officer shall then present the form to hospital personnel.

(D) **BLOOD TEST: OBTAINING OF THE SAMPLE.**

Hospital personnel should utilize a Kern County District Attorney’s Crime Lab Blood Sample Kit when preparing blood samples for the officer. Such kits consist of a white envelope with instructions printed on the front, a vial which contains an anti-coagulant agent, and a seal. Officers shall follow the instructions as specified on the blood sample kit envelope relative to the marking and preparation of the sample and vial. The officer should witness the withdrawal of the blood sample.

(E) **BLOOD SAMPLE: BOOKING OF THE SAMPLE.**

Upon obtaining the blood sample, the officer shall seal the marked vial in the supplied envelope as per the instructions on the envelope. The officer shall complete a Property/Evidence Report for the sample when transported to the Ridgecrest Police Department where it shall be booked into the evidence refrigerator. The location booked shall be indicated on the evidence report which will then be deposited into an evidence locker.

4.6.10 **SEIZURE OF BLOOD: D.U.I. INVESTIGATION**

When a person is arrested for drunk driving and subsequently refuses to submit to a chemical test, a blood sample may be taken from the suspect without the suspect’s consent.

If a blood sample is considered essential to the successful prosecution of a case, and the officer has determined that there are no medical reasons why a blood sample cannot be obtained, physical restraint sufficient to immobilize the suspect may be used while the appropriate medical personnel extract a blood sample.

Authorization to forcibly withdraw blood from a suspect must comply with the following:
The suspect must be under arrest and in custody for a felony offense;

The officer must have reason to believe the suspect is under the influence of alcohol or drugs/narcotics;

Any extraction must be done in a reasonable, medically approved manner by qualified personnel;

Only that amount of force necessary to overcome the suspect’s resistance to obtain a sample will be applied, and

The forced withdrawal of blood must be approved by the Watch Commander.

Extreme care must be exercised in applying restraint during the extraction of the blood sample. The force and method used to obtain the sample must not be “brutal or offensive” as defined in Rochin v. California. The extraction of the blood sample should be done without injury to the driver.

4.6.12 URINE TEST: LOCATION OBTAINED

A urine sample shall be obtained at a facility that will ensure the accuracy of the specimen and at the same time maintain the dignity of the driver.

(A) ADMINISTRATION OF THE TEST.

Urine sample kits prepared by the Kern County District Attorney’s Office shall be used when obtaining a urine sample. An officer or employee of the same sex as the driver shall use protective gloves when obtaining a urine sample. The officer shall then:

(B) BOOKING OF THE SAMPLE.

The officer booking the urine sample shall:

- Complete a Property/Evidence Report and note the evidence storage location;

- Ensure that the bottle is properly marked according to the label’s instructions and Department policy;

- Ensure that the lid is placed tightly on the bottle and sealed, and

- Book urine sample into an evidence locker.
4.6.14 Administrative Per Se

The Ridgecrest Police Department shall pursue all legal avenues available to identify, investigate, and prosecute persons operating motor vehicles while impaired by alcohol, drugs, or a combination thereof.

Therefore, it is the policy of this Department to invoke the provisions of the “Administrative Per Se” law whenever applicable. “Administrative Per Se” is the administrative suspension or revocation of the driving privilege for the offense of driving under the influence (D.U.I.) of alcohol, independent of court action. This process authorizes a peace officer to:

- Seize any valid California driver’s license in the possession of the D.U.I. driver;
- Immediately serve the driver with an Order of Suspension, and
- Issue a temporary driver’s license on the Order of Suspension, provided the driver had a valid driving privilege at the time of arrest.

This procedure may be enacted when:

- The driver’s blood alcohol concentration level is 0.08 percent or more, and
- The driver refuses to submit to a chemical test to determine the blood alcohol level under the Implied Consent Law.

(A) Administrative Per Se: Application

Administrative Per Se to any person who drives a motor vehicle, whether or not the driver is a California resident. However, a peace officer may only seize a valid California driver’s license. Administrative Per Se provisions apply to blood alcohol level of 0.08 percent or higher. This also applies to refusals.

If the driver is arrested solely for driving under the influence of drugs, the Administrative Per Se provisions cannot be applied unless the driver has refused to submit to a chemical test to determine that person’s drug content.

(B) Administrative Per Se: Invoking Procedure

When a driver is arrested pursuant to §§ 23140, 23152 or § 23153 CVC, the
arresting officer shall apply the provisions of the Administrative Per Se law when:

- The driver refuses to submit to or fails to complete the chemical test pursuant to § 13353 CVC.
- The driver submits to a breath test which shows a blood alcohol concentration of 0.08 percent or greater.
- The driver submits to blood or urine test and the officer believes that the blood alcohol concentration is 0.08 percent or greater.

If the test results show the blood alcohol concentration to be less than 0.08 percent, the suspension action will be set aside and DMV will return all documents and privileges.

(C) ADMINISTRATIVE PER SE: ADVISEMENT

The arresting officer shall advise the driver of the action pursuant to “Administrative Per Se.” The officer shall advise the driver that the driver’s license will be suspended pursuant to this action unless an appeal is made to DMV within 45 days. The officer shall provide the driver with the “Administrative Per Se” information pamphlet which will inform the driver of the procedure involved and opportunity to appeal.

(D) ADMINISTRATIVE PER SE: DOCUMENTATION

The following documents are utilized in the Administrative Per Se Process, and are to be completed in accordance with DMV requirements:

- Order of Suspension
- Temporary License Provision
- Officer’s Statement
- Driver’s License
- Breath Test Results
- Release from Custody

(E) ADMINISTRATIVE PER SE: REPORTING REQUIREMENTS
The driver has a right to appeal the suspension to the Department of Motor Vehicles. In order to facilitate this, the Department of Motor Vehicles mandates that certain documents regarding the Administrative Per Se action be forwarded to Sacramento within five working days of the arrest. The arresting officer shall be responsible for amassing and forwarding the initial mailing to the DMV of the following documents:

- DMV copy of the Order of Suspension;
- The original “Officer’s Statement”;
- The violator’s driver’s seized license;
- A photocopy of the completed breath test results, if applicable, and
- A photocopy of the driver’s release from custody document (Notice to Appear, bail receipt, etc.), if applicable.

In order to ensure the timely mailing of these documents, the arresting officer shall place these items with a specially prepared envelope available at the time of booking. The officer shall forward the documents and envelope with all completed reports to the approving supervisor.

(F) ADMINISTRATIVE PER SE: SUPERVISING REVIEW

The supervisor approving the reports related to this incident shall review the documents being forwarded to DMV pursuant to the Administrative Per Se. The supervisor shall check off the contents and initial the document inventory on the reverse side of the envelope. The supervisor shall forward the envelope/contents to the Records Section for inclusion in the outgoing mail.

The reviewing supervisor shall mark “Records” as a secondary area of assignment when routing a report involving Administrative Per Se.

The “Records” copy of the report shall go to the designated Records Section employee responsible for the forwarding of blood/urine test results at the twentieth calendar day.

(G) ADMINISTRATIVE PER SE: BLOOD AND URINE TEST RESULTS: TWENTY CALENDAR DAYS.

The Department of Motor Vehicles requires the results of the urine or blood tests if the driver has chosen those mediums for compliance with the Implied
Consent Law. The DMV has designated a twenty calendar day deadline from the time of arrest for submission of this information.

A copy of a report involving an Administrative Per Se action shall be routed to the Records Section via a secondary assignment at the time of report review. This report shall become the basis upon which a need for a urine/blood test result mailing will be identified.

Within twenty calendar days of the arrest or as soon as the urine or blood test results are available from the Kern County District Attorney’s Crime lab, the employee designated by the Traffic Unit Supervisor or Records Clerk shall review the lab receipt and transfer the information from that document onto a “Supplement to Officer’s Statement Blood/Urine Test Results.” The designated Records Section employee shall mail the DMV copy to the Administrative Per Se office in Sacramento.

(H) ADMINISTRATIVE PER SE: DRIVERS WITHOUT A VALID CALIFORNIA DRIVER’S LICENSE

When a driver who is arrested pursuant to §§ 23140, 23152 or 23153 CVC qualifies for the provisions of Administrative Per Se, but does not hold a valid California driving privilege (i.e. § 12500(a) CVC), the officer shall complete the paperwork as stated in this order, writing the words, “No valid California license” on top of the Order of Suspension and Officer’s Statement. The officer shall then process the documents as specified.

4.8 TACTICAL RESPONSE TEAM

High risk situations, by their nature, can inherently draw a great deal of media and public attention to the department and the city. It is the policy of the Ridgecrest Police Department to call upon the Kern County Sheriff’s Department (SWAT) in the event of a high risk situation. Such situations may consist of a barricaded suspect, service of a high risk warrant, or other situation which requires a specially trained and equipped team to make lawful and reasonable decisions during operations involving high risk situations. The Watch Commander is responsible for any emergency high risk event. A Division Commander may make a request of Kern County Sheriff’s Department S.W.A.T. Team for a planned event.

4.9 CANINE TEAM

The Department's Canine Program operates under the Field Services Division of the Ridgecrest Police Department. A canine team consists of one handler and one canine. The canine teams are cross-trained and serve patrol in both narcotic and explosive detection roles. Canine team shift assignments will be made on the basis of Departmental need for a canine and available shifts will be filled on the basis of seniority in the canine program.
Handlers will not bid for shifts during the regular shift bid.

4.9.2 HANDLER SELECTION

As with all specialized assignments within the agency, Officers desiring to become canine handlers should notify the Chief of Police in writing via the chain of command. Selection of the handler remains with the Chief of Police, who may also transfer a handler from the program without notice or cause.

Selection will be from full-time Officers who have completed any probationary period. Further, no Officer will be considered without the recommendation of his or her current supervisor.

Prospective handlers must be aware that a canine assignment will require a high degree of personal commitment from the handler and their family. Handlers should be prepared to commit themselves to the program for a period of 5 years. The selection of the handler will be based on the quality and natures of the candidates work performance, employee evaluations, supervisory recommendations, interest, maturity, patience, initiative, and dependability. Additionally the candidate must be in good physical condition to satisfy any requirements of the position.

4.9.4 SUPERVISION

The Field Services Division Commander serves as the Canine Program Manager and will be responsible for the overall management of the program. The Canine Program Manager will designate a Patrol Sergeant to act as the Program Coordinator, who will be responsible for the day-to-day operations of the program. However, operationally, the handler is under the direct supervision of the Watch Commander. The Watch Commander has responsibility for the canine's application during a duty shift. The Watch Commander may consult directly with the handler in order to resolve any concerns regarding the canine's abilities, limitations, or the use of the canine for a particular assignment.

4.9.6 CANINE FUNCTIONS

- The mission of the canine handler is to:
  - Reduce/deter crime;
  - Decrease assaults on officers;
  - Increase apprehension of criminal suspects;
  - Increase detection/seizure of narcotics or explosives;
  - Reduce man hours necessary for searches;
- Provide officer safety during such searches;
- Reduce crime through proactive patrol.

The canine teams are particularly suited to and shall be used for, when reasonably available, the following functions:

- Building and area searches for suspects and/or evidence;
- Apprehension of fleeing criminal suspects when less aggressive alternatives are impractical;
- Tracking of suspects who have fled the scene of criminal activity;
- Tracking of citizens who have become lost;
- Crowd control (only as directed by this policy);
- Detection/seizure of narcotics or explosives;
- Public appearances and demonstrations.

The canine handler is a uniformed patrol officer and can be assigned duties that are appropriate considering the presence of the canine. Canine teams will perform their duties in accordance with all laws and the Department Policy & Procedures Manual.

4.9.8 CANINE HANDLER UNIFORMS

The canine handler's uniform and duty belt shall be kept within the guidelines of the uniform directives set forth in this manual. In call-out situations, the canine handlers shall make every attempt to wear the specified uniform. In urgent cases, handlers shall wear clean, appropriate clothing and shall wear a vest as worn by members of the Field Services Division.

4.9.10 CANINE DEPLOYMENTS

Due to their unique capabilities and training, canine teams are ideally suited for searching and locating suspects. They should not be considered a "last resort," but should be considered a primary resource for this type of activity. In addition to their ability to search and locate suspects, canines also possess the capability and training to physically seize the suspect(s) who are violent and resisting. In this capacity, the deployment of the canine becomes a use of force, subject to the Use of Force Policy contained in the Departmental Policies and Procedural Manual.
Upon arrival to conduct a building or area search, the canine handler should attempt to obtain as much information surrounding the call as possible (i.e.; type of call, reason to believe innocent person(s) may or may not be inside, reason to believe suspect(s) may be inside). The handler should request at least one cover officer to assist during the search.

Generally, building searches may be conducted on or off leash at the canine handler’s discretion. Off leash searches should only be performed after careful consideration of any innocent person(s) who may be inside. The canine handler's focus is on the canine. The cover officer's focus should be on finding the suspect. The cover officer should stay with the canine team unless directed otherwise by the canine handler.

Whenever a suspect is located hiding, every attempt should be made to talk him/her to a position of officer advantage. If the suspect refuses, the cover officer(s) should extract the suspect from the hiding place. If this would create an unnecessary danger to the cover officer, the canine handler, or other person(s), the canine handler may decide to use his/her canine to extract the suspect. This decision rests with the canine handler. The cover officer should then take custody of the suspect.

For all intents and purposes, due to the training of the canine teams, such deployments are considered a less than lethal use of force. As a use of force, canine handler alone will make the decision to deploy their canines in this capacity, based on the totality of the facts they possess and current Use of Force Policy considerations.

Some Ridgecrest PD canines are also trained in the detection of controlled substances. As such, they are extremely useful in searching buildings, rooms, containers, vehicles, etc...for controlled substances. The canines cannot conduct contact searches of persons for controlled substances.

Canines can sometimes be successful in crowd control situations. Due to variable conditions involved in these situations, canines will only be deployed as directed by a Watch Commander or other Ranking Officer.

**4.9.12 DEPLOYMENT BY HANDLER**

The focus of this program will be to provide canine assistance where appropriate. Responsibilities include, but are not limited to:

- Backup assistance to other officers;
- Warrant service (arrest, bench, search);
- Narcotics searches;
- Assist other Departments (with approval). RPD's policies and procedures shall be followed when assisting other Departments. In addition;

Canine teams should be notified of all relevant information regarding the incident before deploying their canine;
Canine handlers may use their canines to protect themselves, other officers, and citizens from death or serious injury;

Canine teams should never be used to satisfy a civil process without prior approval from the Chief;

Canine teams should not transport prisoners except in severe emergencies;

Crowd control: Canine handlers should avoid use of the canine in crowd control situations, due to the variables involved in each circumstance, without a supervisor. Canine teams should only be deployed in crowd control situations at the direction of a Watch Commander or other Ranking Officer and only after a review of the situation and development of a tactical plan with input from the handler. Canine teams who may become involved without a supervisor if non-intervention would endanger officers or innocent persons. Crowd control will only be done "on lead" (6’ or less).

A police canine may be used to apprehend an individual if the canine handler reasonably believes that the individual has either committed or is about to commit any offense and if any of the following conditions exist:

There is reasonable belief that the suspect(s) poses an immediate threat of violence or serious harm to the public, any officer, or him/herself;

The suspect(s) is/are physically resisting arrest and the use of the police canine appears necessary to overcome such resistance;

The suspect(s) is/are escaping/fleeing on foot and the suspect(s) escape reasonably appears to pose a threat to the community at large;

The suspect(s) is/are believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of officers or the public;

It is recognized that a situation may arise that does not fall within the provisions set forth in this policy. In any such case, a standard of reasonableness shall be used to review the decision to use a canine in view of the totality of the circumstances; Absent the presence of one or more of the above conditions, mere flight from pursuing officer(s) shall not serve as good cause for a canine apprehension.

### 4.9.14 DEPLOYMENT FACTORS

Prior to the use of a police canine to search for or apprehend any individual, the canine handler shall carefully consider all pertinent information reasonably available at the time. This information shall include, but is not limited to:

The seriousness of the crime;
The suspect(s) age or estimate thereof;

Any potential danger to any other officer(s) who may attempt to intervene or assist with the apprehension;

Any potential danger to the public, which may result from the deployment of the canine.

4.9.16 CANINE DEPLOYMENT ANNOUNCEMENTS

Canine deployments for searches and apprehensions of fleeing/escaping and resisting suspects should only be conducted after a canine deployment announcement is made. There is an exception. The announcement may be dispensed only if such announcement would unnecessarily endanger any officer(s) or innocent person(s) and only with the approval of the Watch Commander, unless waiting for said supervisor to arrive would escalate the danger. The announcement should, at a minimum, consist of the following:

Area/building searches:

Identification: "Ridgecrest Police Department."

Canine: "I have a police dog."

Instruction: "Identify yourself now."

Direction: "Walk to the (front, side, rear, etc.) of the (building, vehicle, park, etc.) now."

Warning: "If my dog finds you, he will bite you."

After giving a reasonable amount of time, the initial announcement may be repeated. At a minimum, the second announcement should include:

Identification: "Ridgecrest Police Department."

Warning: "If you do not identify/announce yourself, I will send in my police dog."

Again, give a reasonable amount of time for person(s) to comply with the warning. If still no response, the canine may then be deployed by the handler.

Fleeing/escaping or resisting suspect(s):

Identification: "Ridgecrest Police Department."

Canine: "I have a police dog."

Instruction: "Stop (running, fighting, resisting, etc.)."

Warning: "My dog will bite you."
After giving a reasonable amount of time, the announcement may be repeated, if it does not increase risk to the officer(s) or allow the suspect(s) to escape. The handler may then deploy the canine. After a police dog apprehension, the handler will notify the Canine Coordinator and the Watch Commander as soon as possible. The handler shall complete all necessary reports associated with the use of a police dog in the apprehension.

4.9.18 NARCOTIC RELATED DEPLOYMENTS

The decision to use the canine in narcotic related deployments rests solely with the canine handler. The handler is responsible for the deployment of the dog as a method of investigation. The canine may be used to search vehicles, buildings, areas, or other items deemed necessary. It can be used as support of probable cause to obtain a search warrant, assist in searching for narcotics during a search warrant service, and assist in drug education programs for the department.

The canine will not be used to search a person for narcotics. If the canine alerts and causes the officer to believe that a person may be in possession of drugs, the officer in charge of the investigation will determine how to proceed. Personal possessions may be searched by the dog only if removed from the person.

4.9.20 CANINE TEAM CALL-OUTS

Since there are a limited number of canine teams, we are unable to provide 24 hour coverage. This will result in call-outs. When a canine team is needed, but one on duty is not available, the call out of a canine team may be required. The on duty Watch Commander has the authority to authorize a canine team call-out. If there is a problem with the canine team being called out, the Canine Manager will have the final say in the authorization of the call-out. Because of canine fatigue and feeding schedules, calling a canine unit who has just ended a shift should be avoided. After the canine has been fed, the team will be unavailable for a minimum of three (3) hours.

4.9.22 CONDUCT OF THE CANINE OFFICER

Canine officers will conduct themselves in a professional manner. The police canine shall not be used as a weapon except in those circumstances which justify the legal and moral use of force to overcome physical resistance or affect an arrest. The canine will be used only when such a level of force is appropriate. The canine shall not be used in jails or holding facilities without the expressed permission of the Watch Commander.

4.9.24 CONDUCT OF NON-HANDLING OFFICERS

Police canines are well trained animals and will perform specific duties. No attempt should be made to pet the animal or to become friendly with it. No other employee shall exert any control over the canine, give any commands to the canine, pet it, or give it food without the
assigned handler being present and giving approval for such action. Police canines are trained to protect the handler and any sudden, even friendly, moves toward the handler or the dog may result in a defensive action. It is a violation of policy for any person to purposely agitate, tease, or distract a canine, without the express permission of the handler. Safety and control of the canine are priority responsibilities for the handler.

**4.9.26 CANINE HANDLER RESPONSIBILITIES**

The canine handler responsibilities include, but are not limited to:

- **Remain alert to the canine and avoid unsafe situations.** Handlers should never allow their canines to enter an unsafe situation where person(s) or the canine could be unnecessarily injured. This includes the handler's residence, vehicle(s), or any such place where the canine may be present;

- **Maintain command and control over the canine at all times.** This includes the handler's residence, vehicle(s), or any such place where the canine may be present;

- **Never allowing any other person to purposely agitate, tease, or distract the canine, except during training exercises and with the express permission of the assigned canine handler.** Handlers will immediately notify their immediate supervisor of such incidents and will forward a detailed memorandum to the Canine Program Manager as soon as possible;

- **Ensure that their residence is kept in such a condition so as to not bring discredit to the Department or the Canine Program;**

- **Ensure that the canine's kennel/containment area and all gates are secure;**

- **Provide the canine with proper grooming, medical care, and proper feeding/watering;**

- **Ensure that all assigned equipment is kept clean, neat, and functioning;**

- **Provide and ensure adequate training is administered.** Continued training deficiencies or deficiencies which affect the ability to perform, will be immediately reported to the Canine Coordinator. The Canine Coordinator will confer with the Departmental Trainer for determination of further action, including remedial training and/or if warranted, suspension from work until such time as the performance is acceptable;

- **Promptly preparing and submitting all reports as may be required.**

- **Whenever an RPD canine injures any person(s), including an officer, the assigned canine handler shall:**

  - **Immediately notify the on duty Watch Commander and provide the details surrounding the injury.**

  - **If the injury is to a person(s) arrested, the involved canine handler shall require that the**
arrested person(s) be taken to Ridgecrest Regional Hospital and that treatment is either obtained or refused;

If the injury is to any other person(s), the involved canine handler shall request that the injured person(s) seek medical treatment;

Conduct an investigation into the injury, seeking statements from any witness(es) and the person(s) injured;

Photograph the injury after the wound is cleaned and prior to bandaging and photograph any other relevant evidence;

Ensure that an Information Report is completed; pulling a new case number if one does not already exist. If a case number already exists, the involved canine handler will complete a supplemental report containing the information.

Such reports should be completed by the end of the shift and processed as a priority. Ensure that the Canine Coordinator is advised and briefed on the incident as soon as possible, either by memorandum, phone, or in person.

Upon notification by a canine handler of an injury, the on-duty Watch Commander should review the incident and offer assistance where needed, ensure that all reports are completed, and review reports for completeness.

Upon notification of an injury, the Canine Coordinator will review all reports to ensure that policies and procedures were followed and take corrective action where required. The Canine Coordinator will also brief the Canine Program Manager of the circumstances and outcome of all injury incidents.

4.9.28 CANINE TRAINING AIDS

Pursuant to Health and Safety Code Section 11367.5, drug detection dog handlers are authorized to possess controlled substances of the type and in the amount issued to them for the purpose of canine drug detection training. The law specifically requires such handlers to:

Maintain custody of the controlled substances and keep records regarding the loss of, or damage to, those controlled substances including an information report;

Maintain the controlled substances in a secure location approved by the Canine Coordinator;

Immediately report any loss to the Canine Coordinator;
Return all controlled substances to the Department when leaving the canine unit or upon demand by the Canine Coordinator.

Narcotics detection handlers will be issued specific amounts of narcotics for maintenance training. The following amounts of narcotics will constitute a "handlers kit" and will be issued to each handler:

Cocaine HCL, 5 grams minimum;
Cocaine rock, 5 grams minimum;
Heroin, 5 grams minimum;
Methamphetamine, 5 grams minimum;
Marijuana, 10 grams minimum.

Upon issuance and return after use, all controlled substances shall be weighed and verified by two (2) persons, one being the recipient with signed verification by both. Any discrepancies shall be reported and documented immediately.

When replacement quantities of narcotics are needed for training, the Canine Officer will prepare a memorandum requesting the replacement of the narcotic training aids. The request will be given to the Canine Manager for review and signature. Once approved, the new narcotic training aids shall be made available.

Officers are responsible for the storage and security of narcotics issued to them or that are otherwise under their control. Officers who will not actively engage in narcotics training (due to injury of dog or handler, vacation, etc.) in excess of five (5) work days shall return all controlled substances to the Canine Manager or his/her designee. All controlled substances shall be removed from the K-9 vehicle(s) prior to maintenance.

4.9.30 CANINE TRAINING

Periodic training is necessary to maintain an optimal level of performance by the canine teams. This training is just as important for the handler as it is for the canine. The training schedule calls for a minimum of sixteen (16) hours of group canine training per month (usually conducted in eight hour blocks, twice per month). During this group training, training topics will vary depending on needs. In addition to group training, canine handlers are expected to train together in small blocks during their regular shifts. In the event a canine handler is experiencing a training deficiency, which is not being corrected by either group or individual training, the canine handler may contact the Department Trainer for specific training. The Ridgecrest Police Department contracts with:

Mr. Johannes Grewe
Dog Training Center of California
4.10 COMMUNICATIONS SECTION

4.10.1 VOICE RADIO COMMUNICATIONS: GENERAL

Personnel shall utilize radio equipment for the purpose for which it was designed. Personnel are responsible for the safekeeping and operation of the radio equipment under their control. Personnel shall be cognizant of the frequency to which they are assigned and the status of the radio transmitter (i.e., "open microphone") at all times.

4.10.2 VOICE RADIO COMMUNICATIONS: AUTHORIZED LANGUAGE

American Standard English is the common bond of media communications and should be used in all radio transmissions. Speech patterns which mimic certain cultural annunciations, including the use of colloquial and/or slang terms shall not be used.

4.10.4 DURATION OF RADIO TRANSMISSIONS

Voice communication transmissions shall be brief yet comprehensive, and shall only consist of that information pertinent to the performance of assigned duties.

4.10.6 COMMUNICATIONS PROCEDURE: VEHICLE STOPS AND INVESTIGATIONS

Field units performing a traffic stop of a vehicle or conducting a field investigation involving a vehicle shall clearly state their unit designation, status code, location, and the license number (and type if other than California standard passenger-car vehicle plate).

The type of vehicle, color of the vehicle, and number of occupants may be given at the officer's discretion when officer safety is a concern.

4.10.8 CODE 4 NOTIFICATIONS

Field units assigned to any incident involving potential violence or the need for additional assistance shall advise the dispatcher by voice transmission when no further assistance is needed. The field unit shall state the unit designation and "Code 4".

4.10.10 TRANSPORTATION OF PRISONER FOLLOWING ARREST
Whenever a field unit is transporting an individual after an arrest or pursuant to a
detail, that unit shall advise the dispatcher by voice radio of the transportation using
authorized radio code.

4.10.12 USE OF RADIO CODES

A standardized radio code has been adopted by this Department to be used in all radio
transmissions when the codes are applicable. This will provide shorter, distinct radio
transmissions and a common scheme of abbreviated transmissions. Personal
interpretations of the code will not be used.

(A) AUTHORIZED RADIO CODES

10-1  Unreadable
10-2  Loud and clear
10-4  Message received
10-5  Relay information
10-6  Busy
10-7  Out of service
10-8  In service
10-9  Repeat
10-10 Away from unit, subject to call
10-12 Counter traffic
10-14 Transport non-prisoners
10-15 Prisoner in custody
10-16 Transport prisoner
10-17 Report writing
10-19 Return to station
10-20 What is your location
10-21 Call station by telephone
10-22 Cancel response; Take no further action
10-23 Standby
10-27 License check
10-28 Check DMV registration
10-29 Check for wants
10-35 Confidential information
10-35F Felony situation
10-36 Request correct time
10-45 Out of service - Vehicle maintenance/gas
10-97 Arrived at scene
10-98 Finished with last assignment
Code 3 Proceed as quickly as possible using emergency lights and siren
and showing due regard for other motorists
Code 4 No further assistance needed
Code 5 Surveillance in progress, avoid the area
4.10.14 NCIC: ENTRY OF MISSING JUVENILES

A formal missing juvenile report shall be accepted by the Ridgecrest Police Department, including telephonic reports, of a missing juvenile, including runaways, without delay inside or outside of this Department’s jurisdiction, under circumstances not in conformance with the minor’s regular habits and who may be at risk or in need of police assistance by reason of:

- Age, physical or mental handicaps;
- Possible foul play, suicide or accident;
- Circumstances that would cause concern to parents, guardian, or custodian, and
- An informal report of the missing juvenile having been made and the juvenile has not been located within a reasonable length of time.

If the missing person is under 16 years of age, or there is evidence that the person is at risk, the department shall broadcast a “Be On the Look-Out” bulletin, without delay, within its jurisdiction.

If the person reported missing is under 16 years of age, or if there is evidence that the person is at risk, the report shall be submitted, within fours hours after the accepting of the report, to the Attorney General’s office through the use of the California Telecommunications System.
4.12 COMMUNITY ORIENTED POLICING

Community Oriented Policing is a philosophy of full-service, personalized policing where the same officer is assigned to a specific geographical area on a permanent basis, working in a proactive partnership with citizens to identify and solve problems. The focus of community oriented policing is not simply on responding to crime, but on preventing crime and resolving community problems. The philosophy rests on the belief that the police and the community must work together as partners to solve the contemporary challenges faced in today's society. Police officers are empowered with the autonomy and freedom to act as needed in order to implement and participate in community-based problem solving efforts. Officers work closely with other organizations and community groups to educate community members about potential hazards they may encounter and how to reduce the likelihood of becoming a victim of crime, to identify the problems, concerns and fears of community members, to identify and eliminate hazards that may promote crime or disorder, and to improve the overall quality of life in the community.

4.12.1 CITIZEN VOLUNTEERS (PACT)

PACT is an all-volunteer unit of citizens residing in the Indian Wells Valley. These dedicated men and women serve the community and the Ridgecrest Police Department and the city in a variety of ways. PACT promotes the philosophy that, working together, law enforcement and citizens can make the community a safer and cleaner place to live. Volunteers attend a 40 hour training academy that provides the basics of crime prevention, safety, and an understanding of law enforcement. The partnership between the citizens and the department is a vital element in the effort to enhance the quality of life in Ridgecrest.

(A) CRIME PREVENTION

Crime prevention techniques are presented to the citizens and merchants of the City of Ridgecrest. Neighborhood Watch meetings, residential/business security checks, and public displays are among the methods utilized to introduce the community to the concept of crime prevention. The Neighborhood Watch programs address the following concerns:

- Residential burglary and security;
- Condominium and apartment burglary and security;
- Personal safety on the street and in public places;
· Shoplifting and theft;
· Auto theft and auto burglary;
· Gun safety for children;
· Holiday safety;
· Graffiti and gangs;
· Stranger danger, and
· Vacation security at home and on the road
· Use of 9-1-1
· Narcotics

(B) OTHER SERVICES

Other examples of services provided by PACT volunteers include but are not limited to:
· Graffiti abatement;
· Non-hazardous patrol duties including traffic control, crime scene containment, transportation to juvenile hall, subpoena service, vacation house checks and business checks;
· Administrative support including clerical and administrative filing, conducting police facility tours, assisting the Investigations Bureau, and vehicle maintenance;
· Assist the animal shelter with animal care and maintenance;
· Supplemental support to the Emergency Operations Center;
· Promotion of community programs such as Child ID, and
· Nuisance Abatement.

(C) POLICE CHAPLAIN PROGRAM

The Police Chaplain Program is completely voluntary. The department recognizes that the Chaplains primary obligation is to his/her congregation. A Police Chaplain assists the department through spiritual and practical counseling. Police Chaplains are available to deal with family crisis situations such as death notifications, serious injury,
lost or runaway children, and marital disputes. Police Chaplains are also available to members of the department and their families. Chaplains, although not mandatory, are encouraged to participate in “ride-alongs” with officers.

(Refer to the department’s SOP regarding the Chaplain Program).

4.12.2 RIDE-ALONG PROGRAM

The Police Department has established and promotes a Ride-Along Program as a portion of our Community Based Policing philosophy and Crime Prevention strategies. The Ride-Along Program is intended to educate the public as to the everyday challenges which confront law enforcement and enhance relations between the community and police officers.

(A) PARTICIPANTS

With the approval of the Chief of Police or his designee, the following may participate in the department’s ride-along program:

- Members of the City Council;
- City staff;
- Ridgecrest residents;
- Local merchants;
- Spouses or relatives of officers;
- Police department applicants;
- Ridgecrest police explorers;
- Ridgecrest community volunteers, and
- Other interested persons, as approved by the Chief of Police or his/her designee.

(B) LIMITATIONS

- All participants shall be at least 18 years of age. Exception: Ridgecrest Police Explorer Scouts. (Explorers 13-21 years of age shall include an RPD Parental/Guardian consent form and liability waiver with their initial application).
Generally, an individual may ride-along once every six months, except in cases where an exception is deemed to be in the best interest of the department or approved by the Chief of Police or his/her designee.

All persons interested in the program must file an application in accordance with these guidelines. In all cases, the application must be approved by the Field Services Division Commander.

If in the event a person is interested in the program and is unable to apply in advance, that individual may apply directly to the Watch Commander and the Watch Commander has the authority to approve or deny the application.

Participants must agree to reasonable safety regulations and in all cases must complete a waiver of liability, which is designed to protect the city, its officers, agents, and employees from civil liability.

Participant’s dress code is business casual. Participants failing to adhere to the dress code will not be allowed to ride.

Members of the media or other third parties will not be allowed to accompany officers in the execution of warrants except when their presence directly aids in the execution of the warrant.

This policy does not apply to any employee or agent of the City where a Ride-Along is needed to further City business.

(C) APPLICATION FOR RIDE-ALONG PARTICIPATION

Applications should be made on the appropriate form at least seven (7) days in advance of the requested day.

Applications will be processed by Records Bureau personnel and approved by the Watch Commander. Appropriate checks will be made to ensure that the applicant is not a felon, a wanted subject, a persistent violator of the law, or any individual that poses a threat to officer or public safety.

Upon approval, the Watch Commander or his/her designee will advise the applicant of the approval (or disapproval) and schedule the date and time for the ride-along.

(D) WATCH COMMANDER RESPONSIBILITIES
At the Watch Commanders’ discretion, a host officer will be selected and introduced to the ride-along participant. The Watch Commander shall then conduct a briefing on the Ride-Along Program rules, regulations, and safety precautions. Additionally, the Watch Commander retains the right to terminate or conclude any ride-along when an issue of concern arises.

(E) CONDUCT OF THE HOST OFFICER

· The host officer shall not allow a participant to become involved in police activities. Normally, participants should remain in the Police Vehicle.

· The host officer shall not allow the participant access to any sensitive materials, e.g., MDT, or ADM information; DMV printouts, DOJ information, etc.

4.12.4 EXPLORER SCOUTS

The Ridgecrest Police Explorer Program is designed as an introduction to law enforcement for young men and women between 13 and 21 years of age. It is sponsored by the Ridgecrest Police Department and chartered by the Boy Scouts of America.

Members receive basic instruction in all phases of law enforcement including crime prevention, investigation, ballistics, fingerprinting, first aid, vehicle code, penal code, and juvenile procedures.

The basic program emphasizes good citizenship and high moral character. Additional information regarding the Explorer Program is found in the Ridgecrest Police Explorer Manual.

4.14 RESERVE POLICE OFFICER PROGRAM

4.14.2 PURPOSE

This Directive will describe the authority, levels, deployment and areas of accountability of the Reserve Police Officer Program.

4.14.4 POLICY

Reserve police officers are volunteer citizens and shall be considered at will employees, who assist the department in obtaining the goal of protecting life and property. Reserve officers serve at the pleasure of the Chief of Police and as a resource, will have their abilities used to as high a level as possible in obtaining department goals and objectives.
4.14.6  RESERVE LEVELS AND AUTHORITY

LEVEL ONE: Pursuant to California Penal Code Section 832.6(a)(1), level one reserve police officers while working general law enforcement may work alone or with another.

LEVEL TWO: Pursuant to California Penal Code Section 832.6(a)(2), level two reserve police officers while working general law enforcement must work under the immediate supervision of a peace officer who has completed the P.O.S.T. Regular Basic Course. Level two reserve police officers may work without immediate supervision while working limited support duties authorized for level three reserve police officers.

LEVEL THREE: Pursuant to California Penal Code Section 832.6(a)(3), level three reserve police officers can work only limited support duties and have no law enforcement powers or duties. They can work such duties as traffic control, security at parades and sporting events, report writing, evidence transportation, parking enforcement and other duties that are not likely to result in a physical arrest, while supervised in the accessible vicinity of a full-time regular police officer or a level one reserve police officer. Level three reserves may transport prisoners without immediate supervision.

4.14.8  PEACE OFFICER POWERS

All reserve police officers for the City of Ridgecrest are considered to be non-designated peace officers pursuant to California Penal Code Section 831.1. The effect of this policy is that reserve police officers may exercise full police powers only for the duration of an assignment to a specific police function.

Reserve police officers retain no special enforcement powers, nor may they carry a concealed weapon without a permit, while off-duty.

4.14.10  ISSUANCE OF CONCEALED WEAPONS PERMITS

Upon appointment, a reserve police officer may be issued a CCW permit if approved by the Chief of Police. The CCW permit shall be issued in accordance with Penal Code Section 12050. The issuance of a CCW permit, pursuant to the section, does not constitute authority for reserves to carry a concealed weapon in the course and scope of their personal employment outside the Ridgecrest Police Department. Such permit will be valid for four years unless revoked by the Chief of Police or upon the Reserve’s separation from active duty status. The department shall waive any fees associated with the issuance of the CCW permit.
4.14.12 UNIFORMS

Reserve police officers shall conform to the standards and requirements of full-time sworn members of the Ridgecrest Police Department.

4.14.14 SELECTION

The basic criteria for selection as a police reserve officer shall be the same as for full-time police officer with the City of Ridgecrest, except the minimum age for reserve officer may be eighteen years of age.

Individuals selected for the position of reserve police officer will meet or exceed the selection criteria established by P.O.S.T. and may include the following:

1. P.O.S.T. reading and writing skills test.
2. Physical agility test.
3. Oral board interview.
4. Background investigation.
5. Polygraph examination.
6. Psychological evaluation.
7. Medical examination including drug screening.
8. Completion of a P.O.S.T. Certified Basic Reserve Officer Academy.

The reserve police officer applicant will be dropped from the selection process if any portion of the above testing procedure is not successfully completed.

4.14.16 P.O.S.T. CERTIFICATE

Reserve police officers may receive a Basic Reserve P.O.S.T. Certificate as defined in the P.O.S.T. Administrative Manual. Though the P.O.S.T. Basic Reserve Certificate is not required by statute or the department, reserve police officers are encouraged to apply when these requirements have been met.

4.14.18 TRAINING

All reserve police officers must successfully complete a P.O.S.T. Certified Basic Reserve Academy prior to appointment. All level one and level two reserve police officers must successfully complete a field training officer program of no less than
four hundred hours under the direct supervision of a field training officer. Level one reserve officers must complete the field training officer program prior to working alone in a general law enforcement assignment.

Reserve police officers shall attend a quarterly training and informational meeting and are encouraged to attend any other departmental training programs. All reserve police officers will attend mandated departmental training in first aid, CPR and others as directed. Reserve police officers are subject to the same weapons training required for full-time police officers. The Department Reserve Coordinator shall document reserve police officer training and experience and maintain adequate files for each reserve police officer to permit evaluation of the individual's performance.

Level one and level two reserve police officers are required to complete twenty-four hours of continued professional training every two years (Penal Code Section 832.6).

4.14.20 DUTIES AND FUNCTIONS

Reserve police officers may be assigned to any function of the department not exceeding the requirements of the individual's specified P.O.S.T. level, either in uniform or in a non-uniformed assignment. Reserve police officers are required to perform no less than sixteen hours of assigned duties per month.

Reserve police officers may schedule shifts directly through the Watch Commander or through the Department Reserve Coordinator. It is recognized a Reserve Officer may complete their assigned duties in areas other than a Patrol Division. The Watch Commander will not deny any reserve police officer in good standing from working a shift. Reserve police officers may not work more than twelve continuous hours or more than one-hundred hours per month without the permission of the Department Reserve Coordinator.

DUTIES AND FUNCTIONS CONTINUED

Reserve police officers will respond in any emergency situation for assignment by the Watch Commander or Officer in Charge. Special requests for assistance by reserve police officers, other than emergency situations, shall be submitted to the Department Reserve Coordinator for proper assignment and for scheduling.

Reserve police officers shall abide by all regulations and directives applicable to full-time peace officers of the department.

4.14.22 ORGANIZATION

Liaison between the individual reserve police officer and the Ridgecrest Police Department is the responsibility of the Department Reserve Coordinator. The Department Reserve Coordinator is a sworn member of the department, selected by the Chief of Police.
4.14.24  STANDING

All reserve police officers are considered volunteer employees of the department, and as such, are not normally compensated and are not entitled to participate in any retirement system or to receive other benefits. All reserve police officers, while on duty, are covered for necessary medical treatment resulting from on duty injuries and are eligible for State of California Disability coverage. The City of Ridgecrest provides liability coverage for reserve police officers while on duty and functioning as peace officers for the City of Ridgecrest.

4.14.26  GOOD STANDING

Reserve police officers who abide by the policies and procedures of the department, conform to the rules and bylaws of the Reserve Organization, and maintain their minimum monthly duty hours, will be considered in good standing.

4.14.28  EVALUATIONS

All reserve police officers will be evaluated in the manner prescribed by the bylaws of the Reserve Organization. It is the responsibility of the reserve police officer to initiate the evaluation process. The Reserve Coordinator may modify the evaluation periods in writing, when the need arises.

4.14.30  DOCUMENTATION

All training information and evaluations will be maintained on each individual reserve police officer by the Department Reserve Coordinator.

4.14.32  UNIFORM ALLOWANCE

The following policy is established with regards to Reserve Police Officer Uniform Allowance:

1. Initial Issue Allowance will be $250.00. This can be paid as soon as the applicant is accepted for employment, usually based on completion of the background investigation.

2. Yearly Maintenance Allowance will be $250.00, which will be paid at the same time regular officers receive their yearly allowance. Only those Reserve Officers who are in good standing with the department, based on the recommendation of the Reserve Coordinator, will receive this maintenance allowance.
4.16 COMMUNITY SERVICE OFFICER PROGRAM

4.16.2 PURPOSE

This Directive will describe the authority, deployment, and areas of accountability of the Community Service Officer (CSO) Program.

4.16.4 DEFINITION OF A COMMUNITY SERVICE OFFICER

Under general supervision, performs general to more complex and responsible paraprofessional duties in a non-sworn capacity in support of police department operations, services, and functions including, but not limited to the areas of patrol, traffic, records, community policing, front-desk, investigations, crime scene processing, dispatch, animal control, code enforcement and program or project implementation and management. Works closely with and provides support to sworn police officers to relieve sworn police officers of technical police related duties in the field and in the office and performs a variety of other duties based on the needs of the department including those related to special assignments.

4.16.6 ESSENTIAL FUNCTIONS

The essential functions of the CSO Program are to supplement the Field Services and Support Services Divisions by performing the following functions but not limited to:

- Transport arrestees or detainees who are determined to be non-violent to a jail, hospital, mental health facility, juvenile hall, or similar identified holding locations;
- Processes prisoners through the City jail / holding facility, including advising of procedures and telephone rights, searching prisoners for weapons, drugs or other hazards and contraband, inventorying and releasing property, interviewing and assigning detention areas to prisoners for medical, psychiatric and other conditions, and releasing prisoners;
- Investigate and complete criminal reports where there is no known direct suspect information. Crimes such as burglary, petty theft, vehicle theft, grand theft, non-injury traffic collisions, and vandalism would be investigated by a CSO;
- Assists detectives on routine follow-up investigations;
- Collects identifies, preserves, examines and processes crime scene evidence, prepares reports, assists in criminal investigations, and provides support services in the form of specialized and technical crime scene processing,
fingerprint identification, forensic photography, and documentation;

- Testifies in court proceedings as required. Prepares exhibits for the District Attorney and court as assigned;

- Performs traffic control and non-violent crowd control;

- Completes effective presentations to community groups, provides crime prevention information, helps with community events and related duties;

- Assists the Code Enforcement Section by receiving complaints regarding zoning, sign, land use ordinance violations, and public nuisances including abandoned or dismantled vehicles; prepares case files, including the establishment of legal owner, the verification of the parcel address and other information necessary to conduct investigation and enforcement action; conducts site visits or confers with City personnel regarding violations; documents violations by securing photographs and other pertinent data; ensures that accurate case files are maintained; and issues citations and notices of violation;

- Assists Dispatchers by answering, screening and referring incoming telephone and radio calls; takes information from callers on emergency situations and dispatches units; determines the priority of calls and dispatches necessary police and emergency service personnel; maintains radio contact with units on assignment and relays necessary instructions and provides requested information;

- Administers first aid as necessary, and
- Performs related duties as assigned.

### 4.16.8 ORGANIZATION

Community Service Officers are a function of the Patrol Bureau and CSO’s are under the direct supervision of the Patrol Watch Commander.

Community Service Officers are authorized to carry the following weapons on their person for defensive purposes only:

(A) CSO’s may carry Oleoresin Capsicum (OC) for which they have been trained and certified: This form of chemical agent consists of a spray canister containing OC. All OC sprays shall be approved by the Rangemaster and shall be non-flammable and listed as safe for use with electronic control devices. CSO’s may use OC as a defensive
weapon in those instances that threaten their safety.

(B) CSO’s may carry, on their persons, an expandable type of baton for which they have been trained and certified to be available for use when circumstances dictate a need for self-defense. CSO’s may use the baton/impact weapon as a defensive control weapon in those instances that threaten their safety.

4.16.10 ARMED TRANSPORT OFFICERS

The Chief of Police authorizes a CSO to be armed only when transporting persons who are in-custody for booking or medical reasons. Department firearms shall be secured in the trunk lock boxes or in the department issued locker when not in Transport status and while working non-transport CSO duties.

FIREARM FOR COMMUNITY SERVICE OFFICERS:

Firearms carried by CSO’s shall be issued by the City. Department firearms shall be secured in the trunk lock boxes or in the department issued locker when not in Transport status and while working non-transport CSO duties.

FIREARMS QUALIFICATION

Community Service Officers are required to participate in an approved firearms training program and meet the minimum requirements as prescribed by the Range Staff.

4.16.12 GENERALLY PROHIBITED DUTIES

(A) CSOs are generally prohibited from:

i. Acting as cover officer,

ii. Making arrests,

iii. Handling calls for service or stopping to assist on incidents involving suspects, in progress activity, or any life-threatening circumstances,

iv. Assisting in the arrest or apprehension on suspects.

(B) Out of Town Prisoner Transports

While transporting in-custody’s outside the city limits, CSO’s shall obtain the on-duty Watch Commander’s permission to stop for any reason other than a life-threatening emergency. Stopping during an in-custody transport presents a potential safety risk to the CSO and the
4.18  CUSTODY OF PRISONERS

It is the responsibility of every employee to provide a humane environment and care for the health, security, and safety of prisoners while in custody at the Department’s holding facility. (Refer to the Department’s Jail Manual).

4.20  SUPPORT SERVICES DIVISION

4.20.1  ORGANIZATION

The Support Services Division is commanded by a Division Commander and consists of the Administrative Services Bureau which includes Records, Personnel and Training, Crime Prevention, PACT and C.H.A.M.P.S. and the Investigations Bureau which includes Criminal Investigations, Crime Suppression, Property and Evidence and the Campus Officer Program.

4.20.2  RESPONSIBILITIES

The Support Services Division is responsible for the auxiliary staff services of the department which include: compilation, control, custody, and/or operations of: division’s budget; criminal records; division purchasing; maintenance of facilities and equipment, and the maintenance of time keeping and payroll records. It is also responsible for recruitment and training of personnel, crime prevention, and the investigation of criminal activity.

4.22  ADMINISTRATIVE SERVICES BUREAU

4.22.1  PAYROLL PROCEDURE

It is the policy of the Ridgecrest Police Department to accurately report the payroll status of employees to the City Administrative Services Department. The responsibility for this payroll function is shared between individual Divisions and Bureaus.

(A)  PERSONNEL SHEETS

The personnel time sheet must reflect each employee’s duty hours or indicate the reason that the employee was not on duty (i.e., sick leave, vacation, leave
of absence, etc.). The personnel time sheet will be maintained on a pay-period basis, approved by an appropriate supervisor, and delivered to the Division Commander and then the city Finance department.

(B) **USE OF LEAVE: RESPONSIBILITY**

The ultimate responsibility for the proper use of leave available to Department personnel lies with the individual employee and those supervising the employee. The employee is responsible for requesting time off in accordance with Department policy and maintaining records so as not to be penalized for under or over utilizing leave time. The employee’s payroll check will have a record of available leave time to assist the employee in making this determination.

4.22.4 **DISTRIBUTION OF PAYROLL CHECKS**

The Ridgecrest Police Department will comply with the Administrative Policy of the City of Ridgecrest in the distribution of payroll checks to Department personnel.

(A) **PAYROLL CHECKS: ACCEPTANCE FROM FINANCE**

Only the designated employee of the department will accept delivery of the Police Department payroll checks from the City’s Administrative Services Department.

(B) **PAYROLL CHECKS: DISTRIBUTION**

Upon receipt, payroll checks will be sorted and distributed to other designated employees for further distribution within the department.

(C) **DELIVERY OF PAYROLL CHECK**

Payroll checks will only be delivered to the person whose name appears on the check. In the event an employee is ill, the check may be released to a person designated by the employee. In order to have a check released to another person, the employee must sign a written request. The request may be presented to the employee’s Division Commander by the person receiving the check.

4.22.6 **CURRENT ADDRESS AND TELEPHONE NUMBER: ON FILE WITH DEPARTMENT**
The Department shall have every employee’s current address and phone number. Employees are required to inform the Department of any change in their address, phone number, dependents, or emergency notification information. Any change in this information shall be reported to the Administrative Police Secretary as soon as possible.

4.22.8 EMPLOYEE TELEPHONE NUMBERS: REQUEST(S) FOR

All Supervisors will have a Ridgecrest Police Department personnel roster containing the home telephone numbers and addresses of each employee. All requests for home telephone numbers shall first be directed to the requesting employee’s Bureau Commander. As a last resort, a request for a home telephone number may be directed to the on-duty Watch Commander. Requests shall not be handled by dispatchers.

4.22.10 CITY EQUIPMENT: ISSUANCE AND CONTROL

Departmental equipment records will be maintained by the Administrative Secretary. The Division or Bureau to which the equipment is assigned is ultimately responsible and accountable for the operation and care of assigned equipment.

(A) EQUIPMENT: EMPLOYEE RESPONSIBILITY

Employees will be responsible for obtaining and returning equipment, in accordance with the policies and procedures of the Division or Bureau to which the equipment is assigned. The employee is responsible for the proper care and use of the equipment while it is in the employee’s possession. Any malfunction or damage to equipment will be reported to a supervisor of the Division or Bureau to which it is assigned.

(B) EQUIPMENT: SUPERVISOR RESPONSIBILITY

The Division Commander is accountable for the equipment assigned to his/her Bureau. The Division Commander will develop a system for obtaining and returning equipment assigned to the specific Bureau.

(C) EQUIPMENT: USE BY OTHER DIVISIONS OR BUREAUS

At the discretion of the Division/Bureau Commander, equipment assigned to a specific Division or Bureau may be available for use by personnel assigned to other Divisions or Bureaus.
Personnel who wish to use equipment assigned to a different Division or Bureau shall use that equipment only with the permission of the appropriate supervisor responsible for that equipment.

4.22.12 LOSS, DAMAGE, OR THEFT OF CITY EQUIPMENT

Whenever any Department issued equipment is lost, stolen, or damaged, a report shall be forwarded to the employee’s Division Commander via the chain of command.

A police report should be written whenever circumstances require an official report.

4.22.16 RETURN OF DEPARTMENT ISSUED EQUIPMENT

Upon termination, separation, or retirement, all city-owned equipment shall be returned in good condition to the employee’s Division Commander before the employee will be allowed to receive final compensation.

4.22.18 REQUESTS, REPAIR AND MAINTENANCE OF SUPPLIES AND EQUIPMENT

(A) REQUEST(S) FOR EQUIPMENT: GENERAL

Requests for equipment and supplies shall be forwarded to the Division Commander. The request should indicate a description, quantity and other pertinent information regarding the need for the supplies or equipment.

(B) REQUEST(S) FOR EQUIPMENT REPAIR

Requests for repairs to equipment should be made and forwarded via chain of command to the Division Commander.

4.22.20 BUILDING MAINTENANCE

It is the responsibility of the City’s Parks and Recreation Department to maintain the police facility. The Watch Commander should report emergency maintenance needs to Parks and Recreation.

Routine maintenance of a minor nature that does not cause a hazard to the safety of employees or visitors and occurs during non-business hours should be reported to the Administrative Services Bureau for follow-up during the next business day.
It is the responsibility of the Support Services Bureau to process requests for building maintenance with the appropriate city department or vendor. The City maintenance supervisor will, in most cases, arrange for the necessary maintenance or repairs.

### 4.22.22 EMERGENCY MAINTENANCE: DEFINED

For the purposes of this section, emergency maintenance shall include, but not be limited to, such incidents as flooding of the building, structural collapse or failure, electrical problems, or damages as a result of fire, explosion, etc. The need presents a hazard to the safety of building occupants and demands immediate attention.

### 4.22.24 ARMAMENT MAINTENANCE

Officers will be responsible for maintaining authorized firearms in their possession in an operable condition. The Rangemaster or department armorer will conduct periodic inspections of each officer’s on-duty and off-duty firearm to determine condition, state of repair and dependability of the weapon(s).

### 4.22.26 EMPLOYEE BUSINESS CARDS

The following guidelines have been adopted by the department for the procurement and use of business cards by employees in the course of their employment:

- The business card approved by the city shall be the only business card used by employees in the course of their employment;

- Employees of the department may request business cards for use in their employment through the Administrative Secretary via the employees chain of command, and

- All employees will have their business cards supplied by the department.

### 4.22.28 POLICE FACILITY ENTRANCE CONTROL

Personnel will be issued door codes to enter the police facility. Door codes will be programmed on a basis commensurate with the needs of the individual employee. Upon transfer, it will be the responsibility of the supervisor or Bureau Manager to have the appropriate door codes issued.

In an effort to increase building security, all doors to the police facility, except the front lobby doors, will remain locked at all times.
4.24 RECORDS MANAGEMENT

4.24.1 RECORDS SECTION

The Police Records manager is responsible for the collection and maintenance and custody of police records, data processing, microfilming, fingerprinting and mandated statistical reporting.

4.24.2 RECORDS AREA

The Records area of the Ridgecrest Police Department will consist of the counters, file cabinets, and storage areas of the Records Bureau.

4.24.4 RECORDS AREA SECURITY

The Records area of the police facility is restricted to the personnel assigned to the Records area, unless specific exceptions are made by directive or by direction of the Chief of Police, Division, or Bureau Commanders. The Watch Commander shall be responsible for maintaining the security of the Records area in the absence of the supervisory personnel assigned to Records. The Records area will be secure at all times.

4.24.6 RECORDS SECURITY OFFICER

The Support Services Commander is the Custodian of Records for the police department. He/she has the authority and responsibility to ensure that regulations regarding records and the release of information are adhered to.

4.24.8 RECORDS AREA ACCESS

Non-supervisory employees should not access to the records area unless assigned to duty there or unless a supervisor specifically grants access. Records personnel will assist outside agencies at the front counter. Records personnel will assist sworn and non-sworn employees in all records searches.

Whenever Records personnel are not available, the Watch Commander may make a search of pertinent files for booking purposes and conduct warrant system checks.

4.24.12 RECORDS CONFIDENTIALITY

Records maintained by the Department are confidential and restricted. They shall not be released except as provided by established policies of the Department. The official business of the Department is confidential and personnel shall not discuss or repeat
information to anyone except those for who intended, or as directed by a supervisor, or in response to a legal process.

4.24.14 REPORTS AND REQUESTS FOR INFORMATION

Records personnel shall be responsible for establishing the proper identity and a valid right to the record information requested of those persons who make their requests at the front counter. If the person who requests the record information does not have a right of access to the information, Records personnel have a duty to refuse access to the record information.

Upon displaying proper identification and establishing a right to the information, the records personnel shall provide the requestor with a Request For Record Information and, if necessary, assist the person in completing the form properly. A form will be completed for each record requested.

4.24.16 RECORDS PROCESSING

After completion of a Request for Record Information by the requestor and verification by a supervisor, the request will be given to a Records employee. The assigned person will obtain the information requested, subject to all limitations imposed by law, and convey it to the requestor.

All completed Request for Record Information forms, whether they were honored or not, shall be attached to the records to which they pertain before filing.

4.24.18 COPYING RECORDS

Any person entitled to examine a record held by this Department may do so without charge and may copy information from the record, provided it is within the limits imposed by law.

4.24.20 ACCESS TO RECORDS

Records of the Department are available to governmental agencies in furtherance of an official investigation. Restrictions and procedures for the release of Criminal Offender Record Information are set forth in applicable codes.

4.24.22 CALIFORNIA PUBLIC RECORDS ACT: MEDIA REQUESTS FOR INFORMATION
Occasionally, members of the media will make written requests to obtain information in police reports or other records on file with the Ridgecrest Police Department pursuant to the California Public Records Act (CPRA). The CPRA requires that recorded information is subject to public inspection and copying unless: a specific exception or exemption within the act or a confidentiality rule elsewhere in state or federal law permits or mandates non-disclosure; or the agency can show that, on the facts of a particular case, the public interest served by withholding the information clearly outweighs the public interest served by disclosure.

If the media is denied access to requested information and continues to demand said information the written request shall be directed to the Administrative Services Manager or other designated police manager or supervisor. The request shall then be forwarded with a copy of the document containing the requested information to the City Attorney’s office for review. It is imperative that the City Attorney’s office receive the request in a timely manner, as the CPRA mandates a response within ten (10) days of receipt of the request. If the City Attorney’s office directs release of the information, police management shall notify the requesting person or organization and coordinate release of the information. If the City Attorney’s office denies the request, the Public Information Officer (Investigations Bureau Supervisor) shall notify the requesting person or organization in writing within the statutory time allowed.

4.24.24 RELEASE OF MUG SHOTS

Booking photographs (mug shots) of persons arrested by the Ridgecrest Police Department may be released to the media by authorization of the Watch Commander or other member of police management. Booking photographs shall be released only for the purpose of better informing the public regarding criminal activity, and/or to aid in the investigation of a crime, or the apprehension of a suspect. Mug shots of juveniles may not be released except upon order of the juvenile court.

4.24.26 RELEASE OF CRIME OR INCIDENT REPORTS

The California Public Records Act exempts portions of certain law enforcement records from public disclosure, either temporarily or permanently. The Act expressly sets forth information about complaints, requests for assistance, and the ensuing investigative efforts of the responding agency that must be made public upon request - unless release of the information would endanger the safety of a person involved in the investigation or a related investigation.

(A) DATA FOR RELEASE

The data prescribed for routine release includes:
· The time, substance and location of all complaints or requests for assistance received by the agency;

· The time and nature of the response thereto, and

· To the extent the information regarding crimes alleged or committed or any other incident is recorded; the time, date and location of an occurrence; the time and the date of the report; (except in exempt cases) the name, age and current address of the victim; the factual circumstances surrounding the crime or incident; a general description of any injuries, property or weapons involved are generally subject to release.

(B) EXCEPTIONS TO VICTIM INFORMATION DISCLOSURE

When the crime is one or more of the following offenses, two exceptions to the rule of victim disclosure take effect. The victim’s address may not be revealed, and the victim (the parent or guardian if the victim is a minor) may request that the victim’s name be withheld. The offenses are:

- 261 PC Rape
- 264 PC Spousal Rape
- 264.1 PC Rape, Rape by Foreign Object, in Concert
- 273a PC Child Cruelty or Endangerment
- 273.5 PC Spousal Abuse
- 286 PC Sodomy
- 288 PC Lewd Acts on a Child
- 288a PC Oral Copulation
- 289 PC Rape by a Foreign Object
- 422.6 PC Interference with Civil Rights

If the crime report involves both a crime in the above list and some other crime - for example, rape and robbery - information may be withheld which would reveal that the victim, whose name may be publicly revealed in the latter crime, is the victim of the former.

4.24.28 RELEASE OF ARREST REPORTS

The California Records Act requires disclosure of the information unless release of a given item would endanger the safety of a person involved in an investigation or threaten to frustrate its completion:
· The full name, current address and occupation of every individual arrested

· The physical description, including date of birth, color of eyes and hair, sex, height and weight of every individual arrested

· The time and date of arrest

· The location of the arrest

· The circumstances surrounding the arrest

· The time and date of booking

· The amount of bail set

· The time and manner of release or the location where the individual is currently being held

· All charges against each individual, including any outstanding warrants from other jurisdictions and parole or probation holds

Authorized members of the media, or other authorized persons, may obtain non-exempt information from records maintained by the Ridgecrest Police Department during normal business hours of the Department. Statutory fees may be charged for copies of documents and for data analysis services. Information may be released either verbally or in writing.

4.24.30 RELEASE OF INACTIVE OR CLOSED CASES

The general exemption from release for records of criminal investigations in the Public Records Act may still apply to closed and inactive cases. The exemption for investigatory files does not terminate with the conclusion of the investigation. Police management may authorize the release of information from inactive or closed cases; however, the following information shall be deleted:

· Identities of any confidential informants;

· Confidential information supplied exclusively by confidential informants;

· Information that would disclose certain investigative techniques or procedures;
Information, the disclosure of which would constitute an unwarranted invasion of personal privacy, and

Information, the disclosure of which would threaten the safety of a law enforcement officer.

4.24.32 CRIMINAL OFFENDER RECORD INFORMATION: DEFINITIONS

Criminal information shall be maintained by the Department in accordance with the following guidelines:

(A) GENERAL INFORMATION

Criminal Offender Record Information means records and data compiled by criminal justice agencies for purposes of identifying criminal offenders and of maintaining, as applies to each offender, a summary of arrests, pretrial proceedings, the nature, and disposition of criminal charges, sentencing, incarceration, rehabilitation, and release. Such information shall be restricted to that which is recorded as the result of an arrest, detention, or other initiation of criminal proceedings or any consequent proceeding related thereto. It includes rap sheets, master name cards, teletypes, and any other form of summary of criminal offender record information.

(B) DEFINITIONS

- Criminal Justice Agency: A public agency or component thereof which performs a criminal justice activity as its principal function.

- Authorized Person or Agency: Any person or agency authorized by court order, statute, or decisional law to receive criminal offender record information.

- Right to Know: The right to obtain criminal offender records information pursuant to court order, statute, or decisional law.

- Need to Know: The necessity to obtain criminal offender record information in order to execute official responsibilities.

4.24.34 CRIMINAL OFFENDER RECORD INFORMATION: REVIEW
Persons may review their own California Department of Justice records for the purpose of challenge or correction in conformity with California Penal Code §§ 11120 through 11127.

Upon being positively identified, persons may obtain information on their Ridgecrest Police Record which will be limited to dates of arrest, charges, and disposition.

(A) MISUSE: PENALTIES

The Department’s policy regarding the reproduction and release of criminal offender record information is based upon statutory law. Personnel violating this policy may be subject not only to internal discipline, but criminal prosecution for a violation of State law. Furthermore, an intentional violation of this policy may lead to the suspension of computerized information services available through the California Department of Justice, the California Law Enforcement Telecommunications System, and the National Crime Information Center.

(B) DESTRUCTION

All criminal offender record information, which is to be destroyed, shall be forwarded to Records accompanied by a completed Destruction of Records Form.

All applicable employees are responsible for the appropriate destruction of any CORI record. Employees shall cause the record to be shredded or placed in an appropriate destruction bin. Under no circumstances should CORI information be placed in a non-destruction trash receptacle.

The Support Services Division Commander will be responsible for the reviewing, shredding, and recording the destruction of all criminal offender record information.

4.24.36 DESTROYING DETENTION OR ARREST RECORDS OF INNOCENT PERSONS

The following guidelines will apply when a person has filed a petition to have an arrest record sealed and/or destroyed:

(A) INITIATING DESTRUCTION PROCEDURES
§ 851.8 of the California Penal Code allows a person who has been detained or arrested and later found “factually innocent” to petition the law enforcement agency or court having jurisdiction over the matter to destroy records of the arrest. The arrestee is responsible for initiating the proceeding by filing a petition with the law enforcement agency or court having jurisdiction and serving a copy upon the District Attorney of the County.

(B) DEPARTMENT COMPLIANCE

Department members shall advise individuals who wish to have arrest information purged from their files to obtain and complete a Petition to Seal and Destroy Arrest Record form. The petition form may be acquired from the Kern County Superior Court.

The completed form will be returned to the Support Services Division Commander (or designee), who will determine if the petitioner meets the record sealing criteria specified in § 851.8 of the California Penal Code.

Upon granting the petitioner’s request, the Support Services Division Commander (or designee) will:
- Seal the affected records for three years and thereafter destroy them;
- Notify the Department of Justice and any other agency which arrested, helped arrest, or was otherwise notified of the arrest that the record is to be sealed and subsequently destroyed, and
- Issue the petitioner a written Declaration of Factual Innocence.

(C) REQUESTS FROM OTHER AGENCIES

The Support Services Division Commander will comply with the request of other agencies to seal and destroy arrest records of “factually innocent” persons and will send a letter of compliance to the requesting agency.

4.24.38 RELEASE OF CRIMINAL INFORMATION

Criminal history information is defined as the master record of information compiled by either the Department of Justice or a local law enforcement agency pertaining to the identification and criminal history of any person. The Penal Code prohibits dissemination of such information, unless the material released is merely statistical or research data that does not identify the subject of the record, or is done to help apprehend a person wanted in connection with the commission of a crime.
Dissemination of rap sheet information regarding an arrestee does not fit either of these exceptions and the unauthorized release of such information may be prosecuted as a misdemeanor. Police personnel shall not release rap sheet information regarding any arrestee, unless the stated criteria for release have been met.

**4.24.40 RELEASE OF JUVENILE CRIME/ARREST REPORTS**

When juveniles (any person under the age of 18 years) are detained for questioning or taken into custody as suspects in a criminal matter, their identity shall not be released. The juvenile court has jurisdiction over disclosure in such matters and neither the media nor the public may inspect these records except by order of the court. The fact that an arrest has been made and other factual information may be released as long as the juvenile’s identity is not disclosed.

**4.24.42 RECORDS OF JUVENILES**

Records relating to the activities of juveniles investigated by this Department may be disclosed to another law enforcement agency for the purpose of official disposition of a case. When the disposition is available, it must be included with any disclosed information.

**4.24.44 SEALING RECORD(S) OF A MINOR**

Records of a minor’s contacts with a law enforcement agency, probation department, and/or court is sealed only after a court has ordered the records sealed, and only those records stated in the court order will be sealed.

(A) **PETITION TO SEAL RECORD**

Any person who contacts a member of the Department regarding the sealing of records of a minor should be advised to obtain a Petition Request form for the sealing of records of a minor from:

- County Clerk’s Office
- Superior Court
- Juvenile Justice Center
- 2100 College Ave.
- Bakersfield, CA 93305

(B) **RECORDS COMPLIANCE**
The manager/supervisor of records will comply with the order of the court to seal the records of a minor and will initiate and forward a letter of compliance to the court.

4.24.60 RELEASE OF CONCEALED WEAPONS PERMIT INFORMATION

Concealed weapons permits (CCW) are not exempt from disclosure under the CPRA. Details contained in CCW applications and permits may be withheld to the extent that release of same would increase the risk of harm to the permit holder. Details concerning a CCW permittee’s own, family medical or psychological history shall not be released.

Statistical data regarding the number of permits issues may be released to the media.

4.24.61 RELEASE OF PERSONNEL DATA

Generally, peace officer personnel records and records of citizen complaints regarding peace officers are confidential. Requests for information concerning such data shall be directed to the Office of the Chief of Police and City Attorney for review to determine if such information will be released. Police employees’ names may routinely be released with other information concerning incident, crime, and arrest reports unless the safety of an employee is an issue. In these cases, employees’ names shall be withheld, until release of such information is directed by the Chief of Police or his designee.

In all cases of officer-involved shootings and fatalities, the names of the involved officers/employees shall be withheld for at least twenty-four (24) hours after the incident. At the conclusion of the 24 hour period, the PIO will coordinate the release of the employees’ names.

4.24.62 RELEASE OF INFORMATION REGARDING 5150 WIC PLACEMENT

Information regarding responses to calls which resulted in placement of an individual for involuntary treatment per § 5150 WIC may be released as would any similar incident as long as the person’s identity is not revealed. All information and records obtained in the course of providing services under the involuntary treatment law are confidential and shall not be released.

4.24.64 TELEPHONIC AND WRITTEN REQUESTS

Requested information shall be given only after the employee is satisfied that the person requesting information is an authorized representative of a legitimate outside agency. The employee receiving and complying with such requests shall prepare a Request for Information form and attach it to the concerned record.
Written requests for record information shall not be complied with unless accompanied by a Request for Record Information or a similar document which gives substantially the same data and is signed by the person having a right of access to the information as established by this policy.

4.24.66 REGULARLY SCHEDULED REQUESTS

Private organizations regularly requesting record information from this Department shall be informed in writing of the requirements established by this policy. They may be supplied with a sample copy of the Request for Record Information which they may use as a guide in making their own forms.

Individuals, attorneys and agents, who do not regularly make requests for information, shall have their requests returned accompanied by a Request for Record Information when the request does not contain the necessary information. When the request is properly filled out and returned to this Department, the request will be honored. All requests accepted by this Department shall be attached to the original report and filed.

4.24.68 NO ACCESS TO RECORDS

Credit Bureaus, their agents and private detectives or investigators, shall not have access to any records within the Department while acting within the course and scope of their regular business. A private detective or investigator, acting as an agent for an individual or organization, may access records to the same extent as the person/organization represented and must present appropriate authorization.

4.24.70 PENDING COURT ACTIONS

Incident reports which result in pending court actions may be given to the defendant and/or defense attorneys by the City Attorney handling the matter, or attorneys may obtain the report from the Department by presenting signed authorization from the prosecutor handling the case. In this event, the standard fee shall be charged and the written authorization shall be attached to the report in lieu of a Request for Record Information Form. All original documents shall be returned to the files. Any such release shall be documented in the original file.

4.24.72 COURT ORDERS

The courts may authorize the release of police records to named parties for case preparation or order the reproduction of police records.
All documents will be accepted only during normal business hours (0800-1700 hours) Monday through Friday and excluding holidays. They shall be served directly on the Support Services Division Commander (or designee), or if not available, upon the Watch Commander.

4.24.74 COURT ORDER FEES

No fee will be required with the service of Subpoena Duces Tecum in criminal matters; however, occasionally a check may be tendered at time of service for witness fees, travel expenses, etc. If this occurs, the check shall be accepted and Records personnel shall issue a receipt for the fees.

4.24.76 WITNESS FEES: CIVIL MATTERS

A witness fee and travel expenses are required with service of a Subpoena Duces Tecum in a civil matter. If the witness is a Ridgecrest Police employee, a pre-determined fee is required. These fees must be tendered at time of service before the document is accepted.

4.24.78 FEES FOR RECORD COPIES

A fee, as required by Ridgecrest Municipal Ordinance, shall be charged for all reproductions of reports made by the Department and furnished to persons requesting them, except for records for other law enforcement agencies, governmental or military agencies, and in obedience to a court order.

4.24.80 COLLECTION, RECEIPT AND DEPOSIT OF RECORDS FEES

The records bureau personnel delivering the reproduced records to the requestor are responsible for collection of the proper fee and completion of the necessary paperwork. A receipt will be made out with a copy to the requestor and a copy in the register with the collected fee. The Support Services Division Commander (or designee) will be responsible for insuring that all fees collected will be taken to the City Finance Department on a routine basis. The Support Services Division Commander will also be responsible for periodic audits of the receipts and fees collected.

4.24.82 INFORMATION TO DEFENSE ATTORNEY(S)

An Investigator assigned to a case may also give information to a defense attorney if it appears that such action will not work to the disadvantage of the prosecution. The Investigator shall not release information related to another investigator’s case.
4.24.84 DISPOSITION FORMS

Disposition forms (JUS8715) will be completed for each person arrested and booked by members of the Department. After completion, the forms will be distributed to the various agencies requiring the information. This is the responsibility of the Investigations Bureau.

4.30 INVESTIGATIONS BUREAU

4.30.1 ORGANIZATION

The Investigations Bureau is commanded and supervised by an Investigations Bureau Commander and supervised by a Sergeant. It consists of the Criminal Investigations, Crime Suppression, Campus policing and Property and Evidence.

4.30.2 RESPONSIBILITIES

The Investigations Bureau is responsible for conducting criminal investigations, special enforcement activities (i.e., gang, vice, narcotic investigations), arresting criminal offenders, recovering lost and/or stolen property, and counseling youthful offenders and their parents.

4.30.4 CRIMINAL INVESTIGATIONS

Investigators are responsible for the follow-up investigations of all cases. They are primarily responsible for the investigation of crimes against persons, property and crimes against juveniles/children.

It is the goal of the Investigators to arrest identified criminal violators, recover property and evidence related to their investigations and assist in the prosecution of criminal offenders during the judicial phase of the criminal justice process.

4.30.6 CRIME SUPPRESSION

The Crime Suppression Unit is responsible for seeking out those involved in the use, manufacture, and sale of illicit narcotics. CSU members monitor parolees in the Ridgecrest area and conduct special assignments/investigations as assigned by the Chief of Police.

4.30.8 CAMPUS OFFICER (SRO)

The ‘Officer on Campus’ program provides an increased level of effective interaction between the police department, students, school officials and parents. The program
places a full-time School Resource Officer (SRO) in the high school with the goal of creating and maintaining a safe and secure learning environment for students, teachers, and staff. The SRO works in partnership with the school system to prevent crime, facilitate the resolution of problems, and provides support and training for school staff on the issues of juvenile law, substance abuse, and school safety.

4.30.10 CHOOSING HEALTHY ALTERNATIVES AND METHODS PROMOTING SUCCESS (CHAMPS)

The CHAMPS program is unique to the City of Ridgecrest. This program is a critical element in educating students at the elementary and middle school levels (Grades 5 through 8) about the dangers of drugs and violence. By using our locally developed program we are able to reevaluate and make necessary adjustments to our program in a timely manner. The curriculum of the program is flexible and can be tailored to meet the specific needs of individual schools of specific issues of the day. Over time this program should foster a sense of trust and respect between our youth and the police resulting in a safer community and school environment.

4.32 PROPERTY AND EVIDENCE MANAGEMENT

4.32.1 EVIDENCE POLICY

To ensure continuity of control and guard against contamination or loss, it is the policy of this department to identify, package and store all evidence, found property and property for safekeeping, in such a manner that it will be easily located.

4.32.2 EVIDENCE PROCEDURES

Proper procedures in the collection, labeling, packaging, and preservation of physical evidence are vital for the safeguarding of such evidence as to ensure its individuality for analysis, continuity, and court presentation. It is the responsibility of all personnel to use the proper, legal, consistent, and accepted methods in that endeavor.

4.32.4 PRESERVATION OF EVIDENCE

Personnel conducting a crime scene search shall be knowledgeable in the recognition and preservation of evidence so as not to destroy the integrity and evidentiary value of any item taken into our custody. The following guidelines (although not inclusive of all safeguards) shall be used:
(A) WET STAINS

Articles bearing wet stains such as blood or semen should be air dried first and then packaged to avoid contamination. The item(s) should then be sealed for transportation to the crime lab.

(B) ODORS OR FLUIDS

When it is desirable to preserve fluids or an article impregnated with an odor or fluid, such as chemicals or flammable fluids, the items should be placed in a clean metal container with lid; sealed and tagged for transportation to the crime lab for analysis.

(C) SPATTERED STAINS

- Splattered stains: Should be first photographed and or diagramed. Collect and obtain a control sample by using cotton swab and distilled water.

- Dried stains: Collect dried flakes or use a wet (using distilled water) cotton swab to obtain samples. Air-dry the wet samples and then package for transportation to the crime lab.

- Wet stains: Collect sample using cotton swab, air dry and package for transportation to the crime lab.

(D) EVIDENCE SCRAPINGS

Evidence scrapings should be collected and packaged in paper bindle. They should be marked for identification to include the location and/or area from which the sample(s) was taken.

(E) UNCOMMON ARTICLES

An officer or investigator who is in doubt as to a desirable method of preserving any physical evidence which may be perishable, fragile, contaminable, or microscopic, shall request the advice of a supervisor.

(F) FINGERPRINTS
Latent fingerprints or elimination prints will be collected from the scene and booked into evidence using the officer’s name, serial number, date, CR # and the location print(s) from which the prints were collected.

(G) HANDLING OF ARTICLES

Any hazardous article of evidence, or that which should be held for further processing, should be handled with gloved hands and placed into appropriate packaging materials and marked for identification.

4.32.6 PRESERVATION OF EVIDENCE: PACKAGING

When it is desirable to pack or wrap evidence to prevent contamination or preserve small items, the following shall apply:

- **Packaging Materials:** Clean containers, paper, cotton cloth, or tissue shall be used. Large objects will require wrapping paper while small articles shall be placed in paper packets, envelopes, bottles, or glass vials.

  The investigating officer(s) should seal the container with red evidence tape; then sign and date the tag.

- **Separate Packages:** Physical evidence that is found at different locations, contaminable items, and articles for comparison tests, shall be contained in separate packages.

- **Latent Fingerprints:** Objects suspected of bearing or containing latent fingerprints, which may be important in an investigation, should be packaged so that the possible impressions will be protected.

- **Narcotics:** Narcotics shall be separated from other evidence, packaged, and sealed in the appropriate narcotic evidence package. All narcotic evidence, except substances requiring refrigeration, shall be booked into the evidence lockers.

- **P.C.P:** All P.C.P. evidence shall be double K-packed and then placed in the freezer portion of the Crime Lab refrigerator. If there is inadequate space, the Watch Commander or sergeant shall be contacted.
Syringe Container: In keeping with the recommended procedures of the Kern County Health Department, the Ridgecrest Police Department will use an OSHA approved syringe container to store a syringe.

Poisons: Poisons shall be placed in non-metal containers and handled with extreme care. If at all possible, the word "Poison" shall be printed in bold letters on the receptacle being booked. The Watch Commander shall be notified.

4.32.8 PROPERTY AND EVIDENCE: CUSTODY RESPONSIBILITY

The primary duties of the custodian of property and evidence are the oversight, control, and security of property and/or evidence coming into the possession of the Ridgecrest Police Department. Additional responsibilities include but are not limited to:

- The responsibility for storing property booked in as evidence and the maintenance of records pertaining to the continued possession of the evidentiary item;
- The security of the Property Storage area and other designated areas where property and evidence is stored;
- The receipt and/or release of property from the Property Storage area or the front desk. Evidence or property will not be received or released from other locations throughout the police facility, and
- Ensuring that the release of any item is properly authorized and the person receiving such items has a legal right to the property and/or evidence in question. An individual shall sign a release to acknowledge receipt of any item.

Maintaining records of all found property or property other than evidence turned in for safekeeping. The final disposition of property will be according to law.

4.32.10 PROPERTY STORAGE AREA

Only the Property and Evidence personnel and the Support Services Division Commander shall have access to the Property Storage Area.

4.32.12 EVIDENCE IDENTIFICATION AND MARKING

No uniform marking system is practical because of the limitless number of articles involved. However, a general rule to follow is that identifying marks shall be as small as practical. Every item of physical evidence, capable of duplication, must be marked by some means that will distinguish it from every other item of like nature, capable of appearing to be a duplicate, a facsimile, or identical to the item. Every identifying
mark shall be made, so that it does not destroy the evidentiary value of the item, nor interfere with the work in the laboratory which may follow the marking process.

As a final step in the marking process, evidence tags shall be properly filled out and securely attached to all items or packages of evidence.

4.32.14 DISTINCTIVE MARKS

Distinctive marks shall be used, such as the initials of the finding officer, together with the date and/or CR Number if possible. An easily duplicated mark such as a cross or check shall not be used. Identifying marks shall be placed on an object in such a way as to avoid altering, contaminating, or destroying other physical evidence that may be present. When it is apparently impossible to mark the surface of an article, markings shall be placed on the container or package in which the article is enclosed. The officer who either finds the physical evidence or who receives it from another person shall mark it as soon as practical.

Serial numbers on articles do not necessarily eliminate the necessity for an identifying mark. Serial numbers and other identifying marks shall be recorded.

4.32.16 SPECIAL EVIDENCE MARKINGS

Some common items of evidence require special markings. Examples are:

- **Documents**: Document(s) shall not be marked in any way by anyone other than the specialist who is to conduct the scientific examination. Marking by the specialist shall be done in the presence of the officer submitting such documents, whenever practical, and

- **Items Which Cannot Be Marked**: Items which by their very nature cannot be marked, such as, hair, fingernail scrapings, fibers, etc., should be wrapped in a sheet of paper, labeled, and placed in a container which shall be marked by the person placing the item in the container.

4.32.18 BOOKING EVIDENCE: RESPONSIBILITY

All items of evidence shall be booked in without unnecessary delay by the officer finding the item, the investigating officer, or specialist called to the scene.

4.32.20 STORING EVIDENCE
After an officer or investigator has booked-in evidence and/or property, that individual shall properly store the item(s) by placing it in the evidence locker.

Under no circumstances shall perishable items be booked into the evidence lockers. If possible, perishables should be left with the victim/merchant, documented, and/or photographed. Perishable items of evidence and/or property that need to be refrigerated, shall be stored in the Lab refrigerator/freezer until photographed, then will be destroyed.

During those hours when the Property Officer is on duty, all evidence, and/or property shall be taken to the Property Storage Area and shall be either released to the Property Officer or booked into the evidence lockers.

During hours when the Property Officer is not on duty, the evidence and/or property will be placed in one of the storage lockers. The Evidence Tag shall be left with the item(s) after which the locker will be locked. The key will then be dropped into the key drop. Property and evidence will then be recorded on the officer’s original incident report.

The Watch Commander will be notified when an item that is too large to be booked into normal storage lockers is sized.

4.32.22 STORING FLAMMABLE/HAZARDOUS LIQUIDS

Hazardous materials are not to be placed or stored in the police facility. They are to be transported to the Kern County Fire Department for storage.

4.32.24 EXPLOSIVES/GUNPOWDER

Explosives and gun powder shall not be stored in the police facility. These items will be turned over to the Kern County Fire Department or the China Lake Explosive Ordinance Detail (EOD).

Fireworks may be booked into the evidence locker at the police facility to be disposed of as soon as possible.

4.32.26 TRANSPORTATION/CONTINUITY OF PHYSICAL EVIDENCE

Proof of continuity and possession of physical evidence is essential in a trial; therefore, it is desirable that such articles pass through the fewest hands possible. Evidence shall be transported by the finding officer, the investigating officer, or by support personnel called to the crime scene.
The officer assigned to the investigation must arrange any transfer of evidence from one place of custody to another.

4.32.28 NARCOTICS

Narcotics shall be transported to the station and booked in the prescribed manner as evidence. The District Attorney’s Crime Laboratory will only initially test narcotics for felony cases. Narcotics seized as evidence on misdemeanor drug possession cases, where there are no other associated felony charge(s), shall be field tested with an approved presumptive controlled substance test kit prior to being booked into the evidence system. The presumptive test shall be documented in the report along with a photo of the kit documenting the test results. If the misdemeanor drug possession goes to jury trial, the controlled substance would then be repackaged in a crime lab envelop and sent to the crime lab for analysis.

If the narcotic evidence is to be transported to the District Attorney’s Crime Laboratory for analysis, it shall be done in accordance with the current crime lab procedures.

4.32.30 VEHICLES: EVIDENCE

Specific instructions shall be given to tow service personnel in regard to a vehicle that has been impounded as evidence and/or is to be dusted for prints. The officer may direct the particular method of transport or accompany the impounded vehicle to preserve the evidentiary value of the vehicle.

Vehicles that are seized as evidence, stolen vehicles, or vehicles that may contain physical evidence may be impounded under the appropriate legal provisions.

Impounded vehicles, upon supervisory approval, may be transported and stored at an approved area, until such time as the requiredcriminalistic examination can be performed.

All other items may be transported to the station and booked as evidence, after taking into consideration their potential for contamination, destructibility, and protection.

4.32.32 EVIDENCE SUBMITTED FOR EXAMINATION: DISTRICT ATTORNEY’S CRIMINALISTICS LABORATORY

The District Attorney’s Office will accept evidence from law enforcement agencies within Kern County for scientific examination. Arrangements to transport the evidence to the crime lab and then returning the evidence to the department are the responsibility of the submitting law enforcement agency.
When time is of extreme importance, or it would be beneficial for the investigator to discuss the proposed examination with criminalistics personnel, the investigator assigned to the case may transport the evidence directly to the Crime Lab, or Kern County Sheriff’s Technical Investigations Unit.

4.32.34 REQUEST FOR LABORATORY EXAMINATION

A request for Laboratory Examination form shall be completed by the investigator requesting the analysis or examination. The District Attorney’s Crime Lab form shall be enclosed or attached securely to the evidence package.

The request shall also indicate what type of examination is required or what action the investigator is requesting the District Attorney’s Crime Lab to perform on the evidence.

4.32.36 SCIENTIFIC EXAMINATIONS AND ANALYSIS BY OTHER AGENCIES

Physical evidence does not have to be sent to the Kern County District Attorney’s Crime Laboratory for examination. At times, it may be desirable or necessary to have a specific scientific examination or analysis done by another agency such as a hospital, the California Department of Justice, or the Federal Bureau of Investigation. These services may also include the use of a private laboratory (i.e., DNA testing).

The type of evidence, the manner in which it is obtained, reliability of available facilities, personnel doing the analysis, and the time element involved are all factors to be considered in determining which agency will handle the evidence.

The determination to use a crime laboratory, other than the Kern County District Attorney’s Office, must be made by the Division Commander with the concurrence of the Chief of Police.

4.32.38 EVIDENCE PRESENTATION IN COURT

The retrieval, preparation, documentation of the chain of evidence and presentation of evidence in court shall be the responsibility of the investigating officer. Evidence may be obtained from the property/evidence during normal business hours, Monday through Friday.

The responsibility for returning all evidence which is not introduced into court shall also rest with the investigator. It is important that all items of evidence from court be returned to the evidence room in its original packaging.
4.32.40 COURT EXHIBITS/RESTRICTIONS

The Courts are restricted from receiving any exhibit which falls into any of the classifications listed below:

- Any container of flammable liquid such as gasoline, kerosene, lighter fluid, paint thinner, ethyl ether, etc.;
- Any type of explosive powder;
- Any explosive chemical such as toluene, ethane, etc.;
- Any explosive device such as a pipe bomb, hand grenade, etc.;
- Any flammable device such as a Molotov cocktail;
- Any canister containing tear gas, mace, etc.;
- Any rags soaked with any flammable liquid which is still damp or wet;
- Any corrosive liquid;
- Dry P.C.P. in other than an air tight package (i.e., plastic), or any liquid P.C.P.;
- Vials of blood or any blood stained clothes;
- Urine;
- or any body fluids;
- Any body parts (e.g., skin, hair, etc.);
- Hypodermic needles;
- 30 lbs. or more of a controlled substance, and/or
- Any perishables.

The court will accept photographs of any of the items listed above; however the actual physical evidence will be retained by this agency.
4.32.42 PREPARATION OF EVIDENCE

Whenever investigators have evidence to analyze, they will properly process the evidence so as to maintain its individuality by utilizing proper labeling, separation, and packaging.

The evidence will be identified by attaching the proper Ridgecrest Police Department evidence identification form containing:

- Complete name of victim or suspect;
- Name of the investigating officer;
- Charge or crime classification;
- CR number, and
- Time and date of collection.

After completion of evidence identification, the item will be turned over to the Property Officer or if none are available placed into evidence until analyzed.

4.32.44 RECEPACLES FOR EVIDENCE

The Property Officer will maintain evidence destined for the Crime Lab.

Items of evidence which need to be refrigerated, awaiting transportation to the Crime Lab, will be stored in the refrigerator designated for property and evidence.

4.32.46 ACCESS TO EVIDENCE

The property and evidence storage area will be kept locked at all times. Placing items of evidence into the area may be accomplished by contacting the Property Officer during normal business hours.

4.32.48 DISPOSITION OF EVIDENCE: INVESTIGATORS' RESPONSIBILITY

Investigators shall notify the Property Officer when evidence being held in the property storage area will not be used, because the case for which such evidence is being held has been adjudicated.

4.32.50 CASE EVIDENCE DISPOSAL: DESTRUCTION OF CONTRABAND
Upon receipt of notification, the Property Officer shall dispose of articles of evidence pursuant to court order and according to statutory mandates and departmental procedures.

If owners are known, can be contacted, and wish to regain items other than guns, knives, or contraband, the items may be returned. If the owner is unknown, cannot be contacted, or if the owner is known, but does not wish to regain the item(s), the item(s) may be disposed of.

4.32.52 FIREARMS EVIDENCE

Firearms which may be evidence, stolen/recovered property held for safekeeping, or found property shall be taken into custody and booked by the police officer, investigator, or support personnel assigned to the incident. If the firearm is placed in a container (i.e., paper bag, cardboard container, etc.), the booking officer shall indicate on the packaging if the weapon is “LOADED” or “UNLOADED.” If a magazine is attached, it should be removed from the weapon.

In an investigation of suicide or homicide by gunshot, the weapon shall be secured in its original state until the Kern County Coroner or the Robbery/Homicide Investigator can determine how the weapon will be preserved. If a loaded firearm must be booked into evidence, the Watch Commander must be notified immediately.

4.32.54 FIREARMS PROCEDURES: GENERAL

Care shall be exercised in handling and examining any firearm being held by this Department in order that it will not become contaminated or its evidentiary value destroyed.

The officer finding or taking possession of, any firearm, which is to be booked into evidence is responsible for ascertaining its serial numbers. If the firearm has no serial numbers, the officer shall mark it in such a way that it may be readily identifiable. If marking is necessary, it shall be done in such a manner and location that will not damage the firearm, obliterate any possible latent fingerprints, or contaminate any evidence.

The investigator assigned to an incident in which a firearm was taken, recovered, or used, shall be responsible for processing the weapon. This includes, but is not limited to, entering or clearing the serial numbers with NCIC, obtaining ballistics tests, making all necessary inquiries and notifications, and authorizing the release of the weapon for disposal when it is no longer required to be retained by this Department. The investigator authorizing release of a firearm shall sign with a complete signature the Property Receipt Form and include the date of authorization. At the time the
weapon is released to an authorized person, the Property Officer shall also sign and date the property receipt.

The person whom the firearm is to be released to must obtain DOJ approval prior to the release.

4.32.55 WEAPONS SEIZURES

(A) BACKGROUND

1. 12028.5 PC provides peace officers at the scene of a family violence incident involving a threat to human life or a physical assault the authority to take temporary custody of any firearm or other deadly weapon in plain sight or discovered pursuant to a consensual search as necessary for the protection of the peace officer or other persons present. In those cases where a law enforcement agency has reasonable cause to believe that the return of the firearm or deadly weapon would likely endanger the victim or person reporting the assault, 12028.5 PC provides a procedure for filing a petition with the superior court to determine if the firearm or deadly weapon should be returned.

2. "Deadly weapon" as used in 12028.5 PC, is any weapon, the possession or concealed carrying of which is prohibited by 12020 PC.

(B) POLICY

Under circumstances described in 12028.5 PC, Ridgecrest Police Officers shall take temporary custody of any firearm or deadly weapon in plain sight or discovered pursuant to a consensual search as necessary for the protection of Officers or other persons present. Officers and the Department Property Clerk shall follow the procedure provided in 12028.5 PC to prevent the return and/or secure the destruction of any firearms or deadly weapons seized when Officers have reasonable cause to believe that the return of the firearm or deadly weapon would likely endanger the victim or person reporting the assault.

(C) OFFICER RESPONSIBILITY

1. The officer will check the DOJ Automated Firearms System (AFS) for wants on any firearm seized and to establish ownership of the weapon. The printed response from this inquiring will be attached to the incident report.
2. The officer will check the DOJ Mental Health Firearms Prohibition System (MHFPS), County (CJIS), State (CII), and Federal (FBI) criminal history records to determine if the subject is prohibited from firearms ownership. Printed responses from these systems will be attached to the incident report.

3. A receipt will be given to the citizen from whom the firearm or other deadly weapon was taken. The receipt shall include the following information:

   (a) Description of the weapon and any serial number or other identifier.

   (b) The location where and date when the weapon may be obtained.

   (c) The signature of the officer.

   (d) The signature of the citizen (unless circumstances prevent the officer from obtaining a signature).

   (e) The weapon must be held at least 48 hours and be available for release after no longer than 72 hours from the time of seizure unless one or more of these circumstances are present:

       • The weapon is being held as evidence.

       • The weapon was illegally possessed.

       • The law enforcement agency has reasonable cause to believe the return of the weapon would likely result in endangering the victim or the person reporting the assault or threat.

4. If the weapon is being held as evidence, the officer shall request in the crime report that the District Attorney's office pursue court ordered destruction of the weapon.

5. If the weapon was taken because the officer had reasonable cause to believe that the return of the weapon would endanger the victim or the person reporting the assault or threat, the officer will write in the "Release To" box on the Property Report, "HEARING REQUESTED. RETAIN FIREARM / WEAPON" (see attached example). The officer must follow this procedure and provide the Property Report to the
Property Clerk as soon as possible since a petition must be filed with the superior court within 10 days of the seizure of the weapon.

6. The officer must also document within the report any information to support a belief that the return of the weapon would endanger the victim or person reporting the assault or threat. This documentation could include any threats made by the suspect, fears expressed by the victim, history of violence, or use of the weapon in a prior incident.

(D) PROPERTY/EVIDENCE CLERK RESPONSIBILITY

1. Upon request, the Property Clerk will initiate a petition to the Superior court to prevent return of the weapon. The Property/Evidence Clerk will follow procedures as described in 12028.5 PC.

2. If the owner of a firearm or person lawfully possessing the weapon is convicted of a crime disqualifying the person from possessing the weapon under 12021 PC, the Property/Evidence Clerk will seek court ordered destruction of the weapon. (Note that in instances where the court does not order destruction of the weapon and the conviction prohibits possession by the person for 10 years following conviction (see 12021(c)), the Department may be required to retain the weapon for 10 years and then permit its return.)

3. Prior to authorizing the return of a firearm, the Property Clerk will check Federal (FBI), State (CII), and County (CJIS) criminal history records and the Department of Justice Mental Health Firearms Prohibition System for any conviction or condition prohibiting possession of the firearm. If possession is prohibited, the Property Clerk will seek a court order for destruction of the firearm.

4.32.56 EMOTIONALLY DISTURBED PERSONS - WEAPONS SEIZURES

(A) BACKGROUND

1. 8102 WI instructs law enforcement agencies to confiscate firearms and deadly weapons located in the possession or under the control of persons detained for examination of their mental condition. 8102 WI also provides procedures for law enforcement agencies to petition the superior court for retention of weapons seized from mentally disturbed persons.

2. "Deadly weapon" as used in 8102 WI, is any weapon, the possession or concealed carrying of which is prohibited by 12020 PC.
(B) POLICY

1. Under circumstances described in 8102 WI, Ridgecrest Police Officers shall take temporary custody of any firearm or deadly weapon in plain sight or discovered pursuant to a consensual or exigent search. Officers and the Department Property Clerk will follow procedures provided in 8102 WI to prevent the return of these firearms or deadly weapons.

(C) OFFICER RESPONSIBILITY

1. When firearms or other deadly weapons are confiscated from persons detained for examination of their mental condition, the investigating officer will:

   a. Complete the top portion of an 8102 "Notice". The original white copy will be turned in with the white property sheet. The canary copy will be given to the detainee upon commitment. The pink copy and the goldenrod copy will be left with the mental health facility.

   b. Verbally advise the mental health facility staff that they are required to notify the Evidence Unit immediately upon the detainee’s release. Notification is accomplished by mailing a copy of the 8102 Notice to the Police Department.

   c. Check the 5150/8102 box on the Property Booking and Field Receipt form.

   d. Check the DOJ Mental Health Firearms Prohibition System (MHFPS), County (CJIS), State (Cl&I), and Federal (FBI) criminal history records to determine if the detained subject is prohibited from firearms ownership. Printed responses from these systems will be attached to the incident report.

   e. Check the DOJ Automated Firearms System (AFS) for wants on any firearm seized and to establish ownership of the weapon. The printed response from this inquiring will be attached to the incident report.

(D) MENTAL HEALTH FACILITY RESPONSIBILITY
Upon release of detainee from mental health facility, the mental facility will:

1. Complete the bottom portion of the "Notice". The goldenrod copy will be given to the detainee upon release. The pink copy will be retained at the mental health facility.

2. Notify the Police Department Evidence Unit immediately upon the detainee’s release. Notification is accomplished by mailing a copy of the 8102 Notice to the Police Department.

(E) PROPERTY CLERK RESPONSIBILITY

Upon receipt of the 8102 Notice, the Property Clerk will:

1. As soon as the subject’s release date is obtained, fax the 8102 Notice, a copy of the police report, and the subject’s release date to the City Attorney.

2. Mail (interoffice) the original 8102 Notice to the City Attorney.

3. Attach a copy of the 8102 Notice to the original property sheet.

The Property Clerk will request authorization from the Support Services Division Commander prior to releasing a seized firearm or deadly weapon to a person who had been detained for examination of their mental condition.

(F) CITY ATTORNEY RESPONSIBILITY

Upon receipt of the 8102 Notice and a copy of the police report, the City Attorney will:

1. Determine when the detainee was released from the mental health facility. The Property Clerk should notify the City Attorney of the release date when notified by Mental Health Facility, however Valley Medical Center does not reliably notify the Police Department of the release date and a follow-up phone call to Mental Health is often necessary.

2. Complete the appropriate 8102 paperwork including a Declaration in Support of Petition. Forward the Declaration to the reporting officer at the Police Department with a cover letter instructing the officer to review and sign the declaration and return the Declaration to the City Attorney’s office immediately. A self-addressed envelope will be included to expedite return of the Declaration.
3. File appropriate 8102 paperwork at Superior Court within 30 days of detainee’s release date.

4. Notify the detainee of the right to a hearing by sending the detainee a copy of the petition.

If the detainee requests a hearing date, the Superior Court Clerk will notify the City Attorney of the hearing date, time, and location. The City Attorney will notify the Police Department Property Clerk of the disposition of the weapons pending the hearing. If the detainee does not respond to the Superior Court Clerk requesting a hearing, the City Attorney must file a petition ordering default of the weapons.

The City Attorney will forward the signed Default Order to the Police Department Property Clerk for disposal of the weapons.

(G) ADDITIONAL ASSISTANCE

The Department of Justice (DOJ) may be contacted for assistance, if needed.

1. Firearms Program - (916) 227-3703
   a. Mental health facility staff is required under 8105 WI to notify the Department of Justice whenever a person is admitted to a mental health facility, is receiving inpatient treatment, and is considered a danger to self or others. To determine whether or not a mental health facility has provided this notification for a person detained on a 5150 WI hold query the Mental Health Firearms Prohibition System (MHFPS) in CLETS, or contact the Firearms Program. For specific information on reporting requirements, contact Ms. Bernie Rauser at (916) 227-3702.

2. Denial Review Unit - (916) 227-3749

   The Denial Review Unit can assist interpreting criminal history records to determine if a person is prohibited from firearms possession due to criminal convictions.

4.32.58 BOOKING FOUND PROPERTY/EVIDENCE: MONEY

An employee booking in money as evidence or found property shall complete the Evidence/Property Tag and place the money into the currency envelope. The employee should have another employee verify the money count prior to sealing the envelope. The verifying employee should sign the outside of the envelope after it has been sealed. The currency envelope will then be booked into an evidence locker or given directly to the Property Officer.
4.32.60 VIDEO TAPE EVIDENCE

It is the arresting officer's responsibility, in any case in which a videotape is to be utilized, to book the videotape as evidence according to Departmental policy. The Property officer will process the videotape evidence in the same manner as other evidence.

Authorized persons may view videotape evidence during normal business hours or when prior arrangements have been made with an investigating officer.

(A) PERSONS AUTHORIZED TO VIEW VIDEOTAPE EVIDENCE

Police Officers will be given access to the videotape evidence on the same basis as other evidence.

Personnel will be required to sign out the video each time they view the evidence and then return it to the Property Officer upon completion.

The Court Liaison Officer will be the coordinator with the District Attorney's Office in making arrangements for the viewing of videotape evidence by those persons requesting access to the evidence. Members of the staff of the District Attorney's Office may view or check out the evidence in the same manner as prescribed for police officers.

Private Attorneys and Public Defenders representing the subject of the videotape evidence have a limited access. In order to view the videotape, these individuals must have a Writ of Discovery or prior approval from the District Attorney's Office. Videotape evidence will not be shown unless the Property and Evidence Clerk has verified the request with the District Attorney's Office.

(B) VIEWING VIDEOTAPE EVIDENCE

After verifying that approval has been granted to view the evidence, the Property Officer shall release the video to the assigned investigator.

A suitable location to ensure confidentiality of the evidence will be used to show the videotape to those attorneys allowed to view the evidence. The investigator showing the videotape will remain in the room at all times and will not relinquish custody of the evidence to any private attorney or the Public
Defender. Upon completion of the showing of the videotape, the evidence will be returned to the Property Officer and logged back into evidence.

(C) **VIEWING OF THE VIDEOTAPE EVIDENCE BY A JURY**

Jury viewing of a videotape is sometimes ordered by the court and will be handled by the investigating officer, who is responsible for obtaining the evidence according to Departmental policy.

(D) **DISPOSAL OF VIDEOTAPE EVIDENCE**

The investigating officer shall maintain contact with the court to determine when the case has been adjudicated. Upon adjudication, the videotape evidence will be returned to the Property Officer, who will dispose of it according to Departmental policy.

(E) **VIDEO TAPES MADE BY CIVILIANS**

The investigating officer should make every legal effort to obtain the original tape made by a civilian of any incident to which that tape may prove to be of evidentiary value.

4.32.62 **ASSET FORFEITURE**

California Health and Safety Code § 11470 provides for the forfeiture of any currency, real and/or personal property, which represents proceeds or was used to facilitate illegal narcotic activity in violation of the Health and Safety Code. Offenses must involve the manufacturing, distribution, transportation for sale, sales, possession for sale, offer for sale, offer to manufacture, or the conspiracy to commit certain Health and Safety Code violations.

(A) **MINIMUM GUIDELINES**

Asset forfeiture shall be conducted based upon the current Kern County District Attorney’s Office Asset forfeiture guidelines and procedures.

(B) **ASSET FORFEITURE PROCEDURE**

Patrol officers should contact the Investigation’s Bureau Commander who will initiate the asset forfeiture procedure. When making a seizure, officers should use the following guidelines:
· Obtain statements from the suspect, co-defendants, or any other involved parties. Investigator’s should conduct in-depth follow-up interviews;

· Obtain any documents related to the ownership of the items to be seized;

· Inventory all items to be seized and book into property/evidence;

· Serve the suspect with a “Notice of Seizure” from the District Attorney’s Office at the time of arrest, and

· Currency should be counted by the seizing officer and a supervisor. Record the denomination of the currency and the total amount. Seal and initial the envelope with the initials of the persons who counted the currency.

(C) RELATED DOCUMENTS

Related documents should include the crime report, notice of seizure and proof of service, ownership documents, and any other documents related to the seizure.

(D) PROCEEDS FROM FORFEITURE

Equitable shares received from seized assets shall be maintained in separate funds and be subject to audit(s).

4.34 PERSONNEL AND TRAINING: PROGRAM DEVELOPMENT

The Ridgecrest Police Department’s philosophy is to promote training for the purpose of enhancing the performance of personnel in their present and future job assignments. Department needs, budget, staffing, and deployment of personnel will determine training.

(A) TRAINING POLICY: GOALS AND PRIORITIES
The following represents the goals and priorities of the departments training policy:

· Promote systematic personal growth, development and productivity of the organization and its personnel;

· Provide a more efficient and professional organization;

· Meet statutory mandates and training required by the Commission on Peace Officer Standards and Training (POST), and

· Identify training as needed for the effective performance of present and/or future assignments.

(B) PRIORITIES

Training will be provided by the Administrative Services Bureau in accordance with the following priorities:

· Statutory mandates;

· P.O.S.T. requirements;

· Departmental needs and objectives, and

· Training as needed for effective performance of present and/or future assignments.

(C) ADMINISTRATIVE SERVICES BUREAU: TRAINING RESPONSIBILITIES

The Administrative Services Bureau Personnel assigned to Personnel and Training shall be responsible for the management and coordination of training within the Department. These responsibilities include, but are not limited to:

· Assessing training needs;
Planning, developing, scheduling, implementing, and evaluating training programs;

Selecting instructors;

Maintaining instructional materials, both audio and visual;

Ensuring attendance at required training programs;

Developing and maintaining training records;

Notifying personnel of available and required training;

Assisting staff to determine the training budget;

Providing supervision for Departmental training, and

Ensuring attendance at required training programs.

4.34.1 TRAINING COURSES

Any employee interested in attending a training course should contact their Supervisor. Employees are encouraged to select courses that enhance their current abilities and develop their special abilities for future contributions to the department.

(A) APPROVAL

All requests for training shall be submitted on a Ridgecrest Police Department Training Request form and processed through the chain of command. Once the request has been approved, the Personnel and Training Section will notify the employee.

(B) COORDINATION

During the approval process, the scheduling supervisor will schedule the employee for the training and indicated whether or not overtime is needed. After final approval, the Personnel and Training Unit will coordinate all reservations and preparation for attendance. Personnel will be provided with all of the necessary information prior to their attendance at the course.

(C) ATTENDANCE
Attendance at an assigned training course is mandatory. When an employee cannot attend the assigned course due to illness, court subpoena, or some other emergency, the on-duty Watch Commander must be notified as soon as possible. The Watch Commander will then notify the Training Unit.

(D) **RESCHEDULING**

When an employee is unable to attend an assigned training course, efforts will be made to reschedule the training if possible.

(E) **CERTIFICATION**

Once a training course is completed, the employee shall submit a certification of completion and the Ridgecrest Police Department’s Training Request form within ten (10) days to the Personnel and Training Unit. The Personnel and Training Unit will ensure that the employee’s training record and personnel file are updated.

(F) **IN-HOUSE TRAINING**

When in-house training is necessary, the Personnel and Training Unit will coordinate the training class. A course record will be maintained to include a roster of persons attending the training, the date(s) and time(s) of the training, the topic(s) of the course content, the objectives of the course, and the performance or test results of each person.

(G) **REIMBURSEMENT**

Personnel attending department approved training will be reimbursed for expenses incurred in accordance with city and department policy. Personnel requesting reimbursement must submit the required paperwork to the Personnel and Training Section within ten (10) days of course completion. Failure to request reimbursement within the time frame will be considered a voluntary waiver of reimbursement.

4.34.2 **RECRUIT TRAINING**

The proper training of personnel will promote professional and ethical behavior. The following functions are established to ensure initial as well as continued training. Training requirements and practices will be continually monitored to reflect current police practices.
(A) BASIC ACADEMY TRAINING

Police recruit trainees are required by law and P.O.S.T. regulations to attend a certified Basic Academy. The Manager responsible for recruiting will make reservations for attendance. The Manager will also be responsible for tracking the recruits’ progress during the academy training.

(B) RECRUIT: FIELD TRAINING

All sworn personnel must complete an extensive field training and evaluation program. The program consists of varied training with different Field Training Officers.

Trainees will be evaluated using standardized evaluation guidelines. The Field Training Officer will document each day’s observations; field activities encountered, topics covered, and evaluate the trainee accordingly. Once a trainee has completed the Field Training Program that officer may be recommended, via the chain of Command, to the Office of the Chief of Police for independent law enforcement responsibilities.

4.34.4 SPECIALIZED TRAINING

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

- Development and/or enhancement of skills, knowledge, and abilities particular to the specialization or assignment;
- Management, administration, supervision, and personnel policies of the assignment;
- Performance standards of the assignment, and
- Agency’s policies, procedures, rules, and regulations.

A period of supervised, on-the-job training may be incorporated into the training program.

4.34.6 ROLL CALL TRAINING

Roll call training (briefing) will include legislative changes, case law, policies, procedures, and techniques used by the department and law enforcement agencies, and any other information that enhances the department’s operations.
4.34.8 IN-HOUSE TRAINING

When in-house training is necessary, the Personnel and Training Section will coordinate and implement the training class. The course record will include a roster of persons attending, the topic or course content (with lesson plans), and the performance or test results of each person. Lesson plans will be developed for the job-related training courses and include the following elements:

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

4.34.10 ADVANCED OFFICER TRAINING

All sworn personnel are required to complete mandated advanced retraining programs, including firearms qualification, as assigned by police management.

4.34.12 CIVILIAN TRAINING

Upon employment with the Police Department, all civilian personnel will receive training provided by the City of Ridgecrest familiarizing them with their rights, responsibilities, and benefits that come with being a Ridgecrest City employee.

In addition to orientation training, personnel assigned to specialized assignments will receive specific training for their duties. All civilian employees will receive additional training as directed by legal mandates or Department policy.
CHAPTER 5: DEPARTMENTAL POLICIES AND PROCEDURES

5.0 ARREST, SEARCH, AND SEIZURE

5.0.1 ARREST/BOOKING

When a person is arrested and is not eligible for a field release from custody, the arresting officer shall transport the arrestee to the Ridgecrest Police Department Holding Facility or the Kern County Sheriff’s Jail Facility in Bakersfield or Mojave or other appropriate facility as necessary and book the subject on the proper charges.

5.0.2 FIELD RELEASES: MISDEMEANOR ARRESTS

Pursuant to § 853.6 PC, persons over the age of 18 arrested for any misdemeanor offense (other than a warrant) may be released upon a written promise to appear unless one of the following conditions applies:

- Persons arrested were so intoxicated that they could have been a danger to themselves or to others;
- Persons arrested require medical examination or medical care or were otherwise unable to care for their own safety;
- The person was arrested for one or more of the offenses listed in § 40302 of the California Vehicle Code;
- There was one or more outstanding arrest warrants for the person.
- The person could not provide satisfactory evidence of personal identification;
- The prosecution of the offense or offenses for which the person was arrested or the prosecution of any other offense or offenses would be jeopardized by immediate release of the person arrested;
- There was a reasonable likelihood that the offense or offenses would continue to resume, or that safety of persons or property would be imminently endangered by release of the person arrested;
- The person arrested demanded to be taken before a magistrate or refused to sign the Notice to Appear, or
- Any other reason. If the person arrested was not released for one or more of the reasons specified above, the arresting officer shall specifically state the reason for non-release in his/her report.
(A) FIELD RELEASE PROCEDURE

Prior to releasing a person in the field, the officer shall:

- Verify the person’s identity;
- Conduct a want and warrant check of the person;
- Complete a citation, citing the person to the appropriate court on the appropriate date;
- Obtain a report number and place the number in the space provided on the citation, and
- Obtain the signature and thumbprint of the person on the citation and issue the person the violator’s copy.

A determination that the suspect should be released does not preclude the officer from booking the suspect and then releasing the suspect on a citation.

(B) REPORTING RELEASE FROM CUSTODY

When a person is released in the field, the arresting officer shall prepare a report under the applicable heading. When completing the personal information section for the person arrested, the citation number shall be substituted for the booking number. The remaining copies of the citation shall be forwarded with the completed report.

(C) PRIVATE PERSONS ARREST

When a person arrested pursuant to a private person’s arrest is to be released in the field, the responding officer shall include the name of the private person making the arrest in the “Arresting Officer” space on the citation.

(D) MARIJUANA: FIELD RELEASE PROCEDURE

When a person eighteen years of age or over is arrested for possession of less than 28.5 grams of marijuana [§ 11357 (b) H&S], the officer shall release the person in the field unless:

- The person cannot provide satisfactory identification;
- The person demands to be booked, or
- The person refuses to sign the notice to appear.
The other reasons for non-release of misdemeanor arrestees do not apply to arrests for § 11357(b) H&S.

(E) REASON FOR NON-RELEASE

Whenever any person is arrested by a peace officer for a misdemeanor and is not released with a written promise to appear in court pursuant to § 853.6 of the Penal Code, the arresting officer shall indicate the reason for the non-release.

5.0.4 ARREST/CUSTODIAL CASES: MEDICAL CARE

Whenever possible, persons who have committed criminal acts and thereafter require emergency treatment may be processed and prosecuted by criminal complaint rather than by a field arrest.

Should an arrest be effected, the field officer shall have the arrestee transported to an authorized medical facility for treatment and diagnosis. Prior to being booked into the jail the injured/ill arrestee shall be cleared for booking by a medical doctor. This medical clearance shall be in writing and accompany the arrestee’s booking sheet while he is in custody.

(A) ADMITTANCE TO LOCAL HOSPITAL

When a prisoner requires immediate admittance to a local hospital for other than emergency room treatment, the arresting officer shall notify the on-duty Watch Commander.

(B) MEDICAL TREATMENT: REPORTING REQUIREMENT

When a prisoner is transported to a local hospital, the assigned officer shall include the circumstances and medical treatment in a police report.

(C) CUSTODIAL CASES: FINANCIAL RESPONSIBILITY

Emergency room charges for arrested persons taken directly from the field may be payable to the hospital by the Ridgecrest Police Department. Officers must provide the hospital with the necessary information to complete the appropriate In-Custody Medical Treatment form, and the officer shall sign the form. Officers will be given a copy of the completed form and shall attach it to the incident report.

If treatment is at the request of the arrestee then the arrestee is responsible for all medical costs. Treatment other than simple wound cleaning and bandaging during a clearance to book will be the financial responsibility of the arrestee.
5.0.6 ARREST/CUSTODIAL CASES: RESPONSIBILITY FOR ANIMALS

Animals cannot be cared for, belonging to and in the custody of persons arrested by this Department, after normal business hours, should be transported to the City’s Animal Shelter by the arresting officer or Animal Control Officer if required.

A note containing a brief explanation of the circumstances requiring the animal to be placed at the shelter shall be attached to the cage. This note shall contain the owner’s name and the CR number of the incident report.

During the booking process, the animal shall be listed on the prisoner’s property slip as well as the location of where the animal is housed.

5.0.8 ARRESTS: OFF-DUTY

Any officer involved in an off-duty incident involving, but not limited to, an arrest, altercation or assistance to another agency, and who identifies him or herself as a police officer, shall notify the on-duty Ridgecrest Police Watch Commander as soon as practical. Based upon the circumstances, the Watch Commander will make the appropriate notifications and make an entry into the Watch Commander’s Log. Upon request, the officer involved shall submit a report with the pertinent facts of the incident.

5.0.10 USE OF RESTRAINTS

The primary purpose for the use of handcuffs is to maintain control of a person and to minimize the threat posed to an officer’s safety.

(A) ARRESTEE(S)

In all circumstances of physical arrest, an arrestee shall be handcuffed regardless of the type or degree of offense being charged. There may be extenuating circumstances that exist which do not allow for the handcuffing of an arrestee, i.e., age (extremely young or old), or severe disability. Any decision not to handcuff an arrestee must be judiciously made and articulated in the police report.

(B) DISPOSABLE HANDCUFFS

Disposable handcuffs are single or multiple use restraints constructed of polymer material(s), specifically designed to minimize the chance of abrasion or tissue damage, and may be of single or double loop configuration. Disposable handcuffs are suitable for use on wrists, ankles, or both.

· Disposable handcuffs may be suitable when the arrestee’s wrists or
ankles are too large or too small for regular handcuffs.

- Flex cuffs may be used to attach an arrestee to a multiple restraint chain.
- The officer should be able to place an index finger securely between the cuff and the wrist of the arrestee.
- Flex cuffs shall only be removed with the Department approved device (disposable handcuff cutter).

(C) USE OF SOFT RESTRAINTS

The use of a soft restraint is an effective tool which when properly used can minimize injury to both officers and suspects. It will be the policy of the Ridgecrest Police Department to allow officers to use soft restraints to secure a combative, violent or an escape risk subject’s lower together or to secure his/her extremities to a waist belt.

The soft restraint is utilized to restrict the physically threatening actions of suspects/arrestees that have demonstrated the potential for assaulting officers. When a restraint is used, the following precautions shall be taken:

- At the officer’s earliest convenience, and prior to transportation, notify the field supervisor that a soft restraint device is being used.

- Suspects placed in soft restraints should not be left in a prone face/chest downward position. Suspects should be placed on their side immediately to aid breathing.

- When transporting, it is recommended that, if possible, the suspect be placed in a seated position in the back seat of the police car with the lap-belt applied. The restraint should be allowed to extend outside of the back door of the police vehicle. The back door of the vehicle should then be closed on a portion of the restraint to immobilize the legs. For added safety, the restraints guidelines should be followed for securing the device.

- If it is not practical to put the suspect in a seated position, (as may be the case with an extremely violent resisting suspect), the suspect may be transported while lying on either side. Utilize the same procedure previously cited allowing the restraint to extend out of the door.

A suspect who has been restrained should be continuously monitored. If a suspect exhibits difficulty in breathing, or displays other symptoms which require medical attention, immediate medical aid shall be administered and paramedics requested and he should be taken to a medical treatment facility as
A suspect should be released from the wrist to ankle position as soon as safety precautions allow. The ankles and wrists can remain secured, but disconnected from each other, allowing better circulation.

(Note: Also refer to Section 5.1.14(D) of Department Manual)

(D) DETAINED PERSONS

When officers conducting a field investigation have detained a person in connection with an investigation of criminal activity, and it appears that there is a need for control due to the possibility that the person may flee or is a threat to officer safety, that person may be handcuffed until the officer is satisfied that no crime has been or might be committed by that person.

5.0.12 TRANSPORTATION OF SUSPECTS: GENERAL REQUIREMENTS

(A) GENERAL

Prior to transportation, all prisoners shall be thoroughly searched. See the Pre-transportation Search of Prisoners Section of this Manual.

Unless a physical handicap or other compelling reason precludes it, the prisoner shall be handcuffed behind the back prior to being transported. Unless otherwise approved by a supervisor, arrestees shall be transported in units equipped with caged partitions that separate the driver’s compartment from the rear-seat compartment.

If assigned to a single-officer unit, the officer shall place the prisoner in the back seat of the unit when the unit is equipped with a security screen and seat.

If there are two officers transporting the prisoner in a vehicle that is not equipped with a security screen, the prisoner shall be placed in the right rear seat and the passenger officer shall ride in the left rear seat behind the driver.

The transporting officer shall ensure that the prisoner is secured with a seat belt.

(B) OPPOSITE SEX AND JUVENILE TRANSPORTATION

When the transporting officer is of the opposite sex of the prisoner being transported, the officer shall notify Communications by radio of their starting mileage, departure location, and intended destination. A dispatcher shall acknowledge an officer’s broadcast and respond with the time. Upon arrival
at the destination, the transporting officer shall broadcast the ending mileage. The dispatcher will acknowledge the officer’s transmission and respond with the time. If any delay or detour occurs during transportation, officers shall advise Communications immediately.

5.0.14 BOOKING/CUSTODY PROCEDURES

(Refer to the Ridgecrest Police Department Jail Manual)

5.1 USE OF FORCE

This policy reflects and reinforces the Department’s core values concerning the reverence for human life. Officers shall use force only when authorized by law.

(A) PURPOSE

To state the policy and procedures of the Ridgecrest Police Department, as well as the department’s philosophy, relative to the use of force and reporting of same, by department personnel.

This policy recognizes that the use of force by law enforcement officers is a serious responsibility. The purpose of this policy is to provide officers of this department with guidelines on the proper use of force based upon the applicable State or Federal laws that govern the use of force by law enforcement personnel.

(B) PHILOSOPHY

The use of force by law enforcement personnel is a matter of critical concern both to the public and the law enforcement community. Officers must have an understanding of, and true appreciation for, the limitations on their authority - particularly with respect to overcoming resistance from those with whom they come in official contact.

This department recognizes and respects the value of all human life without prejudice to anyone. It is also understood that vesting officers with the authority to use reasonable force to protect the public welfare requires a careful balance of all human interests.

(C) POLICY

It is the policy of this department that officers may use reasonable force, given the facts and circumstances known to the officer at the time of the event, to effectively bring an incident under control. “Reasonableness” of force used must be judged from the perspective of a reasonable officer as outlined in
Section 5.1.1 of this policy.

Given that no policy can realistically predict every possible situation an officer may encounter in the field, each officer must be entrusted with well-reasoned discretion in determining the appropriate use of force in each incident.

(D) DEFINITIONS

1. **Force:** The California Penal Code § 835 (a) provides that:

   “Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use reasonable force to (1) effect the arrest, (2) prevent escape or (3) overcome resistance. A peace officer, who makes or attempts to make an arrest, need not retreat or desist from his efforts by reason of resistance or threatened resistance of the person being arrested; nor shall such officer be deemed an aggressor or lose his right to self-defense by the use of reasonable force to effect the arrest or to prevent escape or to overcome resistance.”

   Use of force includes the following:
   - Any application of force that is greater than a department control holds or come-along;
   - Any application of force employing a less lethal device as describe in Section 5.1.12 of the Department’s Policy and Procedures Manual;
   - Any physical deployment of a canine in the apprehension of a suspect;
   - Searching and handcuffing techniques resisted by a suspect;
   - Department approved control holds or come-alongs;
   - Use of soft restraints;
   - Use of OC spray;

2. **Lethal/Deadly Force:** Force that is reasonably likely to cause death.

3. **Intermediate Force:** Force that has less potential for causing death.

4. **Reasonableness:** The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the
scene. The determination of reasonableness regarding the amount of force to be used in a particular situation must allow for the fact that police officers are often forced to make split-second judgments, in circumstances that are tense, uncertain, and rapidly evolving.

5. **Chemical Agents:** A substance in either liquid or solid form, intended to produce temporary irritation and physical discomfort in a person. Chemical agents used by law enforcement contain formulations of chlorobenzylidene malononitrile (CS), or oleoresin capsicum (OC).

6. **Conducted Energy Device (CED):** A device intended to temporarily immobilize a person by the infliction of an electrical charge.

7. **Control Devices and Techniques:** Shall apply to and include any device which is designed to or which has been converted to expel or propel ammunition by any action, mechanism, or process for the purpose of incapacitating, immobilizing, or stunning a human being through the infliction of any impairment of physical condition, function, or senses, including physical pain or discomfort. It is not necessary that a weapon leave any lasting or permanent incapacitation, discomfort, pain or other injury or disability in order to qualify as a control device.

8. **Kinetic Energy Projectile:** Any projectile which is designed to be used in any weapon (including but not limited to, pistols, revolvers, shotguns, rifles, and spring, compressed air, and compressed gas weapons) and when used in such weapon is designed to immobilize or incapacitate or stun a human being through the infliction of any impairment of physical condition, function, or senses, including physical pain or discomfort.

9. **Baton/Impact Weapon:** Shall apply to side-handle, straight, or riot weapon, flashlights, and expandable batons used to, control, direct, or escort uncooperative persons, defend or frustrate attacks and overcome a hostile arrest situation.

### 5.1.1 WHEN FORCE CAN BE USED: REASONABLE OFFICER DOCTRINE

Any application of force by a member of this department must be judged by a standard of “reasonableness.” It is recognized that officers are expected to make split-second decisions and that the amount of time available to evaluate and respond to changing circumstances may impact an officer’s decision.
When determining whether or not to apply any level of force and in evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration. Officers must consider the totality of the circumstances confronting them. Those circumstances may include, but are not limited to:

- The severity of the crime at issue;

- Whether the suspect poses an immediate threat to the safety of the officers or others;

- Where the suspect is actively resisting arrest or attempting to evade arrest by flight;

- The conduct of the individual being confronted, as reasonably perceived by the officer at the time;

- Officer/subject factors (age, size, relative strength, skill level, injury/exhaustion, number of officers vs. subjects);

- The effects of drugs/alcohol;

- Subject’s mental state or capacity;

- The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained;

- Proximity of weapons or dangerous improvised devices;

- Availability of other options to the officer and their possible effectiveness, or

- Other exigent circumstances;

- Seriousness of the suspected offense or reason for the contact with the individual;

- Training and experience of the officer;

- Potential for injury to officers, suspects and others;

- Whether the person appears to be resisting, attempting to evade arrest by flight or is attacking the officer;

- The risk and reasonably foreseeable consequences of escape.

- The apparent need for immediate control of the subject or a prompt resolution of the situation.
Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.

Prior contacts with the subject or awareness of any propensity for violence.

Warnings should be given by the officer, when feasible, if the use of force in effecting an arrest may result in serious injury, and giving such a warning does not increase the danger to the officer or others.

(A) PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

1. The degree to which the application of the technique may be controlled given the level of resistance.
2. Whether the person can comply with the direction or orders of the officer.
3. Whether the person has been given sufficient opportunity to comply.
4. The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

(B) CAROTID CONTROL HOLD

The proper application of the carotid control hold may be effective in restraining a violent or combative individual. However, due to the potential for injury, the use of the carotid control hold is subject to the following:

1. The officer shall have successfully completed department-approved training in the use and application of the carotid control hold.
2. The carotid control hold may only be used when circumstances perceived by the officer at the time indicate that such application reasonably appears necessary to control a person in any of the following circumstances:
   - The subject is violent or physically resisting;
· The subject, by words or actions, has demonstrated an intention to be violent and reasonably appears to have the potential to harm officers, him/herself or others.

3. The application of a carotid control hold on the following individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective, or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of applying a carotid control hold:

· Females who are known to be pregnant;
· Elderly individuals;
· Obvious juveniles

4. Any individual who has had the carotid control hold applied, regardless of whether he/she was rendered unconscious, shall be promptly examined by paramedics or other qualified medical personnel and should be monitored until examined by paramedics or other appropriate medical personnel.

5. The officer shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to the carotid control hold and whether the subject lost consciousness as a result.

6. Any officer attempting or applying the carotid control hold shall promptly notify a supervisor of the use or attempted use of such hold.

7. The use or attempted use of the carotid control hold shall be thoroughly documented by the officer in any related reports.

5.1.2 DEADLY FORCE APPLICATIONS

Use of deadly force is justified in the following circumstances:

(A) An officer may use deadly force to protect him/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 stop a fleeing subject when the officer has probable cause to believe that the person has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious
bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person in the subject is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at the very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes the following:

1. The person has a weapon or is attempting to access one and it is reasonable to believe the person intends to use it against the officer or another.
2. The person is capable of causing serious bodily injury or death without a weapon and it is reasonable to believe the person intends to do so.

**Deadly force** is **not** justified in the arrest of any person solely for a misdemeanor unless the officer believes there is an immediate danger to the officer’s life or the life of another person.

### 5.1.4 USE OF FORCE: REPORTING AND REVIEW PROCEDURES

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

**(A) REPORTABLE USE OF FORCE**

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

1. The application caused a visible injury.
2. The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
3. The individual subjected to the force complained of injury or continuing pain.
4. The individual indicates intent to pursue litigation.
5. Any application of a CED or control device.
6. Any application of chemical agents.
7. Any application of a restraint device other than handcuffs, shackles or belly chains.

8. The individual subjected to the force was rendered unconscious.

9. An individual was struck or kicked.

10. An individual alleges any of the above has occurred.

(B) REPORTING THE USE OF FORCE: RESPONSIBILITY

Officers shall immediately make a verbal notification to their immediate supervisor in all cases in which they use reportable force. Personnel witnessing reportable force shall immediately advise their supervisor, who will determine whether a supplemental report or a separate report by the witness (es) is required.

Incidents involving the use of reportable force shall be documented in the initial crime report. All details regarding the use of force shall be included in that report. A reference to the verbal notification and the name of the supervisor to whom it was made shall also be included. Each assisting officer (or department member) shall submit a separate supplemental report detailing his/her actions.

Each officer reporting force shall describe in detail the actions of the suspect which necessitated the use of force and the specific force used in response to the suspect’s actions. Any injuries or complaint of injuries, and any medical treatment or refusal of medical treatment, shall be documented in the crime report, supplemental reports, or memoranda.

In cases where reportable force was employed and there was no subsequent crime report or arrest report filed, the officer shall complete an Officer’s Report noting all the facts surrounding the incident. Examples include situations, such as during crowd control where officer(s) are pushing the crowd back with their batons and no arrest is made, or personnel are assisting another agency where force is used by Ridgecrest Police Officers and the other agency makes the arrest.

(C) IMMEDIATE SUPERVISOR’S RESPONSIBILITIES

The Watch Commander or Officer in Charge (OIC) shall respond without unnecessary delay to any incident involving reportable force.

In instances of reportable force, the supervisor shall do the following:
1. Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties;

2. Locate and interview all potential witnesses and document their statements. In situations involving large numbers of potential witnesses, the Watch Commander will determine the appropriate scope of the interviews;

3. Ensure that any injured parties are examined and treated;

4. Separately obtain a recorded (audio or video) interview with the subject upon whom force was applied. The interview shall be conducted after the subject whom force was applied has been admonished their *Miranda* rights. The Supervisor/Watch Commander shall ask the subject if he/she has any injuries, the nature of the injuries, and if medical attention was provided. These questions shall be asked regardless of any apparent injuries;

5. The supervisor shall document the content of the interview in a supplemental report or other report;

6. Photograph the scene in conditions as near as possible to those at the time of the force incident;

7. The Supervisor/Watch Commander shall interview the attending physician and other medical staff when the suspect has been taken to a medical facility, and

8. Once any initial medical treatment has been completed or first aid had been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. Permission should be obtained from the subject when photographing or videotaping injuries which are hidden by clothing.

9. The Supervisor/Watch Commander shall ensure that all pertinent information is contained in the crime report and any supplemental reports. Particular attention should be given to the description of the use of force and the suspect’s actions compelling the use of force. Based upon the totality of personal interviews and review of all written reports, the Supervisor/Watch Commander will determine if further investigation is necessary. All documents, as well as photographs and video tapes, will be forwarded to the appropriate bureau commander.
10. The Supervisor/Watch Commander shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to address any training issues.

(D) TRAINING

Supervisors shall review and provide training on this policy annually with the officer during his/her evaluation review. Officers shall demonstrate their knowledge and understanding of this policy.

(E) DIVISION COMMANDER’S RESPONSIBILITY

The Division Commander will notify the Chief of Police of the use of reportable force incident and prepare a “Division Review” in which he/she will determine/recommend if further investigation is necessary. This information will be forwarded to the Chief of Police for final review and disposition.

(F) TRANSPORTING SUSPECTS FOR MEDICAL TREATMENT

Officers transporting a suspect, on who force has been used, to a medical facility for examination or treatment shall immediately notify the Watch Commander or OIC.

(G) MEDICAL TREATMENT

A suspect must be transported to a medical facility for examination or treatment by qualified medical personnel whenever the suspect:

1. Strikes his/her head on a hard object, or sustain a blow to the head/face, as a result of the application of force by an officer, regardless of how minor any injury to the head/face may appear;

2. Is hit with a specialized weapon projectile (such as a stun bag round, taser dart, etc.);

3. Has injuries that appear to require medical treatment;

4. Alleges any injury and requests medical treatment, whether or not he has any apparent injuries, or

5. Alleges that substantial force was used and requests medical treatment, whether or not there are any apparent injuries.

Upon arrival at the medical facility, the officer shall advise the attending
medical staff of the type of injury or complaint of injury that the suspect sustained; i.e., struck on the head or struck his/her head, restrained by use of carotid restrain or other kind of neck/throat restraint, etc.

Any doubt regarding the need for medical treatment shall be resolved by transporting the suspect to an appropriate medical facility.

If a suspect refuses medical treatment in any of the cases previously described, the suspect shall be transported to an appropriate medical facility and required to personally inform the medical staff of his/her refusal to receive medical treatment. The transporting officer shall include the name of the medical personnel to whom the suspect indicated his/her refusal and the name of the medical staff member who authorized the booking of the suspect.

If the medical staff indicated that the suspect should be treated regardless of his/her refusal, the suspect shall be restrained and treated as necessary.

**H) PERSONNEL ACCOUNTABILITY**

While the department recognizes that employees are frequently called upon to make quick decisions under less than ideal circumstances, this does not lessen the accountability of the employee for their actions. It should always be remembered that an employee’s actions are subject to review, both internally and judicially.

All members of the department must keep in mind the ramifications of their actions and the need for objective justification for any application of force. Accountability is necessary any time force has been applied.

Should Ridgecrest Police Department personnel witness what they believe to be an inappropriate application of force by a member of this or another police agency, they shall make a reasonable attempt to intervene and ensure the safety of all parties. They shall also report the incident and their observations to a supervisor as soon as circumstances permit.

If it appears that excessive force has been used by a member of another police agency, the witnessing officer(s) shall immediately notify their supervisor who shall notify their respective bureau commander. The respective bureau commander shall then notify the other agency’s bureau commander of the allegation. The appropriate Division Commander shall also be informed of the incident.

**5.1.6 SHOOTING AT/FROM A MOVING VEHICLE: WARNING SHOTS**

Shooting at or from a moving vehicle and the firing of warning shots is inherently dangerous. They should not be fired except under the most compelling circumstances
and only in an effort to stop a person when the officer is authorized to use deadly force, and if the officer reasonably believes shots can be fired safely in light of all the circumstances of the situation.

5.1.8 DISPOSAL OF ANIMALS

The killing of animals that pose a threat to the safety of humans by the use of deadly force is approved when no other disposition is practical. The safety of bystanders must be given prime consideration. If possible, supervisor approval should be requested before taking such action. Following the destruction of the animal the Animal Control Bureau shall be notified and directed to pick up the animal’s remains.

5.1.10 DISCHARGE OF FIREARM: REPORT OF

Any department member who intentionally or accidentally discharges a firearm while on-duty (exclusive of target practice) or while off-duty, and acting as a police officer, shall set forth all information surrounding the discharge of the weapon in an officer’s report, through the chain of command to the Chief of Police. The employee shall verbally notify the on-duty Watch Commander as soon as practical following the incident.

5.1.12 CONTROL DEVICES AND TECHNIQUES PURPOSE AND SCOPE

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

(A) POLICY

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

(B) ISSUING, CARRYING AND USING CONTROLLED DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the department or approved by the Chief of Police or the authorized designee.

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

Control devices may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.
When using control devices, officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

(C) RESPONSIBILITIES

WATCH COMMANDER RESPONSIBILITIES

The Watch Commander may authorize the use of a control device by selected personnel or members of specialized units who have successfully completed required training.

RANGEMASTER RESPONSIBILITIES

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

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

USER RESPONSIBILITIES

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

Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the dame, shall be returned to the Rangemaster for disposition. Damage to City property shall be documented and forwarded through the chain of command, when appropriate, explaining the cause of the damage.

(D) BATON/IMPACT WEAPONS

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

Uniformed officers shall carry, on their persons, the type of baton for which they have been trained and certified to be available for use when circumstances dictate a need for its implementation. Department approved batons include: straight baton, side handle baton, and expandable batons. Other impact weapons, which are permissible to carry, include the flashlight
and riot baton.

Officers may use the baton/impact weapon as a defensive or control weapon in those instances that threaten the safety of officers or other persons, or to subdue and arrest combative persons. The baton may be used as a control device when directing, controlling, or escorting uncooperative persons.

(E) CONDUCTED ENERGY DEVICE

PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of CEDs.

POLICY

The Conducted Energy Device is intended to control a violent or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of such a device should result in fewer serious injuries to officers and suspects.

ISSUANCE AND CARRYING CEDS

Only members who have successfully completed department-approved training may be issued and carry the CED.

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

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

Members carrying the CED shall perform a spark test on the unit prior to every shift.

When carried while in uniform officers shall carry the CED in a weak-side holster on the side opposite the duty weapon.

1. All CEDs are clearly designed and distinctly marked to differentiate them from the duty weapon and any other device.

2. Whenever practicable, officers should carry two or more cartridges on their person when carrying the CED.
3. Officers shall be responsible for ensuring that their issued CED is properly maintained and in good working order.

4. Officers should not hold both a forearm and the CED at the same time.

VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the CED should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

1. Provide the individual with a reasonable opportunity to voluntarily comply.

2. Provide other officers and individuals with a warning that the CED may be deployed.

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

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

USE OF THE CED

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

CED SPARK TEST

A spark test shall be conducted for the standard cycle of 5 seconds prior to the start of an officer's shift. The 5 second duration will not only allow the CED to run crucial diagnostics, but also notify the user of errors by the
Central Information Display (CID). Detection of any unusual spark rates or other observations while conducting the spark test shall be reported to the on-duty watch commander for assessment whether the CED should be turned in for evaluation and a different unit deployed.

**APPLICATION OF THE CED**

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

1. The subject is violent or is physically resisting.

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

Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of the CED to apprehend an individual.

**SPECIAL DEPLOYMENT CONSIDERATIONS**

The use of the CED on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

1. Individuals who are known to be pregnant.

2. Elderly individuals or obvious juveniles.

3. Individuals with obviously low body mass.

4. Individuals who are handcuffed or otherwise restrained.

5. Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.

6. Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

Because the application of the CED in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance, the use of the drive-stun
mode generally should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions.

The CED shall not be used to psychologically torment, elicit statements or to punish any individual.

TARGETING CONSIDERATIONS

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

MULTIPLE APPLICATIONS OF THE CED

Officers should apply the CED for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the CED against a single individual are generally not recommended and should be avoided unless the officer reasonably believes that the need to control the individual outweighs the potentially increased risk posed by multiple applications. If the first application of the CED appears to be ineffective in gaining control of an individual, the officer should consider certain factors before additional applications of the CED, including:

1. Whether the probes are making proper contact.
2. Whether the individual has the ability and has been given a reasonable opportunity to comply.
3. Whether verbal commands, other options or tactics may be more effective.
4. Officers should generally not intentionally apply more than one CED at a time against a single subject.

ACTIONS FOLLOWING DEPLOYMENTS

Officers shall notify a supervisor of all CED discharges. Confetti tags should be collected and the expended cartridge, along with both probes and wire, should be submitted into evidence.
The cartridge serial number should be noted and documented on the evidence paperwork. The evidence packaging should be marked "Biohazard" if the probes penetrated the subject’s skin.

**DANGEROUS ANIMALS**

The CED may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

**OFF-DUTY CONSIDERATIONS**

Officers are not authorized to carry department CEDs while off-duty.

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

**DOCUMENTATION**

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

**CED FORM**

Items that shall be included in the CED report form are:

1. The type and brand of CED and cartridge and cartridge serial number.
2. Date, time and location of the incident.
3. Whether any display, laser or arc deterred a subject and gained compliance.
4. The number of CED activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.
5. The range at which the CED was used.
6. The type of mode used (probe or drive-stun).
7. Location of any probe impact.

8. Location of contact in drive-stun mode.

9. Description of where missed probes went.

10. Whether medical care was provided to the subject.

11. Whether the subject sustained any injuries.

12. Whether any officers sustained any injuries.

(F) CHEMICAL AGENTS OR TEAR GAS: USE OF

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

Uniformed officers shall carry Oleoresin Capsicum (OC) on their person to be available for use when circumstances dictate a need for its implementation. Departmental use of chemical agents will only be used as a defensive or control weapon in those instances that threaten the safety of the officer or other person.

Chemical agent equipment that has been approved for use by officers of this department is;

· Oleoresin Capsicum (OC): This form of chemical agent consists of a spray canister containing OC. All OC sprays shall be approved by the Rangemaster and shall be non-flammable and listed as safe for use with electronic control devices.

In cases involving the use of OC or other liquid tear gas, it will become the responsibility of the individual officer to see that those subjects, including department personnel, receive first aid treatment as soon as practical. Ordinarily, flushing the areas of the body exposed to liquid tear gas with clean water will constitute adequate treatment. The following treatment should be followed:

· Provide fresh air;
· Irrigate affected area with clean cool water for at least 15 minutes, or until relieved;

· If ingestion occurs, rinse mouth with water or allow suspect to ingest water, and

· Those persons who complain further severe effects shall be examined by appropriate medical personnel.

Salves, creams, or ointments should not be applied to the skin until the tear gas has dissipated, since these may retard its sublimation, thereby promoting local irritation.

The use of OC or tear gas will be restricted to those department personnel trained in its use by department approved instructors or police academy staff. The application of OC may be considered for the following situations involving animals;

· Any animal that is acting in a threatening manner to any officer or person, or

· Any animal that intervenes in the safe execution of a tactical maneuver

(G) KINETIC ENERGY PROJECTILE GUIDELINES

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

DEPLOYMENT AND USE

Only department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option. Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics in the involved officer determines that the 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.

Circumstances appropriate for the deployment include, but are not limited to, situations in which:
1. The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions;

2. The suspect has made credible threats to harm him/herself or others;

3. The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers;

4. There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

**DEPLOYMENT CONSIDERATIONS**

Before discharging projectiles, the officer should consider such following factors as:

1. Distance and angle to target;

2. Type of munitions employed;

3. Type and thickness of subject’s clothing;

4. The subject’s proximity to others;

5. The location of the subject;

6. Whether the subject’s action dictate the need for an immediate response and the use of control devices appears appropriate.

A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily to comply and to warn other officers and individuals that the device is being deployed.

Officers should keep in mind the manufacturer’s recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

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

**TRAINING FOR CONTROL DEVICES**

As designated by the Chief of Police, the Training Manager or the Department Range Master shall ensure that all personnel authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

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

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

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

**REPORTING USE OF CONTROL DEVICES AND TECHNIQUES**

Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported to pursuant to the Use of Force Policy.

5.1.14 **DEPLOYMENT OF STOP STICKS**

5.1.15 **PURPOSE**

To establish guidelines for the deployment of Stop Sticks during vehicle pursuits.

In an effort to reduce the duration of high speed pursuits within the City of Ridgecrest, the Ridgecrest Police Department may use controlled tire deflation devices (Stop Sticks) to slow and eventually stop the pursued vehicle. These devices are well marked and readily visible at high speeds. When properly used, Stop Sticks produce a slow, controlled deflation of the pursued vehicle’s tires. The rate of deflation is slow enough not to cause a tire “blow out” which could cause the driver to lose control. By reducing the duration of the pursuit the potential for death, injury, property damage, and the liability associated with pursuits will also be reduced.

(A) All deployment of the Stop Sticks must have the specific prior approval of the Watch Commander or Field Supervisor.
Stop Sticks are only to be used on motor vehicles, cars, trucks, etc. They are not to be used on motorcycles, All-terrain vehicles (ATV’s) or bicycles, etc.

Only officers who are trained in the use of tire deflation devices can deploy/activate them.

Officers must make every effort to avoid collateral damage to citizens’ property that could result from the target vehicle’s impact with the tire deflation devices.

When deploying Stop Sticks on the roadway as a part of a pursuit, the deploying officer will notify Dispatch of the intended location and specific lanes of travel targeted for deployment. Dispatch will notify the Watch Commander, other units, and agencies involved in the pursuit.

Before deploying Stop Sticks on roadways, officers must accomplish the following:

- Select a location with minimal anticipated and actual pedestrian and bystander presence.
- Position officers and bystanders in a safe location away from the point of impact and potential flying debris.

When used in a pursuit, officers other than those operating the primary and secondary pursuit vehicles will be responsible for deployment of Stop Sticks and should deploy the devices in the roadway ahead of the target vehicle they are attempting to stop. The deploying officer should position Stop Sticks to minimize the ability of the target vehicle to avoid or evade the device. Assisting officers, if possible, should attempt to prevent traffic from entering the target roadway and redirect civilian traffic on the target roadway away from the deployment area.

Deploying officers can use their patrol vehicles to channel the fleeing vehicle toward the path of the Stop sticks provided the following:

- Emergency equipment is activated
- At least two traffic lanes are available for the target vehicle and pursuing officers without crossing a grass or elevated concrete median.
- Officers have exited their patrol vehicles and assumed a safe position.

5.1.16 ASSISTING OTHER AGENCIES
Generally, Stop Sticks may be used to assist another agency, either inside or outside our jurisdiction. The following conditions must be met:

- The pursuit meets Ridgecrest Police Department criteria for engaging in a pursuit.
- Another agency requests assistance.
- A Watch Commander or Field Supervisor authorized the use of Stop Sticks.

5.1.17 ACCOUNTABILITY FOR PURSUIT REPORTING FORMS

The Watch Commander shall complete the Stop Sticks pursuit reporting form and forward it to the Traffic Unit Sergeant. Upon receipt of the pursuit form, the Traffic Unit Sergeant shall initiate replacement of the Stop Stick.

The Watch Commander shall notify the Division Commander of all Stop Stick deployments.

5.2 VEHICLE OPERATIONS

5.2.1 POLICE DEPARTMENT VEHICLES: GENERAL

All vehicles assigned to a division or bureau is considered department equipment.
Any employee using a vehicle must obtain, inspect, operate, and return department vehicles in accordance with the policies and procedures set forth in this manual, and by the specific division or bureau to which the equipment is assigned.

(A) INSPECTION REQUIREMENT

It is the responsibility of the employee receiving a Departmental vehicle to inspect the vehicle and ascertain that it is in a safe operating condition. If new or unreported damage is observed, the employee shall immediately notify the appropriate supervisor.

(B) DAMAGE TO VEHICLE: REPORTING REQUIREMENT

Upon discovery of any new or unreported damage, the employee shall forward a Departmental communication to the appropriate supervisor indicating the nature of the damage and the vehicle involved.

The supervisor shall make a visual inspection of the damage, initial the communication, and forward it to the bureau or Watch Commander.

Upon receipt of the information, the bureau/Watch Commander shall check the information and initiate an investigation to determine whether the damage was intentional or the result of negligence. The commander will report the results of the investigation and make recommendations to the Division Commander.

(C) VEHICLE MAINTENANCE

Every employee has a responsibility to maintain and care for vehicles assigned to them, to inspect vehicles for wear and damage, to report wear and damage for repair and to comply with maintenance scheduling unless excused by the appropriate supervisor.

(D) VEHICLE REPAIR: RESPONSIBILITY

Department employees noting a vehicle in need of repair shall request that repairs be made or that the vehicle be taken out of service until the repairs are completed.

5.2.2 OPERATION OF POLICE VEHICLES: GENERAL

It is the policy of this Department that all personnel operating City vehicles shall obey all laws. Response to calls for service and incidents observed in the field shall be as safe and expeditious as possible considering traffic, road conditions, and the nature of the call for service. The primary objective is to safely reach the location where police service is requested without unnecessary delay. Therefore, 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 may result in disciplinary action.

(A) OPERATION OF POLICE VEHICLES: SEAT BELT USE.

Any person riding in or operating a police vehicle in which seat belts are provided, shall wear the original occupant restraint devices while operating the vehicle and will ride with the seat belt fastened at all times. The following exceptions may apply:

- Those situations which by their very nature could pose a discernible hazard to the officer; i.e., just prior to the arrival at a crime in progress or when making traffic stops, or
- While transporting violent prisoners where other restraints may restrict their movement and ability to sit upright. Exceptional care should be taken to ensure the safe transportation of the prisoner.

(B) AUTHORIZED EMERGENCY VEHICLES

The California Vehicle Code exempts an employee from liability for injury or death of any person or damage to property while operating an authorized emergency vehicle in response to an emergency call or when in immediate pursuit of a suspected or actual violator.

The California Vehicle Code requires that authorized emergency vehicles be operated with due caution for other persons and property on the highway and in accordance with the provisions of the various sections of the California Vehicle Code.

(Note: Refer Department manual section 5.4.2(B)(1) regarding definition of Authorized Emergency Vehicle).

(C) UNMARKED VEHICLES: OPERATION AS EMERGENCY VEHICLE

Unmarked units are primarily used for investigations and supervisory purposes. The use of these units as emergency vehicles should be limited to circumstances where no other alternative is available.

(D) FUELING

Personnel are responsible for maintaining the fluid and fuel levels of the Department vehicles they are driving for the duration of their shift and shall
ensure that the vehicle is safe to operate. Any employee that believes the vehicle that they are operating, or about to operate, appears to be unsafe, shall notify their supervisor immediately.

5.2.4 CODE DESIGNATIONS

Police units will be dispatched to calls or respond to observed incidents according to the following priorities:

(A) **CODE 1:** Designates a routine response. Officers shall proceed to the assigned location immediately, obeying all traffic rules and regulations.

Under no conditions will officers use any combination of emergency lights/equipment to gain right of way when assigned a Code 1 response. The response to calls for service without a threat to life or property shall be designated as a Code 1 response.

(B) **CODE 3:** Designates an emergency response. Police units shall be driven with emergency lights and siren in operation, exercising due care for persons and vehicles.

The response to incidents of an emergency nature, particularly where human life may be in jeopardy, may be designated as a Code 3 response.

A Code 3 response necessitates the violation of the right of way of non-emergency vehicles. Only a unit specifically authorized to respond Code 3 shall operate as an authorized emergency vehicle.

Other units responding to the same incident who have not been specifically authorized to operate as an authorized emergency vehicle shall respond Code 1, obeying all traffic rules and regulations, and paying particular attention to the unit responding as an authorized emergency vehicle.

(C) **CODE 3 RESPONSE: AUTHORIZATION**

Authorization to respond to calls for service as an authorized emergency vehicle may be given by the Sergeant, or any member of the supervisory staff.

An officer who has been dispatched to a call, may, based upon the totality of the circumstances, respond Code 3 after having advised the Communications Center of his/her intent to do so. If updated information is received by the officer that indicates the emergency no longer exists, the officer shall cancel his/her Code 3 response and continue to respond in a safe and prudent manner.

An officer, operating a police vehicle properly equipped to operate as an
authorized emergency vehicle, may operate as an authorized emergency vehicle when in pursuit of a suspected or actual law violator in compliance with the provisions of the Pursuit Policy in this Manual.

5.2.6 ESCORTS

Officers are prohibited from using a siren or driving at an illegal speed when serving as an escort of any vehicle on a highway, except when an escort or conveyance is furnished for the preservation of life or other situation deemed appropriate. The Chief of Police or his designee must approve any escorts.

5.2.8 PASSENGERS IN POLICE VEHICLES

It is the policy of this Department to permit passengers meeting the following criteria to be transported in police vehicles only under controlled conditions:

- A regular, full time employee of the City of Ridgecrest;
- Elected and appointed City of Ridgecrest officials;
- Part-time employees, i.e. Reserve Police Officers and designated city volunteers;
- Persons in custody and witnesses or victims of an incident under investigation at the time of transportation, provided that Communications is advised;
- Persons transported to safety or for medical aid in the event of a major emergency (e.g., fire, explosion, earthquake, etc.), provided that Communications is notified of the necessity for the transportation, or
- Citizen ride-alongs.

All citizen ride-along passengers in police vehicles must complete a waiver form.

The waiver form is designed to protect the City and its employees from liability, as long as the employee having responsibility for the passenger is not careless or reckless with the passenger’s safety.

Any supervisor or manager may authorize a passenger to be transported in a Police vehicle.

5.4 VEHICLE PURSUITs

5.4.1 PURPOSE
The purpose of this policy is to establish the procedures to be followed by members of the Department in determining whether to initiate, continue or terminate a vehicular pursuit. Additionally, the policy sets forth the officer, supervisor, and administrative responsibilities with regard to such pursuits.

This policy is expressly adopted, and may be periodically revised, to comply with the provisions of the California Vehicle Code §17004.7 and the case law interpreting that statute, which provides immunity to a public entity from civil liability on account of personal injury to, or death of, any person or damage to property resulting from the operation, in the line of duty, of an authorized emergency vehicle responding to an emergency call.

While this policy is intended to provide general guidelines for the conduct of vehicular pursuits, it is recognized that such activities are not always predictable. Therefore, nothing in this policy shall be construed to impose a ministerial duty on any officer of the Department and all related conduct shall be considered discretionary.

This policy must be viewed only as an administrative guide for decision-making before the fact and as a standard for administrative judgment of the propriety of the action(s) taken. It is not to be considered a standard for external judgment (civil or criminal litigation) of the propriety of an action taken. That is a matter of established law and also a process for courts and juries reviewing specific facts of a given incident.

5.4.2 POLICY

It is the policy of this Department that a motor vehicle pursuit shall be conducted only with red light and siren so as to be afforded exemption from compliance with the rules of the road as set forth in California Vehicle Code § 21055. There are few situations that demand the exercise of a greater degree of skill, common sense, and sound judgment than vehicular pursuits. Officers must not only consider the requirements of § 21056 of the Vehicle Code "to drive with due regard for the safety of all persons using the highway," but must also be cognizant of, and conform to, established Departmental rules and guidelines regarding pursuit driving. Officers must also continuously weigh the necessity for apprehending the fleeing suspect against the potential dangers they will pose to themselves, the occupants of the fleeing vehicle, and/or the public, if they elect to initiate or continue a pursuit.

(A) ACCOUNTABILITY

Officers of this Department are to initiate and conduct a vehicular pursuit only when, in the officer’s judgment, an individual clearly exhibits the intention of avoiding arrest by using a vehicle to flee and the necessity of immediate apprehension outweighs the degree of danger created by the pursuit. "Necessity" pertains to what is in the best interest of the community. Thus,
officers need not and must not feel that they have to initiate or continue a pursuit under all circumstances and at all costs.

Officers involved in vehicular pursuits will be held administratively accountable for the initiation or continuation of a pursuit when the information which the officer knew or reasonably should have known at the time indicated that the pursuit should not have been initiated or should have been discontinued. No officer or supervisor will be criticized or subject to any discipline for a decision to not initiate a pursuit or for terminating a pursuit based upon the risk involved.

Acting without due regard for the safety of others, even when red lights and siren are deployed, may subject the officer and the City to civil and/or criminal liability.

Violations of this pursuit policy may result in the imposition of disciplinary action.

(B) DEFINITIONS

1. **Authorized Emergency Vehicle:** Any publicly owned vehicle by an agency employing peace officers for use by those officers in the performance of their duties. (California Vehicle Code §165)

2. **Conclude/Termination Point:** A vehicular pursuit “concludes” or terminates when the fleeing vehicle comes to a stop, whether because the suspect voluntarily brings the vehicle to a stop or because the pursuing officers are able to force the vehicle to come to a stop.

3. **Discontinue/Terminate:** Describes the decision and actions of the pursuing officer(s) to stop chasing the fleeing vehicle. Actions to discontinue and/or terminate a vehicular pursuit may include turning off the lights and siren, reducing speed, observing the applicable rules of the road, allowing the distance between the law enforcement vehicle and the fleeing vehicle to increase, changing direction away from the fleeing vehicle, notifying the Dispatcher of the decision to discontinue and/or terminate the pursuit or being directed by a supervisor to discontinue and/or terminate the pursuit.

4. **Failure to Yield:** Refers to the actions of an individual who fails to stop his/her vehicle in response to the activation of the emergency light(s) and/or siren of a law enforcement vehicle, but continues generally to travel forward at or below the speed limit, observing traffic control devices and other applicable rules of the road, and does not change the direction of travel in an evasive manner.

5. **Follow/Following:** Refers to the actions of a law enforcement officer
in staying behind a vehicle and attempting to keep the vehicle in sight, while complying with applicable laws and rules of the road.

6. **Lawful Intervention**: The attempt to terminate a pursuit through the use of physical force or intention to use physical force. Lawful intervention may include tire deflating, ramming, boxing-in, roadblocks, channelization, curbing, or the use of firearms.

(a) **Blocking**: A technique designed to stop a violator’s vehicle by placing an emergency vehicle in the path of the violator’s vehicle. (Generally discouraged)

(b) **Boxing-in**: A technique used to stop a violator’s vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

(c) **Channelization**: Placing vehicles or objects in or along the anticipated path of a pursued vehicle to direct its path or alter its direction.

(d) **Curbing**: Crowding or physically forcing a fleeing vehicle into the curb to impede continued flight of the vehicle. (Generally Discouraged)

(e) **Forcible Stop**: Termination of a pursuit through the use of physical force or the exhibition of intent to use physical force. May include use of roadblocks, Spike Strips, Blocking, Boxing in or Use of Firearms.

(f) **Pursuit Immobilization Technique (P.I.T.)**: A tactic whereby a patrol vehicle is driven in the same direction as and alongside of the rear quarter of a fleeing vehicle. The pursuing officer deliberately turns into the suspect vehicle, causing the suspect to lose vehicle control and slow or stop.

(g) **Ramming**: The deliberate act of impacting a violator’s vehicle with another vehicle to functionally damage or otherwise force the violator’s vehicle to stop. (Generally Discouraged)

(h) **Roadblock**: The establishment of a physical impediment in the roadway as a means of stopping a fleeing vehicle. Physical impediments may include signs, barricades, vehicles, or other obstructions. (Generally Discouraged)

(i) **Spike Strips**: A device that extends across the roadway
designed to puncture the tires of the pursued vehicle.

7. **Paralleling Unit:** A police unit following the pursuit along parallel or nearby streets so as to be available to assist at the termination point of the pursuit. Paralleling units are generally not authorized for emergency response.

8. **Primary Unit:** The unit that is closest to the violator’s vehicle. This unit maintains control of the pursuit, and carries out the directions of the Supervisor.

9. **Pursuit:** An active attempt by one or more officers, operating authorized emergency vehicles, to stop and apprehend an individual who is operating a motor vehicle and is taking evasive action to avoid apprehension. Following a vehicle whose driver is attempting to evade or continuing to follow a vehicle which has failed to yield after a reasonably short distance, whether accomplished with or without red lights activated and siren sounding, and regardless of the terminology used to describe those acts, will also be considered a pursuit.

10. **Rule:** The term ‘rule’, as used in this policy, is mandatory.

11. **Secondary Unit:** Any other ground unit actively participating in the pursuit and performs the function of back-up officer and communicates with the Dispatcher. Secondary units are normally limited to one.

12. **Suspect/Offender:** Refers to the driver and occupant(s) of a vehicle who refuses to yield to an officer.

13. **Trailing:** Refers to a unit or a unit who, with the permission of a supervisor, follows the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. The trailing unit(s) will maintain a sufficient distance from the pursuit units so as to clearly indicate an absence of participation in the pursuit.

5.4.4 **OBJECTIVES**

The objective of a pursuit is to apprehend an actual or suspected violator of the law who refuses to voluntarily comply with an officer’s order to stop. The objectives of this policy are set forth to:

- Prevent hazards to uninvolved bystanders, motorists, or law enforcement personnel;
· Minimize the possibility of injury or death to the occupants of the vehicle being pursued;

· Reduce the potential for sustaining major damage to vehicles or other property, and

· Reduce the possibility of civil litigation arising from vehicular pursuits and to offset possible adverse criticism from the community.

5.4.6 INITIATION, CONTINUATION, AND TERMINATION OF A VEHICULAR PURSUIT

The following guidelines are to be followed by members of this Department in determining when the interests of public safety and effective law enforcement justify a vehicular pursuit and when a vehicular pursuit should be continued or terminated.

(A) OFFICER RESPONSIBILITIES

1. Officers may consider initiating a pursuit when it is reasonable to believe that a suspected law violator is failing to yield to the emergency lights and/or siren of a law enforcement vehicle and is attempting to evade arrest or detention by fleeing in a vehicle.

2. If the individual’s actions amount to nothing more than a failure to yield, the officer’s response should generally be limited to following that individual’s vehicle.

3. Before initiating a pursuit, and continually during that pursuit, the officers involved must evaluate whether the need to pursue the suspect outweighs the hazards presented by initiating or continuing the pursuit. Although it is good police practice to apprehend a person who is attempting to evade arrest when it is reasonable to do so, this Department does not expect or require that a person or vehicle be pursued to the point where the life of the pursuing officers, the occupants of the fleeing vehicle or other persons is placed in jeopardy. The apprehension of the violator is not as important as the safety of the officers and the members of the public. If, at any time, the pursuing officers believe that the dangers outweigh the need to pursue, they shall terminate the pursuit.

4. Pursuits should be discontinued whenever the totality of objective circumstances known or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the danger to the public outweighs the need for immediate apprehension.
5. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists and themselves when electing to continue a pursuit.

6. A pursuit shall be terminated when directed by a supervisor.

(B) FACTORS TO CONSIDER

The following factors shall be considered, individually and collectively, in deciding whether to initiate, continue, or terminate a vehicular pursuit. These factors do not appear in any particular order of priority.

The seriousness of the originating violation or suspected violation and its relationship to community safety:

1. Whether the officers have reasonable cause to believe that the suspect(s) has committed, is about to commit or is threatening to commit a crime other than just a traffic offense;

2. Whether the officers have reasonable cause to believe that the driving ability of the suspect is so impaired as to create a danger to pedestrians and/or to other drivers on the road if the suspect continues driving;

3. The officer’s knowledge of factors that may affect the driving skill of the suspect, such as age, driving experience or mental impairment. (A very young or mentally impaired driver poses a greater danger to public safety than an experienced or unimpaired driver);

4. The behavior exhibited by the fleeing suspect(s) during the pursuit which aggravates or mitigates the seriousness of the current situation and the need to continue the pursuit i.e., displaying or using a weapon or committing new offenses versus a driver who commits no further criminal or traffic offenses;

5. Safety of the public and the pursuing officers in the area of the pursuit, including the type of area (e.g., business, industrial, residential, school zone, playground), time of day, the amount of vehicular and pedestrian traffic and the speed of the pursuit relative to these factors;

6. The speed of a pursuit is a factor that should be evaluated on a continuing basis by the officer and supervisor. Should high speeds be reached during a pursuit, officers and supervisors shall consider the following factors when determining the reasonableness of the speed of the pursuit:
(a) Speeds which are unsafe for the surrounding conditions;

(b) Speeds being reached beyond the driving ability of the officer;

(c) Speeds beyond the capabilities of the police vehicle thus making its operation unsafe;

(d) Weather and road conditions (e.g., pot holes, construction/street repairs, speed bumps, rain, fog, wet pavement) which substantially increase the danger of the pursuit beyond the worth of apprehending the suspect;

(e) The pursuing officers’ training and experience and actual knowledge of the speed and handling capabilities of the law enforcement vehicle(s) and suspect vehicle(s) involved;

(f) Familiarity of the pursuing officers with the area of the pursuit.

(g) Whether the identity of the violator(s) is known or there is a likelihood of identification and apprehension of the suspect(s) at a later time under safer conditions;

(h) The availability of resources, including other law enforcement agencies, such as air support, spike strips, or roadblocks;

(i) Quality of radio communications between the pursuing unit(s) and the Dispatcher and/or Supervisor;

(j) Whether there are any persons in the officers' vehicle(s) other than sworn members of this Department;

(k) Whether there are other persons in or on the pursued vehicle, including passengers, co-offenders, and/or hostages;

(l) The duration, in both distance and time, of the pursuit;

(m) The distance between the officers' and the suspect's vehicles, and/or;

(n) The availability of supervision.

(C) RULES TO FOLLOW DURING THE PURSUIT

1. Officers should not initiate or participate in a vehicular pursuit when an arrestee, detainee, explorer scout, or citizen ride-along is a
passenger in the patrol car.

2. Officers intending to stop a vehicle shall have visual contact with, and be in close proximity to, that vehicle before activating their lights and siren and attempting the stop.

3. Officers shall activate their lights and siren as soon as is practical following the initiation of the pursuit, if they have not already been activated, and they shall be used continuously throughout the pursuit.

4. The officer shall advise the Communications Section of these facts.

5. Generally, officers should not initiate or continue participating in a vehicular pursuit if either their lights or their siren are, or become, non-functional. Officers should only do so if the hazards presented by conducting a vehicular pursuit without functional lights and/or siren are substantially outweighed by the necessity of apprehending the fleeing person. The term ‘necessity’ refers to what is in the best interest of the community.

(D) WHEN TO TERMINATE A PURSUIT

Pursuits should be terminated whenever the totality of objective circumstances known or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the danger to the public outweighs the need for immediate apprehension.

The factors listed previously are to be considered when deciding to initiate a pursuit as well as discontinue one. In addition, the following factors must be considered when deciding to terminate a pursuit:

1. When there is a clear and unreasonable danger to the officer or others who use the highway;

2. A clear danger exists, but is not limited to, when an officer’s speed or the suspect’s speed dangerously exceeds the normal flow of traffic;

3. When the police vehicle sustains collision damage that renders it unsafe to drive;

4. When the distance between the officer’s vehicle and that of the suspect(s) is so great that continuation of the pursuit would be futile;

5. When the violator can be identified to the point where an apprehension can be more safely made at a later time;
6. When action is taken by another police agency traversing the City’s jurisdiction and our assistance is no longer needed, and

7. When directed by the Watch Commander or Supervisor.

5.4.8 PURSUIT UNITS

The number of pursuit units should be limited to three vehicles, including a supervisor; however, the number of units involved may vary with the circumstances. An officer or supervisor may request additional units to join a pursuit if, after assessing the factors outlined in this policy, it appears that the number of officers involved would be insufficient to safely arrest the suspect(s).

Only the Field Supervisor or Watch Commander may authorize more than three units to be in active pursuit.

If more than three patrol units are authorized to participate in a pursuit, those additional units shall be responsible for backing up the primary pursuit vehicle and the secondary unit. The number of additional units will be determined by:

- Nature of the crime;
- Number of suspects, and
- Other clear and articulated facts that would warrant additional units.

If a supervisor initiates a pursuit, the pursuit shall be handed off to the first available marked police unit that arrives on-scene. The supervisor shall make every effort to remain detached from the pursuit, thus enabling him/her to objectively supervise the overall progress of the pursuit.

(A) PRIMARY PURSUIT UNIT

The "primary pursuit vehicle" is the unit that initiates the pursuit. If there is any dispute or confusion as to which unit initiated a pursuit, it shall be resolved by the Dispatcher, who will select and broadcast the identity of the unit to be considered the primary pursuit vehicle. No other unit shall join a pursuit without the approval of a supervisor.

If the primary pursuit vehicle is unable to continue as the primary pursuit vehicle, then the secondary unit shall become the primary pursuit vehicle.

(B) SECONDARY PURSUIT UNIT
The back-up vehicle will be identified as the “secondary unit.” The primary pursuit vehicle and the secondary unit shall be the only units to pursue the suspect vehicle, with the exception of a supervisor. Officers in all other units shall stay clear of the pursuit, but are to remain alert to its progress and location. This means, for example, that officers in other units shall not parallel a pursuit unless directed to do so by a supervisor.

(C) ADDITIONAL UNITS

A supervisor can authorize additional units to trail if it appears that the officers in the two vehicles involved in the pursuit will not be sufficient to safely conduct the pursuit and/or effect the arrest of the suspect(s). Factors to be considered by the supervisor in deciding whether to add units include the number and type of vehicle(s) being pursued, the seriousness of the offense(s) believed to underlie the pursuit, and the danger which the occupants of the pursued vehicle pose to others. When more than two units participate in a pursuit, the Supervisor shall direct the additional units to discontinue the pursuit as soon as reasonably possible, based upon tactical requirements and safety aspects.

(D) MOTORCYCLES

While motorcycle units are not prohibited from initiating or participating in pursuits, they shall yield their participation in the pursuit to a marked 4-wheeled unit as soon as one is available to take over from the motorcycle unit.

(E) AIRCRAFT ASSISTANCE

The utilization of available air support should be strongly considered in every vehicular pursuit. Aircraft can provide valuable assistance to the units and supervisors involved in the pursuit.

Once an air unit has established visual contact with the pursued vehicle, the following factors should be considered:

1. Maintain visual contact with pursued vehicle;
2. Provide further identification of the pursued vehicle and occupant(s);
3. Assist the primary pursuit unit with broadcast responsibilities;
4. Provide information to help officers and supervisors evaluate whether to continue or terminate the pursuit;
5. Report actions by the offender(s) or other persons in or on the pursued vehicle(s);

6. Illuminate the pursued vehicle during hours of darkness;

7. Identify and record all law enforcement vehicles involved in the pursuit;

8. Report pedestrian and vehicular traffic patterns and volume ahead of the pursuit;

9. Report road conditions and potential hazards ahead of the pursuit, including traffic conditions at intersections;

10. Coordinate ground units to apprehend the suspect(s) at the conclusion of the pursuit;

11. Maintain surveillance of the suspect vehicle if the vehicular pursuit is discontinued and direct ground units to offender's ultimate location, and

12. Direct non-law enforcement aircraft away from the emergency operation.

Once the aerial unit indicates it has the fleeing vehicle under observation, the Supervisor and/or the pursuing officers can consider discontinuing Code 3 operations and following the suspect(s) on the basis of information received from the aircraft.

An aircraft is not defined as an authorized emergency vehicle in the California Vehicle Code and should not be described as a pursuit vehicle.

Under no circumstances in a vehicular pursuit is an aircraft to be designated as a pursuit vehicle.

(F) UNMARKED “NON-EMERGENCY” EQUIPPED VEHICLES

Personnel in unmarked police units not equipped with lights and siren shall not generally engage in vehicular pursuits. However, officers in such vehicles may become involved in emergency activities involving serious crimes or life threatening situations. Officers should terminate their involvement in any pursuit immediately upon arrival of an “emergency equipped” police unit. The exemptions provided by California Vehicle Code § 21055 do not apply to police units without emergency equipment. This does not preclude officers
from following such suspects in order to obtain a license number and/or
description and/or until such time as a marked police unit has taken over
following or pursuing the suspects.

(G) **UNMARKED “EMERGENCY EQUIPPED” VEHICLES**

Unmarked police units equipped with lights and siren should generally avoid
initiating and/or participating in vehicular pursuits. When such units do
initiate or participate in a pursuit, they must yield their participation in the
pursuit to a marked police unit as soon as one can take over from the
unmarked unit.

Officers operating such vehicles should carefully weigh all options before
initiating a pursuit.

5.4.10 **RESPONSIBILITIES OF UNITS INVOLVED IN THE PURSUIT**

(A) **PRIMARY UNIT**

The primary unit will be responsible for conducting the pursuit. Other
responsibilities include, but are not limited to providing:

1. Dispatch with the reason (known or suspected violations) for the
pursuit;
2. Location, direction of travel, traffic condition (to include pedestrian
traffic) speed of the suspect vehicle, road/weather conditions;
3. Description of the fleeing vehicle including the license number, if
known;
4. Number, description and identity (if known) of the occupants of the
pursued vehicle, and
5. Information concerning the use of firearms, threat of force, injuries,
hostages, additional crimes observed or other unusual hazards.

Whenever possible, the passenger officer, if one is present, should operate the
radio in order to allow the driver officer to concentrate on driving tactics and
officer safety. Unless relieved by a supervisor, the senior officer in the primary
pursuit vehicle shall be responsible for controlling the pursuit tactics. The
officers in the primary pursuit vehicle shall constantly evaluate the necessity
and advisability of continuing the pursuit.

(B) **SECONDARY UNIT**
The secondary unit shall be responsible for backing up the primary pursuit vehicle. Upon joining the pursuit, the secondary unit should take over the calling of the pursuit unless circumstances dictate otherwise (such as when the officer(s) in the secondary unit are not familiar with the area where the pursuit is taking place). Whenever possible, the passenger officer, if one is present, should operate the radio in order to allow the driver officer to concentrate on driving tactics and officer safety.

The secondary unit will assume responsibility as the primary pursuit vehicle if the primary pursuit vehicle is unable to continue in that role or upon direction of a supervisor.

5.4.12 PURSUIT DRIVING TACTICS

(A) VEHICLE CODE AUTHORIZATION

§ 21055 of the California Vehicle Code specifies that in emergency situations the driver of an authorized emergency vehicle is exempt from the "Rules of the Road", as specified in Bureau 11 of the Code, provided that the lights and siren of the vehicle are activated. However, Vehicle Code § 21056 specifies that this exemption "does not relieve the driver from the duty to drive with due regard for the safety of all persons using the highway, nor does it protect him from the consequences of an arbitrary exercise of the privileges granted in [CVC § 21055]."

(B) DRIVING SKILL

 Officers, considering their driving skills and vehicle performance capabilities, should space themselves from other involved vehicles so they may avoid hazards and react safely to maneuvers by the fleeing vehicle.

(C) WRONG WAY DRIVING (FREEWAY)

Officers shall not pursue a vehicle the wrong way on a freeway. In the event that an officer is in a pursuit and the vehicle being pursued enters the freeway the wrong way, the following options available to the pursuing officers should be considered:

1. Maintain visual contact with the suspect vehicle by paralleling on the appropriate side of the freeway;

2. Request other units to observe the exits available to the suspect vehicle considering its direction of travel;
3. Request assistance from an air unit (if available), and

4. Notify the California Highway Patrol and any other concerned police agencies.

(D) PASSING PURSUING UNITS

No unit involved in a pursuit shall pass or attempt to pass any other unit engaged in the pursuit except at the request of the officer(s) in the unit to be passed or upon the direction of a supervisor.

5.4.14 TACTICS/PROCEDURES FOR UNITS NOT INVOLVED IN THE PURSUIT

Any unit not involved in the pursuit should monitor the pursuit and remain alert to its progress and location should assistance be requested.

(A) PARALLELING UNIT(S)

There should be no paralleling of the pursuit route unless authorized by a supervisor. Units authorized to parallel a pursuit or to assist with traffic control related to the pursuit shall proceed while obeying all the rules of the road. Officers shall not caravan, join in, or interfere with the pursuit, unless otherwise directed by a supervisor.

(B) TRAILING THE PURSUIT

A unit which is not involved in the pursuit, with the authorization of a supervisor, may trail the pursuit to the termination point in order to provide necessary information and assistance in the arrest of the suspect(s).

A trailing unit should respond to the termination point of the pursuit in a non-emergency manner, observing the rules of the road.

Unless assigned to do so, units not involved in the pursuit shall not respond to, linger at, or drive by the point at which a vehicular pursuit concludes.

(C) INTERSECTION ANALYSIS/MANAGEMENT

Officers who are not involved in the pursuit, if directed or authorized by the Dispatcher or a Supervisor, may use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Otherwise, officers should remain in their assigned area and should not become involved with the pursuit or assist with traffic control unless so ordered by the Dispatcher or a Supervisor.
5.4.16 LAWFUL PURSUIT INTERVENTION

The successful pursuit and apprehension of a motor vehicle is a difficult and often dangerous task. Pursuit intervention is an attempt to terminate the ability of a suspect to continue to flee in a motor vehicle through the tactical application of technology such as road spikes, blocking, boxing, and ramming or Pursuit Intervention Techniques (P.I.T) procedures. In particular, ramming and other forcible attempts at stopping a suspect vehicle may place in danger the lives and safety of the officers, the occupants of the fleeing vehicle, and the public. Forcible stop methods, under certain circumstances, may be considered “use of deadly force.”

Therefore, such measures should only be utilized under circumstances that would justify the use of deadly force against the fleeing suspect(s). (Refer “Use of Deadly Force” as defined in this manual).

(A) WHEN AUTHORIZED

As defined in this policy, lawful intervention may include a number of measures deployed to terminate a pursuit. Officers must consider all the circumstances and ramifications prior to taking such a course of action.

Accordingly, the use of lawful intervention methods such as ramming or such other forcible attempts at stopping a suspect vehicle requires the approval of a supervisor before being attempted. Officers and supervisors should balance the risks of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the officers, and the person(s) in the pursued vehicle. The supervisor shall make that decision based on his or her consideration of the factors set forth in this policy.

(B) PURSUIT INTERVENTION FACTORS

The use of ramming or other forcible stop techniques or tactics is not a preferred method of ending a pursuit. The obvious danger to the officers, the occupants of the pursued vehicle, and the public make these tactics acceptable only when not employing them would likely result in a greater danger, such as when allowing the pursuit to continue would present a clear and immediate danger to the lives and safety of others.

Ramming a vehicle should be done only after other reasonable tactical means have been exhausted or are impractical. This tactic should be reserved for situations where there does not appear to be another reasonable or alternative method.

Before making use of such techniques or tactics, even after authorization to
use such a tactic has been granted by a supervisor, officers and supervisors shall consider all of the following factors:

1. The suspect is an actual or suspected felon who reasonably appears to represent a serious threat to society if not apprehended;

2. The seriousness of the originating violation or suspected violation;

3. The suspect is driving in willful or wanton disregard for the safety of other persons; or, driving in a reckless and life-endangering manner;

4. The safety of the pursuing officers and of the occupants of the suspect vehicle;

5. The location where the proposed forcible stop is to take place. In particular, the officers must consider what may happen if the suspect vehicle and/or a law enforcement vehicle leaves the roadway, i.e. might the vehicle(s) endanger the lives or safety of the public, such as if the vehicle(s) ran into a schoolyard, or cause substantial property damage, or might the vehicle(s) be forced into a location that presents a hazard to the lives or safety of the occupants of the vehicle(s);

6. The volume of vehicular and pedestrian traffic at the location where the proposed forcible stop is to take place;

7. Speeds of the suspect vehicle, surrounding traffic, and all law enforcement vehicles involved;

8. Weather and road conditions and the effect they may have on the likely success of the forcible stop and the effect they may have on the suspect and law enforcement vehicles once the tactic is utilized;

9. The danger to the public, the officers, and the occupants of the suspect vehicle involved in allowing the pursuit to continue, and

10. Whether all other means to stop the suspect vehicle reasonably available to the officer(s) have been attempted and have failed.

(C) USE OF FIREARMS

The use of firearms against fleeing or approaching vehicles has proven to be generally ineffective and involves the inherent dangers of discharging a firearm. Officers should not utilize firearms during a pursuit unless the conditions and circumstances dictate that such use reasonably appears necessary to protect life. Nothing in this section shall be construed to prohibit
an officer from using a firearm to stop a suspect from using a vehicle as a deadly weapon. If the vehicle is being used as a deadly weapon against an officer, the officer shall take evasive action and attempt to remove him/herself from danger before firing at the vehicle.

Officers shall take into account the location, vehicular and pedestrian traffic, and hazard(s) to others before firing at a fleeing vehicle.

 Officers shall not discharge a firearm for the sole purpose of disabling the vehicle being pursued.

(D) TRAINING STANDARDS

Any pursuit intervention technique or tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the officers, public, and individuals in or on the vehicle being pursued. Since certain applications of intervention tactics may be construed to be a use of deadly force, only those officers who have been trained and certified by the department in the use of specific Pursuit Intervention Techniques will be authorized to use such tactics.

5.4.18 PURSUITS INVOLVING HOSTAGE(S)

In any vehicular pursuit where there is, or is suspected to be, one or more hostages in the suspect vehicle, the safety and successful release of the hostage(s) shall be the primary consideration in determining the tactics to be used by the officers in the course of the pursuit.

(A) OFFICER RESPONSIBILITY

When an officer becomes aware that a hostage is, or may be, in a pursued vehicle, the Dispatcher shall be so advised immediately. All available information shall be reported, including a description of the hostage(s), manner of dress, and the location of the hostage(s) within the suspect vehicle, to the extent known.

(B) COMMUNICATIONS

The Dispatcher shall notify a supervisor and ensure that all hostage related information is immediately broadcast. The fact that a hostage may be involved in a pursuit shall be periodically re-transmitted during subsequent pursuit status broadcasts. In instances where the taking of a hostage has not been confirmed, the Dispatcher shall attempt to obtain additional information from the original reporting person via land line. If a callback number is not
available, or the reporting person cannot be contacted, the Dispatcher shall assign a specific unit to respond to the scene of the initial occurrence to verify the taking of a hostage.

5.4.20 LOSS OF PURSUED VEHICLE

When the pursued vehicle is no longer in sight, the primary unit should terminate the pursuit and broadcast pertinent information to assist other units in locating the suspect(s). The primary unit will be responsible for coordinating any further search for the pursued vehicle or suspects fleeing on foot.

5.4.22 SUPERVISORY CONTROL AND RESPONSIBILITIES

(A) COMMAND RESPONSIBILITY

Upon being notified that a vehicular pursuit is in progress, the Watch Commander, or in his/her absence, the Field Supervisor, shall have ultimate supervisory control of the pursuit. The Field Supervisor will exercise direct supervisory control of the pursuit. Both the Watch Commander and the Field Supervisor shall monitor the pursuit until it is concluded. It is their responsibility to ensure that all pursuits are conducted within the guidelines contained within this policy. These supervisors can fulfill this responsibility by, among other things, directing specific units into or out of the pursuit, reassigning the primary or secondary units, requesting air support or terminating the pursuit. If necessary, a Field Supervisor may drive Code 3 in order to effectively discharge these responsibilities.

(B) CONTINUING THE PURSUIT

The Watch Commander and the Field Supervisor shall, at all times during a vehicular pursuit, constantly evaluate the necessity of continuing the pursuit. At all times they have the authority and responsibility to terminate the pursuit when the potential safety risks outweigh the need for apprehension. In making this decision supervisors shall apply the guidelines set forth in this policy. In addition, if these supervisors believe that they lack sufficient information to make an informed decision whether to continue or terminate a pursuit and are unable to obtain the necessary information in a timely manner, they are authorized to terminate the pursuit on that basis alone. It is not necessary that the Field Supervisor or Watch Commander be physically present to control or terminate the pursuit.

(C) CONCLUSION OF THE PURSUIT

When a pursuit concludes, the Field Supervisor shall proceed to the point at which the pursuit concluded in order to provide the necessary supervision and to evaluate the pursuit. The Supervisor at the scene is responsible for
controlling law enforcement activity at the scene and for ensuring adherence to Departmental policies. This responsibility shall continue until the suspect is booked or released, or it is determined that the search for the suspect(s) should be abandoned and all reports are completed.

5.4.24 COMMUNICATIONS RESPONSIBILITIES

When a pursuit is confined within the City limits, radio communications will be conducted on the primary radio frequency unless instructed otherwise by a Supervisor or Dispatcher. Upon notification of a pursuit, the Dispatcher will be responsible for:

- Advising all field units, the Field Supervisor and the Watch Commander of the pursuit;
- Assuming radio control of the pursuit and clearing the radio frequency;
- Clarifying any dispute or confusion as to which unit is to be considered the primary pursuit vehicle. The Dispatcher is to resolve that confusion or dispute by selecting the unit to be considered as the primary pursuit vehicle and broadcasting the identity of that unit;
- Determining which unit will act as the secondary unit during the pursuit and broadcasting the identity of that unit;
- Coordinating the activities of all other units in regard to the pursuit including units authorized by supervisors to join the pursuit, parallel the pursuit, or otherwise assist with the pursuit and units authorized by supervisors or the Dispatcher to assist with traffic control;
- Continuously updating the progress of the pursuit by broadcasting locations, information from the involved officers, along with ascertaining and broadcasting the suspect(s) description, charges, and direction/mode of travel;
- Notifying outside agencies in the event the pursuit leaves the jurisdiction of the City;
- Complying with requests made by the involved officers and supervisors responsible for the pursuit regarding additional information, equipment, personnel, or notifications;
- Checking for offender and vehicle status from the information provided by the pursuing officers, and
- Rendering assistance in any way possible during the pursuit and
assigning the necessary back-up units at its conclusion. The Dispatcher shall direct all other non-involved units to resume their normal duties.

5.4.26 COORDINATION WITH OTHER AGENCIES

(A) PURSUIT INTO OTHER JURISDICTIONS

When a pursuit enters another agency’s jurisdiction, the primary officer or supervisor, taking into consideration the distance traveled, unfamiliarity with the area, loss of radio communications and other pertinent facts, should determine whether or not to request another agency to assume control of the pursuit. In most instances, the initiating officer will continue the pursuit as the primary unit. The allied agency may be requested to assume the secondary unit position in order to broadcast the location of the pursuit and the direction of travel.

1. California Highway Patrol: For the purposes of this policy, if a pursuit under the control of this Department proceeds onto a freeway or into another area patrolled by the California Highway Patrol, it will be treated as a pursuit that has entered the jurisdiction of another agency and the CHP will be considered to be the responsible agency. Because of communication limitations between local agencies and the California Highway Patrol, a request for CHP assistance will mean that they will assume responsibilities for the pursuit. For the same reasons, when a pursuit leaves the freeway and a request for assistance is made to this Department, the CHP should relinquish control.

2. Other Jurisdictions: The Dispatcher shall notify the responsible agency that a vehicular pursuit is entering its jurisdiction, preferably prior to the pursuit entering that jurisdiction or as soon as practical after the pursuit has entered that agency’s jurisdiction. The Dispatcher shall provide the affected agency with all relevant information, including the following:

   (a) The original reason for the pursuit;

   (b) The behavior of the suspect(s) during the pursuit, including any information known or suspected that would increase or lessen the need to continue the pursuit;

   (c) Information relevant to the safety of the pursuing officers the suspect(s) and any passengers in the fleeing vehicle, and the public;
(d) Whether any assistance is being requested from the pursuing agency, and

(e) Whether this department wishes to retain arrest authority over the suspect and the violations with which the suspect(s) are likely to be charged.

(B) ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

A Supervisor may direct the Dispatcher to request that another agency assume control of the pursuit. If the outside agency agrees to assume control of the pursuit, upon arrival of a unit from that agency, the primary pursuit unit shall relinquish that role to the newly arrived unit and become the secondary unit in the pursuit. The original secondary unit shall cease its participation in the pursuit. Upon arrival of an additional unit from the affected agency, the former primary pursuit vehicle, now acting as the secondary unit, shall cease its participation in the pursuit. From this point on, the affected agency is in control of the pursuit and shall determine, based on its own policies, whether to continue or terminate the pursuit. The Supervisor can authorize the units from this department to remain involved in the pursuit if the assuming agency requests such assistance.

If the Department has retained arrest authority over the suspect(s), the Dispatcher shall continue to monitor the pursuit and shall send the appropriate resources to the point at which the pursuit concludes in order to conduct necessary investigation and take other appropriate actions.

Upon the termination, the original primary unit in the pursuit may proceed to the termination point to assist in the arrest of the suspect.

(C) PURSUITS EXTENDING INTO THIS DEPARTMENT’S JURISDICTION

When a vehicular pursuit is initiated by the law enforcement agency of another jurisdiction and the pursuit enters our jurisdiction, the initiating agency shall continue to be responsible for the progress of the pursuit. Units from this department shall not attempt to assist with the pursuit unless specifically authorized and assigned to do so by a supervisor. (Note): Mere notification by the initiating agency that a pursuit in progress may, or has entered our jurisdiction shall not be construed as a request to take over or assist in that pursuit.

If the initiating agency requests assistance from this Department, the Watch Commander or Supervisor shall decide whether or not to provide the requesting agency with any assistance. The following factors should be
considered:

1. The original reason for the pursuit;
2. Circumstances serious enough to continue the pursuit;
3. The behavior of the suspect(s) during the pursuit, including any information known or suspected that would increase or lessen the need to continue the pursuit;
4. The Department’s ability to maintain the pursuit;
5. Adequate staffing to continue the pursuit;
6. The public’s safety within this jurisdiction, and
7. Safety of the pursuing officers.

The Watch Commander or Supervisor should review a request for assistance as soon as practical. After consideration of the above factors, the Watch Commander or Supervisor may decline to assist in, or assume the other agency’s pursuit.

If the initiating agency requests that this department take over the pursuit, and the Watch Commander agrees, the Field Supervisor will assign a primary pursuit vehicle and secondary unit to the pursuit. Once a unit from this Department takes over the pursuit, the procedures and guidelines set out in this policy shall govern the conduct of the pursuit.

This department’s assistance to a pursuing agency will terminate at the City limits provided that the pursuing officers have sufficient assistance from other sources. Ongoing participation from this Department may continue only until sufficient assistance is present.

The initiating agency will be responsible for handling the prosecution of the violation which caused the pursuit. If the pursuit is terminated within the initiating agency’s area of responsibility, or if the initiating agency has responded to the point the pursuit is terminated, the initiating agency generally should take custody of the violator. However, if non-traffic violations have occurred subsequent to the pursuit being taken over by this Department, this Department will be responsible for their prosecution. The agency having or witnessing the most serious crimes should retain custody of the violator.

5.4.28 TRAFFIC COLLISIONS: OTHER JURISDICTIONS

If a pursuing unit becomes involved in a traffic collision, the accident should be investigated by the law enforcement agency having jurisdiction where the collision
occurred. If the collision occurs within the City limits, and injuries are sustained, the accident may be investigated by the California Highway Patrol.

5.4.30 MEDICAL ASSISTANCE

In the event any person is injured during the course of a pursuit, the Supervisor shall insure that:

· At least one officer is immediately assigned to the scene of the accident to provide first-aid and ascertain the seriousness of injuries, and

· Medical care, if needed, is requested through communications.

5.4.32 POST-PURSUIT PROCEDURES

Safety and officer discipline is critical at the termination of a pursuit.

(A) CAPTURE OF SUSPECT(S)

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of suspects. When taking suspects into custody, officers shall use reasonable force to properly perform their lawful duties. (Refer to Use of Force Section 5.110)

(B) OFFICER RESPONSIBILITIES

The senior officer in the primary pursuit vehicle is responsible for maintaining control and directing activities at the point at which a vehicular pursuit concludes, specifically as it relates to the apprehension of the suspect and the use of force, unless relieved by a supervisor. The officer(s) in the secondary unit will be responsible for backing up the primary pursuit vehicle and broadcasting pertinent information at the conclusion of the pursuit. Unless otherwise requested to the scene, officers in all other units shall remain clear of the point at which the pursuit concluded. Plainclothes personnel at the scene shall ensure that they are readily identifiable as law enforcement personnel by displaying proper identification on their outer garment.

(C) SUPERVISOR RESPONSIBILITIES

Upon the conclusion of the pursuit, the Watch Commander and/or Field Supervisor shall proceed to the point at which the pursuit concluded. Upon arrival at the scene, the Supervisor will be responsible for controlling law enforcement activity at the scene and ensuring adherence to Departmental policies. This responsibility shall continue until the suspect is booked or released, or it is determined that the search for the suspect(s) should be
abandoned, and all reports are completed.

The duties and responsibilities that a supervisor should consider at the conclusion of a pursuit include:

1. The safety of the officers, the occupants of the suspect vehicle, and the public;
2. Command and control tactics employed or to be employed to apprehend the suspect(s), including any use of force;
3. Whether any person has suffered an injury, whether in the course of an arrest, a traffic accident, or through any other means, and obtaining prompt medical attention for such injuries;
4. Expeditious removal of the suspect(s) and any other involved persons from the termination point of the pursuit;
5. Clearing the scene of uninvolved or unnecessary law enforcement personnel;
6. The reporting and investigating of traffic collisions related to the pursuit;
7. Notification of command and management personnel;
8. Inter-jurisdictional coordination and cooperation, and
9. Collecting all information needed to meaningfully assess and evaluate the pursuit.

5.4.34 POST-PURSUIT ASSESSMENT, EVALUATION AND REPORTING REQUIREMENTS

Following a pursuit, it shall be the responsibility of the Watch Commander to schedule a “pursuit debriefing.” The purpose of the debriefing will be to review the progress of the pursuit, assess the areas of improvement, and ensure that the proper reports are completed.

(A) INITIATING/PRIMARY OFFICER

A verbal report of the circumstances concerning the pursuit shall be made by the initiating officer to the Supervisor as soon as possible after the conclusion of the pursuit. A written version of the report shall be submitted by the initiating officer as soon as circumstances allow. That report may be contained
in other reports prepared in regard to the incident, such as crime/arrest reports or traffic collision reports.

The primary officer shall complete CHP Form 187 (Pursuit Report) for review by the Watch Commander.

(B) FIELD SUPERVISOR

The Field Supervisor shall ensure that all required reports, including the California Highway Patrol Vehicle Pursuit Report (as required by Vehicle Code § 14602.1), are completed.

The Field Supervisor shall prepare a report assessing and evaluating the pursuit. The report should include the following:

1. Date and time of pursuit;
2. Personnel involved;
3. Reason pursuit initiated;
4. Length of time of the pursuit;
5. Involved units and officers;
6. Starting and termination points;
7. Roadways involved and dangerous conditions present;
8. Any significant events during the pursuit, including actions taken by the suspect and the pursuing officers;
9. Support from other agencies including air support;
10. Injuries and/or property damage;
11. Medical treatment;
12. Disposition, arrest(s), citation, etc. Arrestee information if applicable;
13. Name of supervisor at scene, and
14. Determination as to whether pursuit was within policy.

(C) WATCH COMMANDER
The Watch Commander or designee shall enter the relevant information on the pursuit log and review the reports written by the initiating officer and the Field Supervisor. The Watch Commander shall complete a Pursuit Review Report (CHP 187 Form) and submit it to the Operations Bureau Commander.

5.4.36 VEHICLE INSPECTIONS

Any vehicle involved in a high speed pursuit shall be inspected by a supervisor as soon as practical after the conclusion of the incident. The vehicle will also be inspected by one of the Department’s repair service mechanics at the earliest opportunity. Vehicles, known or suspected to have been damaged, will not be returned to service until properly inspected and repaired.

5.4.38 TRAINING

All officers shall be provided with a copy of this policy and of each revision to the policy. Upon receiving such copies, officers shall sign, date and acknowledge receipt. Supervisors are to review this policy with subordinate personnel at least twice yearly, (a minimum of one hour) and are to review any revisions to this policy with subordinate personnel as soon as practical after they are adopted.

5.4.40 PERIODIC EVALUATION OF THIS POLICY

This policy is to be evaluated annually to consider whether any revisions should be made to it and/or whether the training regarding the policy should be modified.

In conducting this evaluation, all Field Supervisor reports regarding pursuits occurring since the last evaluation should be reviewed, as well as current and relevant statutory and case law.

5.4.42 APPLICATION OF MOTOR VEHICLE PURSUIT POLICY

This policy is written and adopted by this public entity pursuant to the provisions of California Vehicle Code §17004.7, with additional input from the Peace Officer Standards and Training “Law Enforcement Vehicle Pursuit Guidelines” (February 2007) and POST Bulletin #2007-10: “Vehicle Pursuit Policy Development and Training” (April 10, 2007).
California Vehicle Code (CVC) Section 17004 states a public employee is not liable for civil damages on account of personal injury to, or death of, any person, or damage to property resulting from the operation of an authorized emergency vehicle in the line of duty. Such operation must be while responding to an emergency call or when in the immediate pursuit of an actual or suspected violator of the law, or when responding to, but not upon returning from, a fire alarm or other emergency call.

CVC Section 17004.7 enumerates upon 17004 by allowing a public agency employing peace officers, such as the Ridgecrest Police Department, to invoke vehicle pursuit immunity if it has a written pursuit policy that meets 12 minimum standards, and requires regular and periodic training.

The Ridgecrest Police Department mandates annual policy review of Ridgecrest Police Department’s Policy & Procedure Manual Section 5.4 – Pursuit Policy and 5.2 – Vehicle Operations.

All sworn employees of the Ridgecrest Police Department are required by law and departmental policy to review the Department’s pursuit and Vehicle Operations policies and sign the Pursuit Policy Training Attestation, annually. Additionally, supervisors shall review the Pursuit Policy Section 5.4 at the time of the employee’s annual Performance Appraisal and have the employee initial the appropriate section.

ACKNOWLEDGEMENT OF RECEIPT

Pursuant to CVC Section 17004.7 (b)(2), I acknowledge I have received, read, and understand the Ridgecrest Police Department’s vehicle pursuit policy and vehicle operations, which are contained in the Ridgecrest Police Department Policy and Procedure Manual Sections 5.4 and 5.2, I agree to comply with the Department’s pursuit and vehicle operations policies.

_________________________________  ________________ __________________
Officer’s Signature     Date

_________________________________  ________________ __________________
Supervisor’s Signature    Date
5.6 JUVENILE PROCEDURES

5.6.1 OBJECTIVES OF THE JUVENILE INVESTIGATION FUNCTION

The major objectives of the Ridgecrest Police Department are the protection of life and property, the prevention of crime, the investigation of criminal offenses, the recovery of property, and the apprehension and prosecution of offenders. The Investigations Bureau will investigate juvenile related crimes and maintain the following objectives:

- Prevention;
- Discovery;
- Investigation;
- Treatment and/or referral, and
- Protection.

5.6.2 USE OF JUVENILES AS INFORMANTS

Juveniles over the age of 13 may be used as informants under the following conditions:

- Obtain prior authorization from the respective Division Commander, and
- Obtain parental permission, when applicable

The utilization of a juvenile between the ages of 14 and 18 as an informant is permissible in a prearranged transaction when authorized by a court order. The use of a juvenile under the age of 14 is strictly prohibited.

5.6.4 CHILD ABUSE INVESTIGATIONS

The term Child Abuse applies to a person under the age of 18 and is defined as 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 of a child).

If the facts substantiate that a crime against a juvenile has been committed, a police report shall be made, even though the victim would not make a competent witness or
refuses to prosecute or testify.

The first officer on the scene should assess the risk to the child involved and determine whether a crime has been committed by observing and by conducting initial interviews with:

- Reporting party(s);
- All witnesses;
- Victim(s);
- Sibling(s), and/or
- Parents/guardians.

The responding officer(s) should gather and preserve all evidence to support the allegation of child abuse including those specific to:

- Neglect;
- Emotional abuse/deprivation;
- Physical Abuse;
- Sexual assault, and
- Sexual exploitation.

The responding officer(s) should determine the need for protective custody of the victim(s), sibling(s), and others, taking into consideration the following factors:

- Need for medical care;
- Imminent danger of continued abuse, intimidation, or retaliation;
- Observations, and
- Physical evidence noted and secured.

The responding officer(s) should also record the following information and make appropriate notifications:

- Actions taken by officers, investigators and others;
5.6.6 INVESTIGATION AT SCHOOLS

If an investigation involves the questioning or the taking of a student under eighteen years of age into temporary custody on school grounds or premises during school hours and the situation requires immediate action, the officer shall proceed as follows:

- Contact the school principal or vice-principal and inform this person of the necessity for the immediate action, and

- If only an interview is desired, the officer should request permission to interview the student at the school and should attempt to secure a secluded place in which to hold such interview. Refer to Penal Code § 11174.3 for additional information.

If a student is taken into temporary custody on school grounds during school hours, it shall be the responsibility of the arresting officer to notify the parents without delay. Whenever possible, the parents should be notified prior to the time the student would normally return home from school.

5.6.8 MEDICAL TREATMENT OF JUVENILES

This Department shall investigate, and if circumstances require, take into temporary custody any juvenile found on any street or public place suffering from any sickness or injury which requires care, medical treatment, hospitalization or other remedial care. Refer to § 305 WIC or § 625 WIC for further information.

(A) PARENTAL NOTIFICATION: RESPONSIBILITY

The assigned officer shall obtain all the information possible at the scene and shall then proceed to the hospital and from that location make a diligent effort to locate the parents or legal guardian and inform them of the juvenile’s location, medical condition as diagnosed by a physician, and the imperative need for immediate treatment. At the request of the assigned officer, the Watch Commander may assign additional personnel to aid in locating the parents and making notification.
(B) MEDICAL TREATMENT: AUTHORIZATION

Departmental personnel shall not authorize medical treatment for a juvenile who is not a relative. Consent of a parent or legal guardian is normally required before any medical treatment can be administered.

If, after a reasonable diligent effort, the parents or legal guardian cannot be located and the examining physician has indicated there is a need for immediate medical treatment, the Child Protective Services (CPS) has legal authority to give medical consent on behalf of a juvenile for medical care reasonably necessary when a parent or guardian is unavailable.

It may be necessary for a CPS worker to personally evaluate the case or circumstances before giving approved consent. In extreme emergency cases, telephonic verbal consent for treatment will be given to the attending medical personnel.

This procedure does not relieve the assigned officer or investigator of the responsibility for continuing to make every effort to locate and notify the parents or legal guardians of the juvenile.

(C) MEDICAL TREATMENT: PARENTAL REFUSAL

If the parent or legal guardian of a juvenile in need of emergency medical treatment is located but refuses to authorize treatment, the CPS shall immediately be contacted and informed of the need for medical treatment and the refusal of the parents to authorize such treatment. In such cases, a representative of Children and Family Services will contact a Superior Court Judge and a hearing may be held to determine if medical care shall be provided. Refer to Penal Code §§ 270 and 305(d) for additional information.

5.6.10 DEPENDENT CHILDREN

As defined in § 300 WIC, any minor who comes within any of the following descriptions is within the jurisdiction of the juvenile court which may adjudge that person to be a dependent child of the court:

"The minor has suffered, or there is a substantial risk that the juvenile will suffer, serious physical harm inflicted non-accidentally upon the juvenile by the juvenile's parent or guardian. For the purposes of this subdivision, a court may find there is a substantial risk of serious future injury based on the manner in which a less serious injury was inflicted, a history of repeated inflictions of injuries on the juvenile or the juvenile's siblings, or a combination of these and other actions by the parent or guardian which indicate the child is at risk of serious physical harm. For purposes of this subdivision, "serious physical
harm" does not include reasonable and age appropriate spanking to the buttocks where there is no evidence of serious physical injury."

(A) TEMPORARY CUSTODY

As defined in § 305 WIC, any peace officer may, without a warrant, take a minor into temporary custody when the officer has reasonable cause for believing that the minor is a person described in § 300, and in addition, that the minor has an immediate need for medical care, or the minor is in immediate danger of physical or sexual abuse, or the physical environment or the fact that the child is left unattended poses an immediate threat to the child's health or safety.

In cases in which the child is left unattended, the peace officer shall first attempt to contact the child's parent or guardian to determine if the parent or guardian is able to assume custody of the child. If the parent or guardian cannot be contacted, the peace officer shall notify a social worker in the CPS to assume custody of the child.

(B) EMERGENCY PLACEMENT PROCEDURE

All arrangements for emergency placement of dependent children will be made by CPS. They may be contacted during business hours at their office and after hours through their emergency response command post. (Telephone numbers are available from the Communications Center).

Prior to requesting their assistance, the requesting officer should have the reason for the placement request and the child's personal data available.

(C) PARENTAL NOTIFICATION

An officer, taking a dependent child into custody for placement, shall immediately notify the child's parent, guardian, or responsible relative of the child's location.

(D) NON-DISCLOSURE OF LOCATION OF DEPENDENT CHILD PLACEMENT

A police officer may not refuse to disclose the dependent child's location of placement unless a commissioner of the Juvenile Court orders non-disclosure.

(E) PROCEDURE FOR ORDER OF NON-DISCLOSURE

When a police officer takes a dependent child into protective custody and has
a reasonable belief that disclosure of the child's whereabouts would endanger the child or that the parent or guardian is likely to flee with the child, the following procedure shall be adhered to:

- Inform CPS that you intend to seek a non-disclosure order;
- Make note of specific circumstances or facts that lead to the belief that disclosure of the child's exact whereabouts would endanger the child or disturb the custody of the child;
- Articulate the severity of any injuries to the child;
- Articulate evidence of mental instability on the part of the parents, guardian, or responsible relative;
- Articulate evidence that indicates the parent, guardian, or responsible relative may try to retrieve the child and flee;
- Articulate evidence that indicates the parent, guardian, or responsible relative may dissuade the child from providing information to officials, and
- Contact the Juvenile Court Commissioner by telephone. Be prepared to describe the nature of the situation and the circumstances or facts that justify the issuance of a non-disclosure order.

(F) NON-DISCLOSURE ORDER

If the Juvenile Court Commissioner authorizes the non-disclosure order, obtain the Commissioner's name and the time the order was issued. This information, along with the facts that warranted the non-disclosure shall be included in the report. Parental notification shall then exclude the child's whereabouts. If the Juvenile Court Commissioner declines to issue a non-disclosure order, obtain the commissioner's name, which shall be included in the report along with the facts that were believed to justify the non-disclosure. In this case, the notification to the parent shall include the child's whereabouts.

(G) EMERGENT CIRCUMSTANCES

In some situations, non-disclosure of the child's whereabouts may appear to be justified, if it is impossible or impracticable to contact the Juvenile Court Commissioner. In this case, the Watch Commander shall make the decision on whether or not to disclose the child's whereabouts to the parent(s), guardian,
or responsible relative. The facts that justify non-disclosure shall be articulated in the report, along with the reason(s) that the Juvenile Court Commissioner could not be contacted.

In any case in which a child is taken into protective custody, the parent, guardian, or responsible relative shall be notified that the minor is in protective custody. Non-disclosure orders only apply to furnishing the child's exact whereabouts to the concerned party.

5.6.12 STATUS OFFENDERS

Those minors detained as status offenders under § 601 WIC may be deferred to a Juvenile Detention Facility if necessary. They may not be detained in adult jails or lock-ups.

(Refer to Ridgecrest Police Department Jail Manual)

5.6.14 JUVENILES HABITUALLY DISOBEDIENT OR TRUANT

Any person under the age of 18 years who persistently or habitually refuses to obey the reasonable and proper orders or directions of his parents, guardian, or custodian, or who is beyond the control of such person, or who is under the age of 18 years when he violated any ordinance of any city or county of this state establishing a curfew based solely on age is within the jurisdiction of the juvenile court which may adjudge such person to be a ward of the court." [§ 601(a) WIC] In this case a CR report shall be taken outlining the disobedience.

(Refer to Ridgecrest Police Department Jail Manual)

5.6.16 MISSING PERSONS/RUNAWAYS

A missing person, for reporting purposes, includes, but, is not limited to, a child who has been taken, detained, concealed, enticed away, or retained by a parent in violation of Penal Code § 277. It also includes any child who is missing voluntarily (runaway) or involuntarily, or under circumstances not conforming to the juvenile's ordinary habits or behavior and who may be in need of assistance.

(A) MISSING PERSON(S) AT RISK

A missing person may be termed "at risk" when there is evidence or indication the person missing is:

· The victim of a crime or foul play;
· In need of medical attention;
· Has no pattern of running away or disappearing;
· May be the victim of parental abduction;
· Is mentally impaired, and/or
· Under the age of 16 years.

(B) MISSING PERSONS REPORTS

The officer assigned a call of a missing person shall be responsible for the disposition of the call unless specifically relieved by a supervisor or investigation’s personnel.

Penal Code § 14205, requires the Department to accept any report, including any telephonic report, of a missing person and/or runaway juvenile without delay. In cases where the report is taken by a department other than that of the city or county of residence of the missing person or runaway juvenile, the department taking the report shall, without delay, notify and forward a copy of the report to the police or sheriff’s department having jurisdiction of the resident address of the missing person and/or runaway juvenile and of the location where the person was last seen. Missing persons reports have priority and shall be handled before non-emergency, property related crime reports.

(C) MISSING PERSON/JUVENILE: IMMEDIATE SEARCH

An assessment of reasonable steps to be taken to locate the missing person shall be made, which should include an immediate search of the premises and surrounding neighborhoods. Circumstances may dictate other steps to be taken or a more extensive search. In this case the Watch Commander shall be advised of the circumstances surrounding the need for immediate search.

(D) CRITICAL MISSING/RUNAWAY JUVENILES: NOTIFICATIONS

The officer making the initial report shall advise the Watch Commander of any indications that the circumstances surrounding the disappearance are suspicious. This procedure shall also be followed when the person is under 16 years of age or there is evidence that the person is at risk.

In all serious cases, the Chief of Police, Support Services Division Commander, and the Field Services Division Commander shall be notified.

(E) MISSING PERSON BROADCAST
A "Missing Persons" radio broadcast shall be made by the officer accepting a report of a missing person under 16 years of age, or when there is evidence that the missing person is "at risk."

Thereafter, the Watch Commander shall authorize a periodic radio broadcast of the missing person's description and circumstances surrounding the incident to be made.

(F) MISSING PERSONS NOTIFICATIONS

A report to the Attorney General's office, Department of Justice Missing Persons Unit through the use of the California Law Enforcement Telecommunications System (CLETs) shall be made within 4 hours of the acceptance of a report of a missing person Under 16 years of age, or if there is evidence that the person is at risk.

Within 4 hours of the report, a NCIC entry must be made on all missing persons who are under 16 years of age.

When a report is taken for a jurisdiction other than Ridgecrest, this agency will without delay, notify the law enforcement agency having jurisdiction over the residence address of the missing person or runaway of the places where the person was last seen and forward a copy of the report to the agency. When the missing person is a child under 16 years of age, or there is evidence the person is at risk, the notification and forwarding of a copy of the report shall be completed within 24 hours.

(G) RUNAWAY JUVENILES FOLLOW-UP INTERVIEW

Upon the return of a runaway juvenile, the responding officer shall make an appropriate investigation and complete a supplementary report.

The officer should interview the parent(s) or guardian and the juvenile regarding reasons for leaving home and the juvenile's activities while away.

If the juvenile's behavior or activities indicate further action is necessary, the appropriate reports and case disposition should be completed by the assigned investigator.

(H) RUNAWAY JUVENILES PARENTAL NOTIFICATION

If the runaway juvenile is held in temporary custody at this Department, the responding officer shall notify the parents or legal guardian without delay.

(I) RUNAWAY JUVENILES NOTIFICATION CANCELLATIONS
The officer taking the supplemental report responsible for clearing all entries made to the Missing Persons File of the National Crime Information Center by completing the supplemental reports required by Records for cancellation of the information in the system.

The investigator assigned a missing or runaway juvenile case shall be responsible for making appropriate notifications to parent(s), guardians, close relatives, other agencies, and the media.

(J) **IDENTIFICATION RECORDS RELEASE**

The assigned officer shall provide the reporting party an approved form to authorize the release of dental records, x-rays, skeletal x-rays, and/or photographs. The authorization requires an immediate release of information within 24 hours, from the dentist, physician, or surgeon, when the missing person is less than 18 years of age, the disappearance involves evidence that the person is at risk, or when the person is not at risk but less than 16 years of age and has been missing at least 14 days.

A parent or guardian of a reported missing child may voluntarily submit fingerprints and other documents for identification purposes to the law enforcement agency accepting the report for inclusion in the original report submitted to the Department of Justice. If the dental records are not submitted to the assigned investigator within ten days, or in the event there is no family member or next of kin willing or able to secure the dental records, the investigator may proceed as follows:

- Complete an original and two copies of the Declaration for Release of Dental Records (Department of Justice Form);

- Deliver a copy of the Declaration for Release of Dental Records to the concerned dentist or dentists and obtain the dental records.

When an investigating officer has obtained the missing person's dental records, the officer shall:

- Forward a copy of the Missing Person Report and the original copy of the dental records to the Department of Justice, and

- Maintain the original declaration for release of dental records form and a copy of the dental records in the investigator's case package.

If the person has not been located within 45 days from the date reported
missing and the dental records have not been obtained, the assigned investigator shall indicate on the Missing Person Report that dental records have not been obtained and forward that information to the Department of Justice.

5.6.18  ABDUCTED CHILDREN PROTOCOL: “AMBER ALERT” BROADCAST

In order to provide a standardized response to incidents of abducted children, the department has established guidelines for the investigation of abducted children. The guidelines are not meant to be all inclusive, but in the event of an Amber Alert Broadcast is needed, the following criteria must be followed:

Responding officer suspects or confirms abduction or kidnapping has occurred. The officer should immediately advise communications and notify a supervisor that the following conditions have been met:

- The child is 17 years or younger;
- Is it an individual (regardless of age) with a proven mental or physical disability?
- The person in imminent danger of serious bodily injury or death, or
- There is information available that, if disseminated to the general public, could assist in the safe recovery of the victim.

An immediate broadcast should be initiated to local law enforcement agencies regarding the circumstances, victim information, and any description of the suspect and/or suspect vehicle.

(A)  AMBER ALERT PROTOCOL

Implement the “Amber Alert” protocol as follows:

1. Patrol officers will conduct a preliminary investigation to determine the facts of the case. If the investigation falls within the criteria, the patrol supervisor shall notify the Watch Commander of the circumstances and establish a command post and request additional personnel.

2. After being briefed on the incident and concurring that the incident falls within the criteria, the Watch Commander shall notify the Field Services Commander and cause the Chief of Police to be notified via the chain of command. The Chief of Police or his designee shall authorize the activation of the AMBER Alert system.

3. Upon approval to activate the system, the Watch Commander shall
notify the Investigations Commander of the circumstances and request a minimum of two detectives to take over the investigation. The Field Services Division shall be responsible for the initial investigation and initial crime reporting. The Investigations Bureau will be responsible for the follow up investigation.

4. The patrol supervisor shall contact the CHP Communications supervisor and the CHP Watch Commander to request their assistance. The CHP shall be directed to respond to the command post to assist and liaison with the Incident Commander/Supervisor.

5. With the assistance of the CHP, notifications will be made thorough the Emergency Alert System (EAS). Information that will be provided should consist of the circumstances of the abduction, suspect description, vehicle description, victim description, possible destination, and any other information that could lead to the safe return of the victim.

6. The Incident Commander/Supervisor, with the concurrence of the assigned Investigator, will prepare and have Records send via CLETS the necessary **EDIS FLASH** teletype. A copy of this teletype shall be kept and placed in the file of the investigation.

7. The patrol supervisor shall establish a Press Relations staging area. This location should be at an appropriate location near to the site of the abduction, but not so close as to interfere with the investigation.

8. The initial reporting officer shall cause a detail log of the process to be kept. This log shall contain the times of notifications along with the names of the persons contacted.

9. Investigators along with the CHP shall determine if the EAS warning will be a local or statewide alert. Upon this determination, the investigators shall ensure that the EAS warning is broadcast. The message shall contain the circumstances of the abduction, suspect description, vehicle description, victim description, possible destination, and any other information that could lead to the safe return of the victim.

10. Upon the discovery of the victim, notifications should also be made. The patrol supervisor shall notify the Watch Commander who will cause the Chief of Police to be notified via the chain of command. Notifications shall also be made to the news media indicating that the victim has been located.

(B) SEARCH
Officers shall conduct a thorough search of the immediate area by:

- conducting a door to door and neighborhood search;
- Extending search to other areas adjacent to the immediate area of abduction;
- Requesting Canine Tracking Services;
- Notifying the Federal Bureau of Investigation and the California Department of Justice, and
- Distributing “Critical Missing/Abducted Child” flyer.

If the investigation becomes extended, appropriate arrangements should be made for replacement personnel, duty times, communications, meals, etc.

5.6.20  ARREST/DETENTION POLICY REGARDING JUVENILES

Officers shall, as a result of personal observation or when a matter is brought to his/her attention, conduct an investigation and take appropriate action regarding public offenses committed by juveniles or conditions dangerous to the minor’s physical or moral well-being.

(Refer to the Ridgecrest Police Department Jail Manual)

5.8  REPORTS

5.8.1  REPORTING REQUIREMENTS

Officers shall conduct an investigation to determine the facts of a reported or observed incident. If the information and/or facts indicate that a crime has occurred or will occur, a written report may be made under the proper classification code. If the facts are brief or unsubstantiated an Officer’s Report may be written. Officers are cautioned that all elements of a crime need not be established in order for a report to be submitted.

It is the responsibility of each employee to ensure that appropriate action is taken and that a report is generated when it becomes known to them that a criminal act or other matter of police interest has occurred within the jurisdiction of this agency.

All members of the Department who come into the control of property and/or evidence during the course of official Department business shall package/tag each item. The circumstances surrounding the recovery/seizure of such items shall be documented on the required report(s) connected to the incident. All property and/or
evidence shall be securely stored in a property/evidence locker connected to the Property Room prior to securing from their shift or detail. Absolutely no property or evidence is permitted to be stored in any employee’s locker. It is the employee’s responsibility to obtain permission from their supervisor to temporarily store any property/evidence in any location other than the property locker. This fact shall be included in the Property Report connected to the case.

5.8.2 REPORT WRITING: MECHANICS

(A) WRITING STYLE

Officers shall write their reports in the manner which most clearly conveys the information intended.

(B) INCIDENT REPORT CONTENT

Personnel shall make every effort to acquire all pertinent information relating to an occurrence and shall record that information accurately within the incident report by completing all applicable informational spaces and writing a clear, precise, and objective narrative.

(C) MANNER OF WRITING

Reports may be either hand printed in black ink or hard lead pencil. Reports may also be typewritten or word processed. Block printing is the authorized method of writing reports. Pens may be of the black ballpoint type and are restricted to the standard size points.

(D) TIME

The military system of time shall be used. This is the 2400 hour system in which 12:01 a.m. is recorded as 0001 hours and progresses by one minute increments through the next 24 hours, ending at 2400 hours (or midnight).

5.8.4 REPORT DETERMINATION

If a doubt exists as to the proper course of action, a verbal report shall be made to a supervisor. Supervisors have the authority and responsibility to review the circumstances presented by subordinates and determines the disposition of the call including whether a formal report or other written record should be made.

5.8.6 INCIDENT REPORT FORMS

Personnel whose duties include writing police incident reports shall ensure that they utilize the proper and currently approved agency report form pertaining to the
occurrence being reported.

5.8.8 RACE CLASSIFICATION FOR REPORTS

Race shall not be used in a police report to describe a victim unless the victim's race is pertinent to the investigation of a hate crime. Suspects, in the context of an investigation or arrest situation, may be identified in the report as W-White, B-Black, H-Hispanic, C-Chinese, I-American Indian, J-Japanese, F-Filipino, O-Other, X-Unknown, or P-Pacific Islander.

5.8.10 OFFICER INVOLVED INCIDENTS

On-duty officers who are victims of crimes shall write their own crime report unless directed otherwise by the Watch Commander.

5.8.12 FIRE INCIDENTS

A field officer assigned to a fire incident may prepare a police report of the incident. The incident and report heading will be classified under the appropriate computer classification code.

5.8.14 ASSIGNMENT OF CASE NUMBER

All original incident reports shall be assigned and shall bear a Case number or and Incident Number. The Case number and Incident Number are issued via the Communications Center.

5.8.16 CASE NUMBERS: GENERAL

The CR number is the official file number of the department’s reporting system. The CR number shall consist of two digits (which designate the last two digits of the year) followed by a hyphen, followed by four digits. CR numbers are sequentially assigned by the Computer Aided Dispatch System. If the system is down, the CR number shall be manually assigned by the dispatcher. For the purposes of this manual, “CR number” is synonymous with “Case number”.

5.8.18 EMPLOYEE RESPONSIBILITY

Department personnel requesting the use of a CR number shall secure and record that number upon all the reports connected with that incident.

5.8.20 CASE NUMBER OBTAINMENT: FIELD UNITS

Employees assigned to field operations shall obtain a CR number through Communications. If a CR number is requested, the employee must submit the appropriate report on the incident.
Employees assigned to non-field operations shall obtain a CR number through Communications.

5.8.22 SUPPLEMENTAL REPORTS AND INFORMATION

All pertinent additional/supplemental information concerning an incident previously recorded upon a Department report bearing a CR number, shall be recorded upon an appropriate report form bearing that same CR number.

5.8.24 REPORT CORRECTIONS: SUPERVISOR

Supervisors shall review submitted reports for content, grammar, and accuracy. If a correction is necessary, it should be completed by the officer before the end of shift. If that is not possible, the officer should be advised to complete the corrections(s) as soon as possible.

1. Employees are prohibited from “holding” reports at the end of their shift/detail without first obtaining permission to do so from their supervisor.

2. Unless otherwise permitted by the Watch Commander, all arrest reports shall be submitted for review and approval prior to the officer completing his shift.

It will be the submitting officer’s responsibility to ensure that corrections are made and that the report be processed in a timely manner.

5.8.26 LOCATION OF OCCURRENCE AND REPORTING DISTRICT NUMBER

Personnel shall include within the appropriate spaces provided the actual location of occurrence and the Reporting District assigned that location. The location at which the report is taken is not necessarily the location of occurrence. When the locations differ, the reporting employee shall indicate within the narrative section of the report where the incident was reported.

Personnel shall not be assigned to take reports outside the corporate limits of the City of Ridgecrest without the expressed consent of the Ridgecrest Police Watch Commander.

5.8.28 SUPERVISOR APPROVAL OF REPORTS

Generally, reports generated by field personnel shall be submitted to the Watch Commander. If a Watch commander is unavailable, officers shall contact the Watch Commander prior to securing from their shift. Other personnel shall submit completed reports to their respective supervisor.

Supervisors shall review each report for completeness, content, clarity, neatness,
objectivity, elements of applicable criminal codes, spelling; report writing time and grammar prior to approval. Reports not meeting Departmental standards shall be returned to the employee for correction.

5.8.30 CLEARANCE OF APPROVED REPORTS

Approved reports shall be placed in the “Report Tray” in the Records Unit. Reports needing immediate attention (i.e., CHP 180s, missing person/juvenile, etc.) shall be brought to the attention of the dispatch personnel for immediate entry into NCIC, CLETS or JDIC.

5.8.32 TELEPHONIC REPORTS: CITIZEN GENERATED

The receipt of citizen generated police reports via telephone is generally not accepted unless approved by a supervisor. When practical, officers shall respond to the victims/Reporting Parties location to take the report.

5.8.34 COURTESY REPORTING PROCEDURES

In the event the victim of a crime that has occurred within another jurisdiction contacts personnel of this agency and requests that a police report be initiated, the seriousness of the crime shall be evaluated prior to action being taken. If the responsible agency is unable to respond to the victim's location, or referral of the victim to that agency would prove an unreasonable inconvenience or hardship, personnel shall advise the Watch Commander who may direct that a courtesy report be taken.

If circumstances exist beyond the victim’s or the responsible agencies control and the time is of the essence, where evidence may be lost or destroyed, and/or the suspect may elude immediate apprehension within our jurisdiction, this Department will assist the victim.

5.10 SPECIFIC INCIDENT RESPONSE

5.10.1 BOMB THREATS: EXPLOSIVES AND INCENDIARY DEVICES

Police personnel responding to reports of explosives or threats will conduct a preliminary investigation to locate a suspected explosive device. If a suspected explosive device is located officer(s) will assume authority and order an evacuation. The dispatcher or on-scene Watch Commander will telephone the Explosive Ordinance Disposal Unit (EOD) at China Lake. Police personnel will assist in facilitating an orderly evacuation of the premises to a safe distance.

All personnel are instructed not to touch any suspected explosive device.

(A) WATCH COMMANDER’S RESPONSIBILITIES AT A BOMB THREAT OR BOMB DEVICE CALL
In all cases of bomb threats, the Watch Commander shall be notified and advised of the circumstances. Sergeants at the scene shall:

1. Coordinate officers' investigations;

2. Quickly determine a staging area for emergency response vehicles (fire, reserve ambulances, EOD, etc.), and

3. Determine staging areas for possible evacuations that will not hinder responding emergency equipment and will not necessitate evacuees having to be relocated.

(B) PROCEDURES AT THE SCENE BY INVESTIGATING OFFICER(S)

Assigned officers shall respond to the scene immediately but with due consideration for the safety and well-being of other traffic on the highway. Upon arrival at the scene, officers should:

1. Park the unit out of the danger zone but as close as possible to the location and immediately turn off your cellular telephone(s);

2. Contact the person having control over the premises, if available, and inform that person that it is under their authority to order evacuation of any other individuals present at the location;

3. Ascertained exactly what was said by the person making the threat;

4. Request a guide familiar with the threatened area to assist in a search;

5. Request additional assistance if needed, and


(C) PROCEDURES WHEN THE DEVICE IS LOCATED

If an explosive device or anything resembling one is found, do not attempt to move or touch it. The listed procedures should be followed:

1. Inform the responsible person to begin the evacuation, if it has not already taken place;

2. Do not transmit via portable radio or unit radio;

3. Request the station to notify the EOD to proceed to the scene;

4. Prevent unauthorized persons from re-entering the premises and see
that they go to, and remain at, a safe distance (Not less than 300 feet), and

5. Request Fire and Paramedic Units to stand by.

(D) PROCEDURES IN CASE A BOMB THREAT IS RECEIVED BY PHONE

All employees are reminded that upon receipt of a bomb threat by telephone, every effort must be made to keep the caller on the line as long as possible while extracting as much information as possible. Unless the caller positively identifies the location of the device, the employee must try to do so through interrogation. The following questions should be asked:

1. What building or office is the bomb in?
2. Where in the office or building: inside, outside, roof, or basement?
3. What does it look like: box, suitcase, pipe, or shoe box?
4. When is it set to go off? Attempt to determine the exact time and date. Pay particular attention to any strange or peculiar background noises which might give a clue as to the caller's location.

Listen closely to the voice (male or female), voice quality, and accent or speech impediment. Record every word and impression immediately and notify your supervisor, as well as dispatching units or other equipment required.

When dispatching the original call and any subsequent communications over the police radio, dispatchers and field personnel are to refer to the call as an “Unusual Occurrence”, rather than using the words “bomb” or “explosive” device.

(E) PROCEDURES WHEN A BOMB EXPLODES

In the event an explosive device is detonated, all necessary emergency equipment should be dispatched. On arrival at the scene, the assigned officer shall:

1. Assist or direct in removing injured persons and render first aid until relieved by medical personnel;
2. Protect the scene from unauthorized persons pending investigation, and

3. Protect the area from looters.

(F) SUICIDE/HOMICIDE BOMBING SCENE

The initial officer who responds to the scene where a bombing has occurred, and a suicide bomber is suspected, shall do the following:

1. Immediately notify the Investigations Bureau and EOD’s Arson/Explosives Unit;

2. Be aware of the possibility of secondary devices and limit scene access to those that must enter. The Investigations Bureau will conduct a preliminary investigation and will be responsible to notify the F.B.I.;

3. Render aid to injured victims and evacuate them from the area. Consider local and mass casualty incident protocols and initiate the same;

4. Do not approach the suspect or suspects remains. There may be an undetonated or partially detonated explosives present or a secondary device(s). Leave the first approach to the suspect for the Investigators no matter how long the wait for their arrival;

5. Establish as large of a crime scene perimeter as practical. As a general rule: immediately look for the furthest blast debris/damage from the blast center, and then double that distance as a minimum crime scene perimeter. Do not decrease scene perimeter until the Arson/Explosives Unit concurs with this decision;

6. Establish a command post and staging area out of the immediate area. Search the command post and staging area for secondary devices prior to establishing these areas;

7. Limit vehicle and personnel access into and out of the blast area/crime scene;

8. Establish a record of all crime/blast scene entries including Fire and EMS;

9. Identify and record all emergency vehicles that enter and leave the crime scene. Leave emergency vehicles in place that are/were inside the crime scene if at all possible;
10. Take overall scene photographs as soon as possible;

11. Do not allow any preliminary examination of crime scene debris formally or informally. Await jurisdictional decisions (most likely FBI) before initiating evidence collection. Vehicle tires and shoes can pick up or damage key blast evidence. It is normal to wait hours or even a day before the crime scene is entered for post blast investigation;

12. While waiting for additional resources, concentrate on the identification and interviewing of witnesses and victims, and general investigation. Determine if the scene has pre-existing hazards or other special considerations;

13. Homicide bombings generally do not create severe structural damage although any scene hazards should be preliminarily assessed and mitigated. Remote mitigation, when possible, is recommended to preserve the crime scene (e.g., turn off damaged electrical or natural gas line from outside the crime scene), and

14. Plan on intensive media response and make provisions for it at or near command post site.

A homicide bomber scenario has the overwhelming potential to create serious injury or death. Casualties should be expected. Therefore, first responders must react decisively but with extreme caution for their own safety as well as the safety of the public. Responders should prepare for a fluid, dynamic situation rather than a static one. First responders could be severely injured or even killed in a homicide bomber situation, so personal safety must be paramount.

5.10.2 INCENDIARY DEVICES

(A) DEFINITION

Normally, these devices can be readily identified. They usually consist of a bottle into which a flammable liquid has been poured. It is then closed with a rag fuse which protrudes enough to allow it to be lit before it is thrown, or it may have a stopper through which a hole has been made and a fuse inserted. Within the fuse a match or matches are inserted in such a way that they will ignite when thrown against something. Another type is a bottle filled with a flammable liquid which has been mixed with an acid. Around the bottle will be wrapped a piece of blotter paper which has been soaked in a chemical and dried. Upon breaking the bottle, the acid reacts with the chemical soaked paper causing combustion.
(B) PROCEDURES WHEN AN INCENDIARY DEVICE IS IGNITED

This is an emergency and units assigned should be authorized to proceed Code 3. Upon arrival at the scene they should:

1. Evacuate the endangered area and remove any injured persons;
2. Request any additional emergency equipment necessary, and
3. Protect the scene from any unauthorized persons pending investigation by Fire Department, Arson, and Police Personnel.

5.10.3 EMERGENCY 911 RESPONSE POLICY

(A) POLICY

The Ridgecrest Police Department will respond appropriately to each 911 call received, in order to ensure the safety of citizens and maintain the integrity of the State of California 911 System.

(B) PROCEDURE

The Ridgecrest Police Department employee answering a 911 call will determine the location of each call together with the nature and call-back number. The Communications Dispatcher will dispatch the appropriate personnel and equipment, if necessary, according to Departmental Regulations and Communications Policy

In the case of a momentary ring, prior to answer, the 911 printer will be checked for the calling number. A call-back will be placed to the number. The reason for dialing 911 and the address of the caller will be determined, if possible.

(C) 911 HANG UP CALLS

1. In the case of a 911 hang up, after answer, a call-back will be placed to the number displayed on the automatic location identifier. The address from the automatic location identifier will be retained for possible dispatch. The reason for dialing 911 will be determined, if possible.

2. Officers will be dispatched to all 911 hang up calls. Dispatchers will attempt to get as much information as possible, including an in house computer search on prior calls for service to the address. The Supervisor shall have the authority to cancel an officer response upon review of the information from the dispatcher.

(D) BUSINESS/RESIDENTIAL 911 HANG UP CALLS
1. Dispatchers shall attempt to call into the residence. If everything sounds calm and is simply a mis-dial or child playing with the phone, an incident will be created and an officer dispatched. The officer will be provided with the information on the call including any prior history at the residence.

2. If there is indication of a disturbance, a minimum of two officers will be dispatched. The prior history and any information that can be obtained either from the caller or background noise will be given to the responding officers. The prior history will be checked and any additional information shall be given to the officers as soon as possible.

3. If the dispatcher is unable to call back into the residence, a minimum of two officers will be dispatched. Prior history will be checked and any additional information shall be given to the officers as soon as possible.

(E) PAYPHONE 911 HANG UP CALLS -

1. Incident is created and officer dispatched. If the payphone is in or in front of a business, the dispatcher shall call the business (if possible) to have them check the area by the phone. If contact is made at the business and they indicate everything is fine by the phone or there are children playing by the phone, this information will be given to the officers while en route.

2. Bottom line. . . . All 911 hang up calls shall have an incident created and dispatched over the radio. The Supervisor shall make the determination to cancel officers.

A NO ANSWER, CONTINUED BUSY, ADDITIONAL HANG-UPS AND INSTANCES WHERE A SATISFACTORY REASON FOR DIALING 9-1-1 CANNOT BE DETERMINED, an officer will be dispatched to the location as soon as possible.

WHERE THE LOCATION IS NOT INDICATED.

1. Every means will be taken to determine the location. This will include checking the cross directory and/or requesting the address from telephone company security.

2. When calling back, identify yourself as "Ridgecrest Police Department". Listen to the background and try to determine if a problem exists. When possible, determine the reason 9-1-1 was dialed. An Officer will be dispatched to the location of the caller to assure the caller's safety unless it is unfounded.
3. When a caller stays on the line and states he or she misdialed, with no extenuating circumstances, an Officer will not be dispatched.

4. Any undetermined nature of call will result in an Officer's response. Officers will check the area of pay phones for suspicious circumstances and attempt to locate a caller. Dispatchers and other Departmental employees will be familiar with TDD devices and be aware of the needs of the hearing impaired. TDD and hearing impaired callers may be conferenced with TDD translation services.

5. Appropriate response codes for Officers will be determined by the nature of the call. Undetermined or suspicious calls will be handled Code 1. Assuring a citizen's safety upon successful call-back may be handled Code 1, depending on other activities in progress and pending.

6. Where and when appropriate, Departmental employees will advise the callers on proper use of 9-1-1.

5.10.4 FIRE/ARSON INVESTIGATION

Personnel who observe a fire shall immediately notify the fire department and take appropriate action to prevent injury or death to any person. Officers should generally not enter structures displaying obvious involvement in flame and/or smoke without proper equipment. In case of life endangerment, officers shall evaluate the potential for a successful rescue against the potential of becoming a victim in need of rescue.

(A) INVESTIGATION RESPONSIBILITY

The Ridgecrest Police Department will assume responsibility for investigating arson fires and fires of suspicious origin, and will, if necessary, request assistance from Kern County Fire Department Arson Unit.

(B) ARRESTS MADE AT FIRE INCIDENTS

When an arrest is made at the scene of a fire incident an investigator should be notified to interview the suspect as soon as practical.

5.10.6 POLICE FACILITY EVACUATION RESPONSIBILITY

In the event an emergency situation arises which necessitates the evacuation of the Police Facility, the Watch Commander shall ensure that an evacuation order is conveyed to all areas of the structure. Responsibility for facility evacuation and area control shall be within the Field Services Division, with the highest ranking officer present assuming command.
(A) POLICE FACILITY EVACUATION PROCEDURE

The Watch Commander shall determine a safe location where evacuated personnel may gather and shall ensure that personnel are directed to the designated location.

Responsibility for those personnel evacuated shall be that of the respective employees’ chain of command. Evacuated personnel shall remain available for deployment as needed. The Watch Commander shall designate personnel to conduct clearance checks of the facility, conditions permitting, to ensure adequate evacuation.

(B) JAIL EVACUATION

Jail personnel shall be immediately notified of any conditions potentially necessitating the evacuation of the Police Facility and Jail. Evacuation plans and map are posted in the booking area and office. The prisoner staging area is outside the sally port in a secure area of the parking lot where a van can be brought for transport if needed. Personnel shall be assigned to the Jail area in the interest of aiding in the evacuation of persons in custody and maintaining security should Jail evacuation appear imminent.

The Watch Commander shall be responsible for supervision of the Jail Facility and evacuation.

5.10.8 THREAT TO POLICE FACILITY

On any occasion, when a threat is posed to the Police Facility and personnel assigned therein, the Watch Commander shall be notified immediately. The Watch Commander may order the facility to be secured, in which case specific personnel shall be directed to secure all access points and to establish an adequate security perimeter around the facility or affected area.

5.10.10 HOSTAGE/BARRICADED SUSPECT SITUATION

When responding to a hostage/barricaded suspect situation, officers shall contain the location, maintain a perimeter, and initiate an appropriate course of action to isolate the suspect(s).

(A) INCIDENT RESPONSIBILITY

The officer assigned as the primary unit shall assume responsibility for the incident until relieved by a superior officer or a designate. Therefore, the primary officer shall assume command of the situation, direct responding units in a coordinated effort to contain the situation, and maintain contact with Communications personnel.
Whether it is the primary officer or an arriving supervisor, the person in command must initiate a course of action. In completing as many of the steps listed below as possible, the primary officer will accomplish the containment and establish control over the situation while setting the stage for the arrival of Specialized Emergency Response Units.

1. Request a supervisor to respond and assume command;
2. Request additional assistance as needed to effectively control the situation;
3. Establish an inner perimeter for location containment which includes the suspect’s entire field of fire;
4. Establish an outer perimeter for crowd and traffic control;
5. Identify assigned personnel and their location;
6. Establish and maintain radio communications with units;
7. Evacuate injured individuals and surrounding areas within the suspect's field of fire;
8. Establish a command post outside of the suspect's line of sight and fire
9. Establish a staging area for emergency response units (fire, reserve ambulances, Kern County Sheriff’s S.W.A.T.), and
10. Initiate intelligence gathering by detaining and interviewing persons who can provide information concerning suspects, hostages, and the premises.

Contact with the suspect by responding field officers should be restricted to encouraging the suspect to surrender. If this initial contact fails, officers should refrain from attempting further dialogue with the suspect until the arrival of trained hostage negotiators. However, when involved in a situation where it is necessary to converse with the suspect, the officers should attempt to calm the suspect and avoid making any demands or promises.

(B) ASSISTANCE OF SPECIALIZED UNITS

During a crisis situation involving hostages or barricaded suspects, the supervisor may request Mutual Aid if necessary.

5.10.12 SPECIAL WEAPONS AND TACTICS TEAM (SWAT)
Through a Mutual Aid Agreement, the Ridgecrest Police Department shall notify the Kern County Sheriff’s Department and request their SWAT when it is apparent that a situation has developed where a Special Weapons and Tactics Team (SWAT) is needed.

When it appears necessary or desirable to utilize a Sheriff’s Department Special Enforcement Team, the procedures for notification are as follows:

- The supervisor shall notify the Field Services Division Commander or the Support Services Division Commander, in that order, of the need for a Special Weapons and Tactics Team at the location, and
- The Chief of Police shall be contacted to obtain final authorization to use the Special Weapons Team.

(A) CALL-OUT PROCEDURE

The Watch Commander shall then contact the Kern County Sheriff’s Station and advise them of the following information:

1. The nature of the request (e.g., barricaded suspect, hostage situation);
2. The address of the incident and a description of the location;
3. The address of the Command Post and the name of the person to whom the Special Weapons Team is to report;
4. The best route to the Command Post without driving past the suspect location;
5. The number of suspect(s) and physical descriptions, including clothing, and
6. The number of hostage(s) and physical descriptions, including clothing.

Requests for the Kern County Sheriff’s Department Special Weapons Team shall be made through Kern County Sheriff’s Department Communications Center.

The Special Weapons Team also requires agencies requesting their services to obtain either a signed consent-to-enter form or a search warrant prior to entering the involved premises.

(B) SPECIAL WEAPONS TEAM STAND-BY
Depending upon the circumstances of the developing incident, the Watch Commander may request that a Special Weapons Team be notified for a stand-by alert while preliminary attempts are made to neutralize or conclude the incident.

When the Special Weapons Team arrives, the supervisor shall provide the ranking Special Enforcement Bureau officer with a thorough briefing regarding the status of the situation.

The supervisor shall remain at the command post for liaison and command over Ridgecrest personnel. Because the Special Weapons Team will provide primary assistance only (i.e., total responsibility to neutralize the situation), Ridgecrest Police personnel will remain in perimeter and provide support as needed.

(C) CONTAINMENT AND INTELLIGENCE PROCEDURES

Prior to the arrival of the Special Weapons Team, the following steps should be completed:

1. Establish an inner perimeter for location containment and an outer perimeter for crowd and traffic control;

2. Establish a command post outside of the view and the line of fire of the suspect with access to a telephone;

3. Establish and maintain communications with all police personnel for control of forces, reassignment;

4. Make contact with the suspect, preferably by telephone;

5. In a hostage situation, do not make any demands or promises. Simply try to calm the suspect;

6. Assign a handling unit to take statements from any victims, witnesses and obtain names and addresses for probable cause purposes;

7. Question anyone who can provide intelligence information concerning the suspect, hostages, or the premises. Make a diagram of the building floor plan, if possible;

8. Evacuate adjoining buildings, and

9. Have fire equipment and an ambulance standing by.
A Special Weapons Team call-out folder setting forth the aforementioned information, check-off list, and activation forms will be maintained in the Watch Commander's office.

5.10.14 DOMESTIC VIOLENCE

It shall be the policy of the Ridgecrest Police Department that domestic violence is criminal conduct, and that a request for assistance in a situation involving domestic violence is the same as any other request for assistance where violence has occurred.

The decision to respond to a request for assistance regarding domestic violence shall be made according to the same standards which govern the decision to respond to similar or identical crimes that do not involve an incident of domestic violence. The standards governing dispatch priorities in domestic violence calls shall be identical to those governing non-domestic violence dispatch priorities, and in no way shall an understanding of the relationship of the parties affect the priority of the call.

Note: As noted in this section, in some instances, the law requires a higher standard when dealing with domestic violence cases.

(A) DEFINITIONS

1. Abuse: Intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable apprehension of imminent serious bodily injury.

2. Domestic Violence: Abuse committed against an adult or fully emancipated minor who is a spouse, former spouse, fiancé, cohabiting, former cohabitant, or a person with whom the suspect has had a child or has had or is having a dating or engagement relationship.

3. Officer: Any Law Enforcement officer employed by a municipal Police Department or Sheriff’s Office, consistent with § 830.1 PC.

4. Victim: A person who is harmed by domestic violence.

5. Primary Aggressor: A person determined to be the most significant, rather than the first aggressor. In identifying the primary aggressor, an officer shall consider the intent of the law to protect victims of domestic violence from continuing abuse, the threats creating fear of physical injury, the history of domestic violence between the persons involved, and whether either person acted in self-defense.

6. Domestic Violence Restraining Orders: Any restraining or
protective orders granted by a municipal or superior court judge as a result of domestic violence or the threat of domestic violence.

(B) LEGISLATIVE INTENT

The Legislature intends that the official response to cases of domestic violence shall stress the enforcement of the law to protect the victim and shall communicate the attitude that violent behavior will not be tolerated.

The existence of the elements of a crime and/or the willingness of the victim to make a private person's arrest, when required, shall be the sole factors that determine the appropriate action. Based upon the facts presented during the investigation, if the law requires that an arrest be made, the officer(s) shall make the arrest(s). The following factors, for example, should not be used to avoid making an arrest:

1. The marital status of the suspect and victim;
2. Whether or not the suspect lives on the premises with the victim;
3. The existence or lack of a Temporary Restraining order or Stay Away Order;
4. The potential financial consequences of arrest;
5. The complainant's history or prior complaints;
6. Verbal assurances that the violence will cease;
7. The complainant's emotional state;
8. Injuries are not visible;
9. Location of incident (public or private), and
10. Speculation that the complainant may not follow through with the prosecution, or that the case may not result in a conviction.

(C) ENFORCEMENT OF LAWS RELATING TO DOMESTIC VIOLENCE

Notwithstanding the laws relating to felony and misdemeanor arrests, if a person commits an assault and battery upon a person described in § 836.5 (d) of the California Penal Code, a peace officer may arrest the suspect without a warrant where both of the following circumstances apply:

1. The peace officer has probable cause to believe that the person to be
arrested has committed the assault or battery, whether or not it has in fact been committed, and

2. The officer makes the arrest as soon as probable cause arises to believe that the person to be arrested has committed the assault or battery, whether or not it has in fact been committed.

(D) PRIVATE PERSONS ARREST

It shall be mandatory that the officer responding to a domestic violence call make a good faith effort to inform the victim of his or her right to make a citizen’s arrest. This information shall include advising the victim how to safely execute the arrest. Whenever possible, this discussion shall be held out of the presence of the suspect.

Officers will accept a private person's arrest arising out of domestic violence on the same basis and criteria as any other private person's arrest. Officers shall neither encourage nor dissuade victims from making a lawful private person's arrest, but may provide factual information if requested or if it is deemed appropriate.

(E) TENANCY

Officers will request a person who is not in lawful possession of the premises to leave when the complainant is in lawful possession of the premise (as exhibited by rent receipts, lease, deed, verification by apartment manager, etc.), and the complainant has requested that the person leave the premises. The officer will stand by for a reasonable period of time until the suspect removes essential belongings.

If the suspect does not leave upon request, the officer may arrest the suspect under Penal Code § 602.5.

If the complainant requesting removal of the suspect cannot show proof of lawful possession, the officer shall provide factual information to complainant on the availability of a temporary restraining order, and advise the complainant to consult a private attorney or the High Desert Women’s Center for further legal advice.

(F) COURT PROTECTIVE ORDERS

There are different types of Restraining Orders issued by a court in domestic violence situations. Penal Code § 13710 requires Law Enforcement Agencies to maintain a complete systematic record of all protection orders with respect to domestic violence incidents, Restraining Orders, and Proof of Service in effect (Domestic Violence Orders System: DVROS). This section also requires that the systematic record shall be used to inform officers responding
to domestic violence calls of the existence, terms, and effective dates of Protection Orders in effect.

Whenever a complainant advises the existence of a Restraining Order, the officer shall make an effort to ascertain:

1. Whether a Restraining Order is on file with the Department;
2. Whether the Restraining Order is still valid as to duration/time;
3. Whether a Proof of Service or prior notice exists or that the suspect was in court when the order was made;
4. Whether complainant has a copy of the order, if not on file with your agency, and
5. The terms of the Restraining Order.

(G) ENFORCEMENT OF COURT ORDER

When an officer is responding to a call alleging a violation of a domestic violence protection order or restraining order, and the officer has probable cause to believe that the person against whom the restraining order is issued has notice of the order and has committed an act in violation of the order, the officer shall make a lawful arrest of the person without a warrant whether or not the violation occurred in the presence of the officer.

In the event the suspect has left the scene of the incident, an investigation will be made to determine if a crime has been committed. If so, a crime report shall be made and the complainant be advised of the follow-up procedure and report number.

(H) STAY AWAY ORDERS

A Stay Away Order is issued in a criminal case involving the probability of victim intimidation. Violation of such order is a misdemeanor under Penal Code § 166.4. In domestic violence incidents in which a person advises an officer that a Stay Away Order has been issued, the officer shall attempt to ascertain the terms of the order and if the order is valid.

Stay away orders are verified by asking the victim to show a copy of the original order. (Victims are requested to carry the order with them at all times.) An officer must verify that the suspect is under the court's jurisdiction, or verify that a Stay Away Order has been issued against the suspect.

(I) ENFORCEMENT OF STAY AWAY ORDER

The Code of Civil Procedure § 540 et seq and § 527.6 requires that all law enforcement officers shall enforce the terms of a verified order. The crime
report shall note the specific violations of the order, and the victim is to be given the police report number for follow-up pursuant to Penal Code § 13701(I).

A violation of the order is a violation of Penal Code § 166.4. This charge is in addition to any other applicable charge, such as assault or battery.

An act of victim intimidation relating to the court proceedings is a violation of Penal Code § 136 et seq. Examples of intimidation include:

1. Attempting to prevent or dissuade a victim from attending or giving testimony at any proceeding, or

2. Using force, or expressing or implying a threat of force related to the court proceeding.

(J) MILITARY SUSPECTS

The intent of this policy is to eliminate all informal referrals, diversions, or report taking omissions in the handling of domestic violence incidents involving military personnel.

If an incident occurs outside of a military facility and within the city boundaries of the City of Ridgecrest, no informal agreements with military police or a suspect’s commanding officer shall take precedence over a suspect’s arrest and prosecution.

(K) VERIFIABLE ORDERS

When the victim is not in possession of the Temporary Restraining Order or Stay Away Order, and/or in cases of computer error, officers may not be able to confirm the order’s validity.

In such cases, Penal Code § 13701 requires that officers shall write a report, give the victim the police report number, and direct the victim to contact the appropriate Agency for follow-up.

When an order is not verifiable through normal procedures, officers shall advise the victim of the right to make a private person's arrest for the appropriate violation and shall refer the complainant to a private attorney for any legal advice.

(L) REPORTING DOMESTIC VIOLENCE INCIDENTS

Officers shall complete a report for all incidents of domestic violence in the same manner as they are required to complete a report for identical or similar
incidents of suspected criminal activity that does not involve domestic violence.

The report shall be identified on its face as a domestic violence incident, and shall be retrievable.

Officers shall identify in the report whether or not weapons were involved (§ 13730(b) PC).

Officers shall provide the victim of the domestic violence incident with the case number of the report, or if not immediately available, explain to the victim how the number may be obtained.

(M) VICTIM ASSISTANCE

Officers should assist in obtaining appropriate medical attention if a complainant claims injury whether visible or not. Officers should assist in making arrangements to transport the victim to an alternate shelter, if the victim expresses a concern for safety, or the officer determines that this is the best course of action. A reasonable amount of time may be used in giving assistance to a victim who wishes to remove essential items of personal property from the location.

(N) EXPLAINING PROCEDURES AND OPTIONS

Legal options available to the victim including the private person's arrest process, Temporary Restraining Orders, and Stay Away Orders, and in cases of arrest, the follow-up procedures and ensuing criminal proceedings should be explained by the officer. Officers shall not give a complainant or any other party legal advice, but shall provide factual general information only, and shall refer complainant to an attorney for legal advice regarding the specific incident. Officers shall not make referrals to any one specific attorney.

Advise the victim of the available community resources and the State Victim Assistance Program.

Officers shall furnish the victim(s) at the scene with a copy of the Departmental Domestic Violence-Victim Assistance general information form.

(O) OFFICER SAFETY

Officers shall exercise reasonable care for the safety of officers and parties involved and no provisions of this policy shall supersede that responsibility.

5.10.16 VICTIMS OF VIOLENT CRIME PROGRAM

The State of California has appropriated funds for compensating victims of violent
crimes and good Samaritans who render assistance, for non-reimbursed medical expenses, wages lost, or other expenses incurred as a result of injury, including benefits to survivors of those killed. Claims are adjudicated by the State Board of Control upon recommendation of the Attorney General at public hearings. The claimant need not personally appear and claims may be honored even in cases where criminal prosecution was not successful.

(A) DEFINITION: VICTIM OF VIOLENT CRIME

A victim of violent crime is any person who sustains a physical injury; or in certain circumstances an emotional injury, as a direct result of a crime. The law excludes vehicle accidents under normal circumstances, but includes assaults with motor vehicles or injuries sustained as a result of any hit and run collision or a violation of California Vehicle Code § 23152 or § 23153 (Driving Under the Influence). A victim of a violent crime may also include a dependent of one who is injured.

(B) POLICE DEPARTMENT’S ROLE

To comply with the requirements of Chapter 5, Article 1 of the California Government Code, § 13955 by establishing a procedure to inform victims of the existence of the Victims of Crime Program. The program is designed to:

1. Help victims/witnesses cope with the emotional trauma following a crime;

2. Assist victims in arranging for emergency food, clothing, and temporary lodging;

3. Provide referrals to appropriate community resources;

4. Help victims/witnesses understand the criminal justice system, and

5. Assist eligible crime victims with applying for compensation for qualifying out-of-pocket expenses from the State Board of Control’s Crime Victim Compensation Program.

(C) OFFICER’S RESPONSIBILITY

Police officers are in the best position to inform victims of crime about the existence of the Victims of Crime Program. When it appears that a victim(s) has sustained physical and/or emotional injuries, or a financial burden as a direct result of a crime of violence, the assigned police officer shall provide referral notice to the victim(s).

Officers shall indicate compliance of notice to the victim(s) on a crime, arrest,
information, follow-up or other appropriate report. If notification to the victim(s) cannot be made, a statement outlining the reason shall be indicated in the report.

Officers do not need to establish eligibility of the victim for this program. The legitimacy of a potential claim will be determined by the State Board of Control based upon an investigation and recommendations from the State Attorney General’s Office.

(D) VICTIM OF VIOLENT CRIME LIAISON OFFICER

The Investigations Bureau supervisor is designated as the department’s Victim of Violent Crime Liaison Officer. It will be the supervisor’s responsibility to ensure that each potential applicant receives information concerning the program and the appropriate forms.

(E) INQUIRIES

Persons inquiring about the Victims of Violent Crime Program shall be referred to:

Kern County
Victim-Witness Assistance Program
Phone: 661-868-4535

Other inquiries may be directed to a number of Victim-Witness Assistance Programs in Kern County. A listing of additional centers may be obtained from the Watch Commander or the Investigations Bureau supervisor.

5.10.18 SEXUAL ASSAULT VICTIMS

Great care and sensitivity must be shown by officers who investigate sexual assault crimes. Every person who reports that he has been the victim of a sexual assault shall be transported to a hospital as soon as practical for an examination, treatment and the preservation of evidence.

(A) OFFENSES

A victim of sexual assault is one who claims to have been the victim of one or more of the following offenses as defined in the California Penal Code:

1. **Rape**: Penal Code § 261;
2. **Unlawful Intercourse**: Penal Code § 261.5;
3. **Spousal Rape**: Penal Code § 262;
4. **Sodomy**: Penal Code § 286;

5. **Oral Copulation**: Penal Code § 288(a), and/or

6. **Sexual Battery**: Penal Code § 289.

(B) **PUBLICATION OF VICTIM’S NAME**

Every victim of a sexual assault shall be informed that their name will be made public unless the victim specifically requests otherwise. If the victim requests that their name remain private, that should be noted in the report and disclosed only to the investigating officer and the prosecutor. Officers shall have the victim read and sign the Department’s designated confidentiality form expressing their desire to keep their name from being made available to the public.

(C) In all instances of a reported sexual assault, the Sexual Assault Response Team (SART) shall be notified as soon as practical.

5.10.20 **EMERGENCY PROTECTIVE ORDER**

An Emergency Protective Order (EPO) is a restraining order which may be issued in a domestic violence case. These orders may be issued telephonically and remain in force until the end of the fifth court day or seventh calendar day.

(A) **RECOMMENDATION**

An Emergency Protective Order may be recommended when an investigating officer determines that an emergency exists, whether the suspect is at large or in custody, in all cases of domestic violence involving threats of violence; and, the investigating officer has reason to believe that there is a high likelihood that the threats of violence will continue or be carried out resulting in harm to the victim and/or household members. (EPO’s may also be issued for child abuse: Family Code §6250).

(B) **OBTAINING AN EMERGENCY PROTECTIVE ORDER**

1. Once the handling officer at the scene determines that an EPO is warranted, the officer shall notify a supervisor of the circumstances. If the supervisor concurs with the handling officer, he shall initiate the application for the EPO and contact the on-call Superior Court representative to obtain the order. Any doubt regarding the justification for the order shall be resolved by contacting the court representative. The on-call court representative may be a judge, commissioner, or court appointed referee.
2. EPO’s may be obtained twenty-four (24) hours a day, seven days a week, whether the court is in session or not.

3. The EPO is self-explanatory. The officer completing the EPO shall indicate the address for the local Superior Court on the top of the order.

4. The EPO shall be distributed accordingly.

5. EPO’s must be served to be valid and an officer must serve them upon request. Violation of an EPO is arrestable under Penal Code §§ 273.6 and 836(C) (1), even when not committed in the officer’s presence.

6. After completing the form, the officer shall serve the order on the restrained party and advise him/her of the conditions of the order. If the restrained party is not present, the law requires that the officer “attempt to serve the order if the restrained party can reasonably be located, or there is a reasonable apprehension of imminent danger.” If the officer cannot serve the restrained party, he should either leave the EPO with the protected party or give it to a supervisor so he can assign the service of the EPO to the next shift. The EPO may be left with the protected party so that the suspect may be served by any responding officer should the suspect return to the location.

7. All incidents in which an officer requests or serves an EPO must be documented in a crime report and shall include:

   (a) The justification for the EPO;

   (b) Whether the restrained party was or was not served;

   (c) The name of the court representative who granted or denied the order;

   (d) The name of the officer who actually served the EPO;

   (e) Whether the victim refused the EPO;

   (f) The location where the restrained party was served;

   (g) The circumstances under which he was served, and

   (h) Any statements made by the restrained party when served.
The first officer arriving at the scene shall make a determination as to whether a criminal act may exist in a dead body investigation. If so, the officer shall:

1. Initiate appropriate action against possible suspects involved in the criminal act and render the location safe;

2. Secure the area and restrict the entry of unauthorized and non-required persons;

3. Preserve the crime scene;

4. If necessary, detain all witnesses, and

5. Request a supervisor to the location as well as additional officers as needed to secure the scene.

(A) SCENE RESPONSIBILITY

The responsibility of the initial investigation and crime scene rests with the primary officer assigned to the incident. Upon the arrival of investigations personnel, the officer shall relinquish the investigation to the investigator(s) and, if requested, remain on scene to assist.

(B) DISTURBANCE OF THE BODY

The remains of the deceased shall not be disturbed or moved from the position or place of death without the permission of the Coroner or an appointed deputy.

(C) NOTIFICATION: WATCH COMMANDER

In all cases, the primary officer shall notify the Watch commander of the circumstances involving a dead body investigation and supply the information necessary for an entry on the Watch Commander's Log.

(D) NOTIFICATION: CORONER

In all cases involving a dead body, first responders shall treat the scene as a potential crime scene by not disturbing it. The officer assigned the call shall be responsible for maintaining the integrity and security of the scene. A field supervisor shall be advised of the call and respond to the location. If the initial investigation reveals that the death is a homicide, or is suspicious, the Watch Commander shall be advised and will notify the Investigations Bureau supervisor. When Investigations Bureau and Crime Lab personnel are on the scene, officers should coordinate responsibility and assignments with them. The Coroner’s Office should be notified as soon as practical.
The Coroner shall be notified:

1. When the deceased died while under arrest, while being temporarily detained, or while under the care or control of Department personnel;

2. When the deceased has not been attended by a physician within twenty days preceding death or when the attending physician is unable to state the cause of death or is unwilling to sign a death certificate;

3. When the deceased died as a result of an accident or injury, past or present;

4. When the death is related to a self-induced or criminal abortion or known or suspected homicide, suicide, or accidental poisoning;

5. When there is any suspicion that the death resulted from the use of narcotics;

6. When the death is in whole or in part occasioned by criminal means;

7. When there is reasonable cause to believe that death was caused by the criminal act of another, and/or

8. When death is due to drowning, fire, hanging, gunshot, stabbing, cutting, exposure, starvation, alcoholism, drug addiction, strangulation, or aspiration.

(E) NOTIFICATION: DETECTIVE

In all cases the Watch Commander shall be responsible for notifying the Investigations Bureau Supervisor of a dead body investigation.

(F) NOTIFICATION: INVESTIGATIONS BUREAU PERSONNEL

Upon determination that the death is of a violent nature, or may involve the criminal act of another, or is suspicious in nature, the Watch Commander shall be responsible for notifying the Investigations Bureau supervisor and request that they to respond the location.

During non-business hours, the Investigations Bureau supervisor shall be notified of the circumstances involved and the need for investigation’s personnel. The bureau supervisor shall then assign off-duty personnel to the investigation.

During the weekend, the Watch Commander or designee shall contact the on call Investigations Bureau supervisor.
The Investigations Bureau supervisor shall be responsible for notifying the Support Services Division Commander and the Chief of Police.

(G) **CORONER AT SCENE**

Upon the arrival of the Coroner, the investigating officer may request that the Coroner refrain from willfully disturbing the body or any related evidence until the investigation is completed.

If requested by the Coroner, Department employees will assist in moving the body from the place of death to the transporting vehicle. However, if the location or condition of the body presents a hardship, this information should be included in the officer's initial call to the Coroner.

(H) **PROPERTY TO CORONER**

The Coroner will take charge of all personal effects, valuables, and the property of the deceased. The primary officer or the investigating officer shall obtain an itemized receipt from the Coroner's Deputy for all property removed from the scene by the Deputy. This receipt shall be attached to the report completed by the officer.

(I) **SUICIDE NOTES**

The original suicide note shall accompany the body to the Coroner's Office. If a copy is desired by investigations personnel, it should be obtained from the Coroner's Office. If the original note is desired for Crime Lab study, it may be picked up at the Coroner’s Office by authorized personnel.

To ensure that suicide notes are in fact the authentic writing and signature of the deceased, investigating officers will attempt to obtain an exemplar for comparison which will accompany the suicide note and the deceased.

(J) **POISONS AND DRUGS**

All poisons, drugs, and their containers suspected of being connected with a suicide shall accompany the body to the Coroner.

(K) **FIREARMS**

All firearms suspected of being suicide weapons shall be seized by the investigating officer and shall be processed as evidence.

(L) **PERSONAL PROPERTY OF THE DECEASED**
Property or evidence related to the investigation and for any subsequent prosecution in a criminal death may be held only with the Coroner's knowledge. A receipt for such property must be given to the Coroner.

(M) **SECURING THE PREMISES**

Pending the arrival of a legally authorized representative of the deceased, the Coroner may lock and seal any doors to the premises.

(N) **REPORTS: PRIMARY OFFICER**

The primary officer shall be responsible for completing an initial report, which contains the facts related to the initial investigation of the incident.

(O) **REPORTS: INVESTIGATIONS BUREAU PERSONNEL**

Assigned investigations personnel shall be responsible for writing the necessary supplemental reports related to the investigation. They will be responsible for the reclassification of the incident should the investigation reveal that the death was other than natural. The investigator shall be responsible for forwarding all necessary reports to the Coroner.

(P) **NOTIFICATION OF NEXT OF KIN**

Whenever possible, the officer assigned to an incident involving a dead body report shall consult with the Watch Commander before making notification to the next of kin. Since the responsibility for notifying the next of kin rests with the Coroner’s Office, such notification will only occur after conferring with the Coroner’s Office. When authorization is granted by the Coroner’s Office to make notification to the next of kin, the Watch Commander shall be responsible for the certainty of notification and for seeing that necessary precautions are taken to cushion the impact as much as possible. These precautions include, but are not limited to the following:

1. The notification shall not be done via telephone;
2. Before notification, whenever possible, every effort shall be made to ascertain the age and health of the recipient;
3. Efforts should be made to secure the company of a relative or friend to be with and support the recipient;
4. The information should be delivered forthrightly but with consideration for the next of kin;
5. Whenever possible, the information should be given in the recipient's home or a private place;

6. A Departmental Chaplain may assist in making notifications whenever possible, and/or

7. If the notification is to be made in another jurisdiction immediately adjacent to this City, the Watch Commander may dispatch an officer from this Department. If this is not feasible, the Watch Commander shall contact the proper law enforcement agency and request that they dispatch an officer to make the notification.

5.10.24 MENTALLY ILL PERSONS

Members of the Ridgecrest Police Department shall aid the mentally ill whenever possible. Our duty is to prevent mentally ill persons from injuring themselves or others.

§ 5150 of the Welfare and Institutions Code provides authority to take custody of and detain mentally disordered persons. It provides for a seventy-two hour detention upon application by a peace officer, health officer, or County physician, to a State or County hospital.

This legal authority is based upon a reasonable cause that the mentally ill person is, "likely to cause injury to him/herself or others" and requires care, treatment, or restraint.

(A) EMERGENCY DETENTION

When a person is taken into custody pursuant to the provisions of §5150 of the Welfare and Institutions Code, that person shall be transported to the designated area hospital or psychiatric unit, if bed space is available. Availability may be ascertained by contacting the admitting office by telephone prior to transportation.

When bed space is not available, the officer(s) may be required to transport the person to a backup facility.

(B) NON-EMERGENT CASES

Non-emergent cases are not normally handled by the police, however, officers may advise a relative or guardian of the proper procedures as follows:

1. Persons requesting information relative to the filing of an application for petition on behalf of the mentally ill person, drug addict, or inebriate, shall be referred to the Kern Medical Center (KMC).
2. If a court order is issued to commit a mentally ill person, this "Order of Apprehension" must be signed by a Superior Court Judge and will be served by the Mental Health Detail of the Kern County Sheriff's Department.

3. Non-emergent cases shall include mentally ill persons who are desirous of committing themselves to the facility. If a mentally ill person of a non-emergency nature is to be admitted, the relative or physician must make their own arrangements for transportation.

(C) NON-DETENTION FIELD SITUATIONS

When an alleged mentally ill person does not meet the requirements for an emergency admission to a hospital or psychiatric unit, the patient (or relative/legal guardian) should be referred to the Kern County Department of Mental Health.

(D) TRANSPORTATION

The mentally ill person shall be transported to the mental health facility in a police unit.

All money and property found on the mentally ill person shall accompany the person to the mental health facility.

(E) TRANSPORTATION: MENTALLY ILL PERSON INJURED

If the mentally ill person has received injuries which require medical attention, the person shall be transported by ambulance to a hospital for emergency treatment. An officer shall follow the ambulance in a unit to the hospital.

After treatment, the mentally ill person shall be transported to the mental health facility in a one officer unit. If the injuries or the condition of the mentally ill person are such that transportation in a police unit is not feasible, the services of a private ambulance may be utilized.

(F) ADMITTANCE TO THE FACILITY

Upon arrival at the mental health facility, the officer shall complete an application for admittance for the mentally ill person. A copy of the form shall be obtained and attached to the officer's report.

The mentally ill person will be examined by a psychiatrist who will make a diagnosis. If the examining psychiatrist does not admit the person, the person
may be returned to the location of the original detention or may be released to a relative or a responsible adult.

Under current law, any designated County Mental Health Facility is required to accept someone who is evaluated as a person requiring treatment under § 5150 WIC. Non-availability of "bed space" is not acceptable as a rejection of someone requiring treatment.

(G) **REFUSED ADMITTANCE**

If the attending physician at the hospital or psychiatric unit refuses the alleged mentally ill person admittance, the alleged mentally ill person shall be released from custody.

(H) **REPORTING PROCEDURE**

When an alleged mentally ill person has been transported by officers to any State or County hospital (regardless of whether the person was admitted or not), an incident report shall be made by the primary officer.

(I) **IMMUNITY FROM CIVIL LIABILITY**

§ 6307 of the Welfare and Institutions Code states: "Any Superintendent or person in charge of the County Psychopathic Hospital, public officer, or public employee, who either admits, causes to be admitted, delivers, or assists in detaining, caring for, or treating any person pursuant to this Chapter shall not be rendered liable thereby, either civilly or criminally."

(J) **CRIMINAL ACTS**

If a supposedly mentally ill person commits a felony or attempts to commit a felony and is subsequently apprehended, the individual may be booked on the specified charge in the same manner as any arrested felon. However, if a subject is determined to be a danger to him/herself, or others, the Watch Commander will determine how the person will be booked and processed.

(K) **RESPONDING TO EMERGENCY SITUATIONS**

When officers of the Ridgecrest Police Department respond to an emergency involving an alleged mentally ill person or become actively involved in an ongoing hostage/suicide/murder, crisis, or potentially life-threatening situation, they may request assistance from a “mental health professional”.

(L) **UNIDENTIFIED PERSONS**

Persons who are found wandering in a bewildered, confused state of mind, with
no identification, and meet the requirements of 5150 WIC (gravely disabled) may be transported to a county mental health facility when all attempts to identify the person have been unsuccessful.

Procedures pertaining to the admittance of this person will be the same as those set forth in the emergency admittance of mentally ill individuals.

(M) NOTIFICATION

In every incident involving the detention or transportation to another agency of a mentally ill person, the officer assigned shall have the responsibility of making a reasonable effort to notify the family of the mentally ill person of the individual's whereabouts as soon as possible. The officer shall record the efforts made and the results in the incident report.

5.10.26 HATE CRIMES: MOTIVATED BY RACE, RELIGION, ETHNICITY OR SEXUAL ORIENTATION

It is the policy of the Ridgecrest Police Department to ensure that the rights guaranteed to all persons, irrespective of race, religion, ethnic/national origin, sexual orientation, gender or disability are protected. The department takes a proactive role in promoting peace and harmony within the community, and ensuring that rights guaranteed by state laws and the U.S. Constitution are protected for all citizens regardless of their race, color, ethnicity, religion, or sexual orientation.

Any acts or threats of violence, property damage, harassment, intimidation, or other crimes designed to infringe upon those rights will be investigated with the utmost priority. When such rights are infringed upon by violence, intimidation, threats or other types of harassment, the Department will use every necessary resource to rapidly and decisively identify, arrest, and prosecute the perpetrators.

(A) INVESTIGATIVE AND ENFORCEMENT ACTION

This Department shall bring the investigative and enforcement forces of the Police Department into quick action following any and all reported or observed incidents of violence or threats directed at an individual, institution or business, motivated all or in part because of race, ethnicity, religion, or sexual orientation. There is to be special emphasis placed on victim assistance and community cooperation in order to reduce victim/community trauma or fear.

It must be remembered that the actions taken by this agency in dealing with incidents of racial, religious, ethnic, or sexually oriented bias are visible signs of concern and commitment to the community on the part of Ridgecrest government and it’s Police Department. The proper investigation of reported incidents of bigotry involving race, ethnicity, religion, or sexual orientation is the responsibility of all Ridgecrest Police Officers. Each officer must be sensitive to the feelings, needs and fears that may be present in the community.
as a result of incidents of this nature.

(B) NOTIFICATIONS

In addition to the procedures for reporting and investigating matters of this nature, the Office of the Chief of Police may conduct a concurrent line of inquiry. Therefore, supervisors/commanders apprized of such an incident will ensure notification as soon as practical to the Office of the Chief of Police.

(C) HATE CRIME DEFINED

A "Hate Crime" is an act or a threatened or attempted act by any person or group of persons to frighten, intimidate, harass, cause physical injury, emotional suffering, or property damage against the person or property of another individual or group which is or appears to be motivated, whether actual or perceived, by race, religion, ethnicity/national origin, gender, disability or sexual orientation. (Reference: California Penal Code §422.6 Misdemeanor Hate Crime; § 422.7 - Felony Hate Crime; § 11411 - Misdemeanor Terrorism; § 11413 - Felony Terrorism).

This definition includes threatening phone calls, hate mail, physical assaults, vandalism, cross burnings or destruction of other religious symbols, and fire bombings. Some incidents may not clearly fit a specific definition. In those cases, a common-sense approach must be used. If an incident appears to be an incident of bias involving race, religion, ethnicity, or sexual orientation, it should be investigated as such. Verification can be made during the investigation.

(D) DEFINITIONS: OTHER

1. **Race:** A group of persons who possess common physical characteristics, e.g., color of skin, eyes and/or hair, facial features; etc., genetically transmitted by descent and heredity that distinguish them as a distinct division of humankind, e.g., Asians, Blacks, Whites, etc.

2. **Ethnic/National Origin:** A group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions, e.g., Arabs, Hispanics, etc.

3. **Religious Belief:** A group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists, etc.(Reference: California Penal Code § 302-Disturbing Religious Meeting; § 594.3 - Vandalism.

4. **Sexual Orientation:** A sexual attraction toward, and responsiveness
to, members of one’s own sex or members of the opposite sex, e.g., homosexuals and heterosexuals.

5. **Gender:** Male, female or transgender (persons who are post operative, in transition from one sex to another).

6. **Disability:** Any person or group of persons with a physical disability, or who are mentally challenged.

(E) **LEGISLATIVE INTENT**

In addition to Penal Code § 15 "Defining A Crime" or "Public Offense," officers should also consider the California legislative "Findings and Declarations" as stated in Penal Code § 11410 in determining whether the incident should be handled as a reportable crime.

"§ 11410: Legislative Findings and Declarations. The Legislature finds and declares that it is the right of every person regardless of race, color, creed, religion or national original, to be secure and protected from fear, intimidation and physical harm caused by the activities of violent groups and individuals. It is not the intent of this chapter to interfere with the exercise of rights protected by the Constitution of the United States. The Legislature recognizes the constitutional right of every citizen to harbor and express beliefs on any subject whatsoever and to associate with others who share similar beliefs. The Legislature further finds however, that the advocacy of unlawful violent acts by groups against other persons or groups under circumstances where death or great bodily injury is likely to result is not constitutionally protected, poses a threat to public order and safety, and should be subject to criminal and civil sanctions."

A good example of what the Legislature means is that name calling and epithets not combined with assault is not considered a criminal act. Penal Code § 422.6 (c) reads, in part:

"...no person shall be convicted of violating this section based upon speech alone, except upon a showing that the speech itself threatened violence against a specific person or group of persons and that the defendant had the apparent ability to carry out the threat."

However, if a non-criminal act is committed, a police response may still be required when members of a particular group feel threatened or intimidated.

(F) **PATTERNS OF INCIDENTS**
Officers must recognize that single incidents such as vandalism or threats may initially appear as less serious when viewed in the larger context of all crime. Incident reports should be reviewed for patterns of incidents occurring at either the same location or directed at a particular individual or group. Very often what may begin as a minor incident escalates into a more serious crime.

(G) CRITERIA FOR DETERMINING HATE CRIMES

Hate crimes are defined as acts directed at an individual, institution, or business expressly because of race, ethnicity, religion, or sexual orientation. Definitive guidelines for hate crime determination are as follows:

1. The hate crime must involve a specific target, such as an individual, residence, house of worship, religious or ethnic organization, or business;

2. Graffiti must be racial, ethnic, religious, or homophobic in nature, such as swastika, KKK, Nazi, or other hate group symbols or slogans, or involve the use of epithets;

3. Bigotry must be the central motive for the attack, rather than economics, revenge, etc., as in other kinds of crime;

4. Any assault against a person, in the absence of other apparent motivation, when initiated with racial, ethnic, religious, or homophobic epithets, will be considered a hate crime;

5. Vandalism to a house of worship, or ethnic, religious, or Gay and Lesbian organization will be considered a hate crime in the absence of evidence of other motives, and

6. Obscene or threatening phone calls, when containing racial, ethnic, religious, or homophobic slurs, are considered hate crimes.

Although the following are of concern because they may reflect intergroup tension, they are not considered hate crimes because they are not aimed at a specific target:

1. Graffiti on freeway overpasses, public phone books;

2. "Punk rock" or gang graffiti, even if accompanied by a swastika;

3. Interracial crimes, such as robbery, assault, or rape, which are motivated by factors other than race, ethnicity, religion, or sexual orientation;
4. Intragroup acts, regardless of graffiti; this includes gang graffiti and other gang acts;

5. Name calling and epithets not accompanied by assault are not considered hate crimes, and

6. KKK, Nazi, or other hate crime rallies, leafleting, or recruiting drives, though reprehensible, are not hate crimes.

(H) PATROL OFFICER RESPONSIBILITIES

When an officer on the scene makes a determination that an incident is biased in nature due to race, religion, ethnicity, or sexual orientation, the following procedures shall be complied with. In conducting the initial investigation, the officer should:

1. Restore order, taking any necessary legal action to gain control of the situation;

2. Notify a supervisor;

3. Respond in a sensitive way to the feelings and needs of the victim(s);

4. If the incident constitutes a definable crime, preserve the crime scene and evidence;

5. Immediately take all appropriate investigative and enforcement action;

6. Determine whether any suspect(s) are present and, if so, take appropriate enforcement measures;

7. Identify any witnesses or others who have knowledge of the crime. Make contact with residents in the neighborhood and seek information regarding the incident;

8. Comfort the victim as much as possible. Allow the victim to communicate his immediate concerns and feeling;

9. Express empathy for the victim and show a sincere interest in his well-being;

10. Express the department’s official position on the importance of these cases, the measures that will be taken to apprehend the perpetrator(s), and the officer’s and department’s interest in the victim’s well-being;

11. Notify the Investigations Bureau when any physical violence against
person or property occurs that is motivated by religion, ethnicity, race or sexual orientation;

12. Assist the victim in identifying and contacting community-based individuals or agencies that may provide support and assistance. These may include family members or close acquaintances, clergy, or agencies that provide counseling, shelter, food, clothing, child care, or other related services as needed, and

13. Prepare a detailed crime report, photographs, or administrative memorandum, as appropriate.

(I) WATCH COMMANDER RESPONSIBILITIES

The field supervisor shall respond immediately to the scene of all incidents covered by this policy. If the incident constitutes a definable criminal offense, the field supervisor shall be responsible for the following:

1. Respond to the scene and ensure that the crime scene is protected;

2. Determine if the crime/incident should be classified as a hate crime;

3. Ensure that the scene is properly processed and evidence is gathered;

4. If the incident is classified as a hate crime, notify the hate crime coordinator (Investigations Bureau supervisor);

5. Ensure that Investigations personnel are notified, if their presence at the scene serves the best interest of the investigation;

6. Notify the Field Services Commander who shall notify the Chief of Police;

7. Personally assure the victim(s) that the investigation will be actively pursued to apprehend the suspect(s);

8. Arrange for an immediate increase of patrols throughout the affected area. If in the judgment of the patrol supervisor there still exists the potential for further acts of violence, a unit should be specifically assigned to the location in a fixed post position;

9. Ensure that all physical remains of the incident are removed after processing is completed. If the remains cannot be removed (example: paint on walls), the supervisor shall attempt to impress upon building or property owners the need for complete restoration as soon as possible;
10. Ensure that the crime report contains full data on the materials used (cross, literature, paint, etc.), including size, construction, wrappings, messages; plus the method of removal and the disposition of the remains;

11. Ensure that a copy of the crime or administrative report is provided to the Support Services Division Commander as soon as practical, and

12. Maintain contact with community leaders at the scene concerning the progress of the investigation.

(J) CRIME REPORTS

Whenever responding officers determine the acts complained of constitute a hate crime, the assigned officer shall make a crime report using the Department approved format and crime classifications. When completing a crime report, it is important that relevant information concerning race, ethnicity, religion, or sexual orientation concerning all persons involved be indicated in the crime report.

(K) OFFICER’S REPORTS

All other reported incidents not amounting to a crime shall be documented in an Officer’s Report. The same relevant information concerning the race, ethnic, religious, or sexual orientation of persons involved must be included in the Officer’s Report. This information will be utilized for follow-up and appropriate referrals to mutually concerned agencies.

(L) WATCH COMMANDER NOTIFICATIONS

Notify the Watch Commander as soon as possible of the following information (when applicable):

1. Any disturbance, physical violence, or destruction of property that is racially, religiously, ethically, or homophobically motivated;

2. The type of vandalism and the materials involved;

3. The exact time and location of the incident;

4. The type of neighborhood (racial, ethnic, and socio-economic make-up), and

5. Whether arrests are imminent, or the names, addresses, date of birth, sex, and race of any persons arrested.

(M) INVESTIGATIONS BUREAU RESPONSIBILITIES
Investigations personnel shall, upon being directed by a commanding officer or a designate respond to the scene of all incidents covered by this order and shall (when applicable):

1. Conduct a thorough, on-site investigation to determine what evidence is required to ensure a successful arrest and prosecution of the criminal offender(s);
2. Ensure that all physical evidence is recorded, photographed, and gathered by designated personnel generate appropriate and necessary supplemental crime reports;
3. Contact appropriate state and/or local law enforcement agencies for assistance with serious cases;
4. Maintain liaison with the Special Enforcement Unit for intelligence information exchange, and
5. Keep the arresting officer informed of the status of the case.

(N) DETECTIVE RESPONSIBILITIES

The Detective assigned to investigate the case shall:

1. Conduct a parallel inquiry into all confirmed hate-motivated incidents involving race, ethnicity, religion, or sexual orientation and report the facts of such incidents directly to the Bureau Manager. Additionally, the investigator shall respond to the scene of any hate or bias incident;
2. Coordinate inquiry efforts with other assigned police personnel in a cooperative and professional manner;
3. Report the inquiry findings, as soon as practical, directly to the Bureau Manager and, where appropriate, make recommendations for further actions;
4. Make a follow-up visit to ensure the victim that the police are doing everything possible to eliminate the fear factor and apprehend the suspect(s);
5. Maintain contact with community leaders concerning the progress of the investigation;
6. Ensure that victims and other concerned parties are informed of a case clearance;
7. Maintain liaison with federal, state, and local agencies for intelligence information exchange. When appropriate, share relevant information with Department personnel so that they are aware of potential problems in the community and can perform in a proactive manner, and

8. On a routine basis, meet and work with community members, leaders, or groups such as the Kern County Human Relations Commission and other human relations organizations to assist, coordinate, and facilitate the efforts of those involved in preventing the recurrence of these types of hate crimes.

Detectives shall also take the lead role in providing ongoing assistance to the crime victim(s) which includes:

1. Contacting the victim periodically to determine whether he is receiving adequate and appropriate assistance, and

2. Providing ongoing information to the victim(s) about the status of the criminal investigation.

The Ridgecrest Police Department firmly believes that meetings with group representatives often provide positive mutual confidence, through which rumor can be quelled with factual information. This trust is crucial to preventing community unrest, which is often based on misinformation or lack of information. Immediate contact with community leaders is essential to maintaining order.

(O) CRIME PREVENTION/COMMUNITY RELATIONS

Crime prevention and community relations are a vital component in the department’s success in the endeavors to enhance the perception of safety within the city. To that end, the Investigations Bureau Manager’s involvement in the “hate crime” investigation and follow-up process is critical. The manager’s involvement will assist in maintaining the integrity of the police/community partnership.

Since this is a vital component in the department’s success, the Public Information Manager will be responsible for:

1. Expressing the department’s concern for and response to hate crimes/incidents;

2. Identifying impacted groups to allay fears and relay the department’s concern for public safety;

3. Providing safety, security, and crime prevention information regarding
hate crimes/incidents;

4. Ensuring that a process is in place to provide direct and referral assistance to the victim and his family;

5. Participating in public meetings on hate-related threats and violence in general, and

6. Establishing liaison with local community organizations and leaders.

5.10.28 MEGAN’S LAW: INFORMATION AND DISSEMINATION POLICY

California Megan’s Law was enacted in September, 1996 and established a procedure for the dissemination of information pursuant to sex offenders (California Penal Code §§ 290 and 290.4). The purpose of the law is to allow law enforcement agencies to give notice to members of the public regarding sex offenders.

The California Department of Justice has categorized each registered sex offender as Serious, High Risk, or Other. Megan’s law only allows for the disclosure of Serious and High Risk Sex offenders.

(A) SERIOUS SEX OFFENDERS

A registrant convicted of a felony sex offense except those listed in the “other” category listed in subsection (C).

(B) HIGH RISK SEX OFFENDERS

A registrant who has been identified by the Department of Justice as having a higher risk of re-offending and who may pose a greater risk to the public.

(C) OTHER REGISTERED SEX OFFENDERS

Other registered sex offenders who are misdemeanants [except misdemeanor child molesters as listed in Penal Code § 647.6 and § 288 subsection (C)]. Also includes felons convicted of repeated indecent exposure, pornography and related offenses and spousal rape. (Information on these individuals may not be released to the public.

(D) RELEASE OF INFORMATION TO THE PUBLIC

Megan’s law authorizes police agencies to release information regarding serious and high risk sex offenders. Before an officer publicly releases information, he must reasonably suspect that a child or other person may be at risk from the serious and /or high risk sex offender. Prior to any release of information, an officer must receive approval from a supervisor.
(E) TYPE OF INFORMATION RELEASED

The Ridgecrest Police Department may disclose any or all of the information permitted by Penal Code § 290.45(B)(4) which includes the sexual offender’s with full access internet status:

1. Full name and known aliases;
2. Address;
3. Gender;
4. Race;
5. Physical description;
6. Photograph;
7. Date of birth;
8. Crimes resulting in registration under this section;
9. Description and license number of the offender’s vehicle or vehicles, or vehicles the offender is known to drive;
10. Type of victim targeted;
11. Dates of crimes resulting in classification under this section;
12. Relevant parole or probation conditions;
13. Date(s) of release from confinement, and

The Ridgecrest Police Department may disclose any or all of the information permitted by Penal Code § 290.45(B)(4) which includes the sexual offender’s with zip code only access internet status:

1. Full name and known aliases;
2. Zip Code;
3. Gender;
4. Race;
5. Physical description;

6. Photograph;

7. Date of birth;

9. Crimes resulting in registration under this section.

- Information regarding the offender’s victim(s) may not be released.

- Law Enforcement may not acknowledge any sex offender that is listed as a “NO POST” on internet.

(F) DISCLOSURE OF ADDRESS

The Department will not disclose the address (residence or business) of the sex offender without the approval of the Chief of Police. The release of the offender’s address(es) shall comply with the provisions of § 290.45 of the Penal Code.

(G) WARNING REQUIRED

When releasing information to the public, a warning shall be included stating that the purpose of the information is to allow members of the public to protect themselves and their children from sex offenders.

Members of the public should be informed that it is illegal to use such information to commit any crime against any sex offender or to engage in illegal discrimination or harassment against any sex offender pursuant to Penal Code § 290.4 (A).

(H) PUBLIC ACCESS TO INFORMATION

All citizens who are at least 18 years old, a California resident and not a §290 PC registrant, may request information regarding a sexual offender and view the Megan’s Law website provided by the Department of Justice for that purpose. Information will not be provided over the telephone.

5.10.30 RACIAL PROFILING

It is the practice of the Department to provide law enforcement services to the community and enforce the law equally without discrimination toward any individual(s) or group because of race, ethnicity, or nationality.
(A) **DEFINITION**

“Racial Profiling” is the practice of stopping or detaining any individual(s) based solely upon the individual(s) status as a protected class of people without any suspicion of criminal activity.

(B) **PRACTICE**

Racial profiling is illegal pursuant to California Penal Code § 13519.4(e) and will not be tolerated by the department.

It is the responsibility of every member of the department to prevent and report and respond appropriately to clear discriminatory or biased practices.

While the practice of “racial profiling” is prohibited, it is recognized that in certain circumstances, a protected class may be legitimately considered in combination with other legitimate factors to establish reasonable suspicion or probable cause.

### 5.10.32 PROCEDURES FOR THE THREAT OF TERRORIST ACTIVITY/CIVIL UNREST

The Ridgecrest Police Department has adopted the United States Department of Homeland Security’s five-level Threat Conditions System to address the threat of terrorist activity, the potential for public discord, and the resultant facility security procedures.

The Support Services Commander assigned to the Office of Chief of Police shall be assigned to liaison with other government agencies whose purpose it is to assess intelligence information, determine the threat levels, and distribute intelligence information. Based upon intelligence information the response procedures will be implemented at the direction of Department management.

The following Threat Conditions each represent an increasing risk of terrorist attacks. Beneath each Threat Condition are some suggested Protective Measures, recognizing that the heads of Federal departments and agencies are responsible for developing and implementing appropriate agency-specific Protective Measures:

1. **Low Condition (Green)**. This condition is declared when there is a low risk of terrorist attacks. Federal departments and agencies should consider the following general measures in addition to the agency-specific Protective Measures they develop and implement:

   (a) Refining and exercising as appropriate preplanned Protective Measures;

   (b) Ensuring personnel receive proper training on the Homeland Security
Advisory System and specific preplanned department or agency Protective Measures, and

(c) Institutionalizing a process to assure that all facilities and regulated sectors are regularly assessed for vulnerabilities to terrorist attacks, and all reasonable measures are taken to mitigate these vulnerabilities.

2. **Guarded Condition (Blue).** This condition is declared when there is a general risk of terrorist attacks. In addition to the Protective Measures taken in the previous Threat Condition, Federal departments and agencies should consider the following general measures in addition to the agency-specific Protective Measures that they will develop and implement:

(a) Checking communications with designated emergency response or command locations;

(b) Reviewing and updating emergency response procedures, and

(c) Providing the public with any information that would strengthen its ability to act appropriately.

3. **Elevated Condition (Yellow).** An Elevated Condition is declared when there is a significant risk of terrorist attacks. In addition to the Protective Measures taken in the previous Threat Conditions, Federal departments and agencies should consider the following general measures in addition to the Protective Measures that they will develop and implement:

(a) Increasing surveillance of critical locations;

(b) Coordinating emergency plans as appropriate with nearby jurisdictions;

(c) Assessing whether the precise characteristics of the threat require the further refinement of preplanned Protective Measures, and

(d) Implementing, as appropriate, contingency, and emergency response plans.

4. **High Condition (Orange).** A High Condition is declared when there is a high risk of terrorist attacks. In addition to the Protective Measures taken in the previous Threat Conditions, Federal departments and agencies should consider the following general measures in addition to the agency-specific Protective Measures that they will develop and implement:

(a) Coordinating necessary security efforts with Federal, State, and local law enforcement agencies or any National Guard or other appropriate armed forces organizations;
(b) Taking additional precautions at public events and possibly considering alternative venues or even cancellation;

(c) Preparing to execute contingency procedures, such as moving to an alternate site or dispersing their workforce, and

(d) Restricting threatened facility access to essential personnel only.

5. **Severe Condition (Red).** A Severe Condition reflects a severe risk of terrorist attacks. Under most circumstances, the Protective Measures for a Severe Condition are not intended to be sustained for substantial periods of time. In addition to the Protective Measures in the previous Threat Conditions, Federal departments and agencies also should consider the following general measures in addition to the agency-specific Protective Measures that they will develop and implement:

(a) Increasing or redirecting personnel to address critical emergency needs;

(b) Assigning emergency response personnel and pre-positioning and mobilizing specially trained teams or resources;

(c) Monitoring, redirecting, or constraining transportation systems, and

(d) Closing public and government facilities.

5.10.34 **EXPOSURE TO COMMUNICABLE DISEASE**

Public safety personnel routinely come into contact with members of the public. At some point, it is predictable that Police Department personnel will come into contact with a person who has an infectious disease, such as Acquired Immune Deficiency Syndrome (AIDS), Hepatitis, Rubella, or other communicable diseases. There are reported instances in which safety personnel and medical personnel have been exposed to the A.I.D.S. virus as a result of handling blood samples with ungloved hands (particularly where skin disorders have left broken skin), splashing of contaminated blood into the mouth and nose, or piercing of the skin with a contaminated needle.

As a result, extreme caution should be exercised and proper procedures shall be utilized when dealing with blood, items stained with blood or other bodily fluids, and persons of high-risk groups.

This policy has been developed so the Ridgecrest Police Department may manage those things which we can reasonably predict will occur in the performance of our duties, and protect Departmental personnel from unnecessary exposure to communicable diseases.
(A) DEFINITIONS

1. **Blood:** Refers to human blood, blood components, and products made from human blood.

2. **Blood borne Pathogens:** Pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, Hepatitis B Virus (HBV) and Human Immunodeficiency Virus (HIV).

3. **Airborne Pathogens:** Pathogenic microorganisms that are present in airborne particles, known as droplet nuclei, that include, but are not limited to Tuberculosis bacterium.

4. **Communicable Disease:** An illness due to a specific infectious agent which occurs through transmission of that agent (directly or indirectly) from an infected animal or object to a susceptible host. Cardinal signs of a communicable disease include: fever, skin rash, and/or weeping lesions, jaundice, diarrhea or cough.

5. **Contaminated:** Refers to the presence or the reasonably anticipated presence of blood or other potentially infectious materials.

6. **Decontamination:** Refers to the use of physical or chemical means to remove, inactivate, or destroy blood borne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use, or disposal.

7. **Exposure Incident:** A specific eye, mouth, or mucous membrane, non-intact skin, or “parenteral” (see #11) contact with blood or other potentially infectious materials that result from the performance of an employee’s duties. In the case of Tuberculosis, an “exposure incident” means sharing the same breathing space with someone who has the TB disease in the communicable stage.

8. **Washing/Cleansing Facility:** A facility providing an adequate supply of running potable water, soap, and single use towels.

9. **Occupational Exposure:** Reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials, or in the case of tuberculosis, reasonably anticipated inhalation of TB bacterium that may result from the performance of an employee’s duties.
10. **Other Potentially Infectious Materials:** Includes the following body fluids: semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluids, pericardial fluid, peritoneal fluid, amniotic fluid, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids; any unfixed tissue or organ (other than intact skin) from a human (living or dead); and HIV containing cell or tissue cultures, organ cultures, and HIV or HBV containing culture medium or other solutions/ fluids which may be contaminated with HIV or HB.

11. **Parenteral:** Piercing mucous membranes or the skin barrier through such events as needle sticks, human bites, cuts, and abrasions.

12. **Personal Protective Equipment:** Specialized clothing or equipment worn by an employee for protection against a hazard. General work clothes (e.g., uniforms, pants, shirts, or blouses) not intended to function as protection against a hazard is not considered to be personal protective equipment.

13. **Regulated Waste:** Liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated blood or other potentially infectious materials.

14. **Universal Precautions:** An approach to infection control. According to the concept of “Universal Precautions”, all human blood and certain human body fluids are treated as if known to be infectious for HIV, HBV, and other blood borne pathogens.

(B) **MINIMIZING EXPOSURE**

All safety personnel and "High Risk Exposure" civilian personnel will be provided with appropriate training and protective equipment to minimize exposure to communicable diseases.

(C) **INFECTIOUS DISEASE PRECAUTIONS**

The department recognizes that police officers and support personnel may, in the performance of their duties, come into contact with persons who are carriers of communicable diseases. It is the policy of this department to establish procedures, and supply equipment designed to reduce the risk to personnel during such exposure, in accordance with the O.S.H.A. “Exposure Control Plan”, and recommendations of the Kern County Department of Health Services.
The need for such protection and action will most likely arise with an employee who is the first responder on the scene of a medical emergency who may render first aid and, or apply Cardio-Pulmonary Resuscitation (CPR), or: an employee who is either detaining, searching, arresting or transporting persons who appear to be carriers of a communicable disease, or; an employee who is supporting the above high risk personnel.

(D) UNIVERSAL PRECAUTIONS

Universal precautions shall be observed to prevent contact with blood or other potentially infectious materials. Under circumstances in which differentiation between body fluid types if difficult or impossible, all body fluids shall be considered potentially infectious materials. Discretion should be used to limit exposure to contagious diseases.

Personnel shall not eat, drink, or smoke at incidents/crime scenes where exposed bodily fluids are present or other contagious factors exist.

Personnel should be aware that certain prescribed medications, such as steroids and asthma medications, suppress their immune systems and make them more susceptible to infectious disease. Personnel should consult with their private physicians if they are taking prescription drugs.

Pregnant employees should be advised to report to their physician any direct contacts with bodily fluids in the line of duty. Infectious viruses can cause severe problems in newborns.

(E) PROTECTIVE EQUIPMENT

Personal protective equipment shall be worn when it can be reasonably anticipated that personnel may have contact with blood other potentially infectious materials. Personal protective equipment shall not be reused, and shall be disposed of in the manner described in this policy.

1. **Gloves:** Protective disposable, single use gloves and other infectious disease control materials should be used to prevent transmission of contagious diseases. Direct contact with blood and other bodily fluids should be avoided whenever possible. Officers should carry protective disposable gloves while on their tours of duty.

2. **Masks, eye protection and face shields:** Masks used in combination with eye protection devices, such as goggles or glasses with solid side shields, or chin length face shields shall be worn whenever splashes, spray, splatter, or droplets of blood or other potentially infectious materials may be generated and eye, nose, or mouth contamination can be reasonably anticipated.
3. **Container:** Specimens of blood or other potentially infectious materials, including contaminated evidence, shall be placed in a container which prevents leakage during collection, handling, processing, storage, transport, and/or shipping.

(F) **INFECTIOUS DISEASE TRAINING**

The Personnel and Training Bureau shall be responsible for disseminating updated information and coordinating additional roll-call and/or in-service training.

(G) **SUPPLIES**

Bureau commanders will be responsible for the inventory and dissemination of supplies for infectious disease control. They will also initiate re-ordering procedures before supplies become depleted and maintain an adequate supply of materials.

Personnel using supplies stored in Police Department vehicles are responsible for replacing them. Protective gloves, other first aid supplies, and disinfecting materials will be made readily available at all times.

(H) **SEARCH OF SUSPECTED PERSONS**

Persons of high-risk groups should be treated with caution. Where violence or an altercation is likely, protective disposable gloves should be worn. Extreme caution should be used during the search of suspected drug users or dealers, to prevent accidental skin punctures by needles. Extreme caution must also be used when reaching into areas where visibility is difficult, such as under car seats.

After the completion of the task or search where protective disposable gloves were utilized, the gloves should be removed with caution, placed in a plastic bag, and securely sealed. Upon returning to the station, personnel shall place the sealed bag into a designated "contaminated item receptacle."

(I) **TRANSPORTATION OF CONTAMINATED PERSON**

Whenever it is necessary to transport subjects who have blood or bodily fluids present on their persons or clothing, a supervisor shall be notified. An ambulance should be requested when it is necessary to transport a subject to a health care facility.

Subjects with blood or bodily fluids exposed on their persons should be transported separately from other subjects when possible.
(J) **CUSTODIAL CARE**

Subjects taken into custody with blood or bodily fluids exposed on their persons shall be taken directly to and placed in a designated holding area for processing.

Jail personnel will be responsible for ensuring that the cell is properly sealed off and disinfected.

(K) **VOLUNTARY STATEMENT OF PERSON**

Personnel have an obligation to inform others (Fire fighters, Paramedics, Jailers, Hospital Staff, other Law Enforcement Personnel) whenever a change of custody occurs, and there is blood or bodily fluids exposed, or the subject has made a voluntary admission of a contagious disease.

Personnel shall indicate on booking sheets and crime/incident reports when a subject taken into custody makes a voluntary statement regarding being the carrier of a contagious disease. Verbatim statements should be included in the narrative portion of the report. Additionally, a notation should be made on report forms when subjects have blood or bodily fluids exposed on their persons or clothing (i.e., "Bodily Fluids exposed").

(L) **REPORTING PROCESS**

If a complainant alleges to have been intentionally infected with a contagious disease, personnel responding to the call shall request a supervisor to respond to the scene. A written report of the incident shall be made, and assigned to the appropriate investigations bureau for follow-up.

(M) **VEHICLE DISINFECTION**

Disinfection procedures shall be taken after blood or other bodily fluid discharges into a police vehicle.

A supervisor shall be notified, and the vehicle shall be taken to the station as soon as possible. Depending on the circumstances and location of the vehicle, the supervisor may elect to have the vehicle towed to the station.

The supervisor shall determine if the vehicle is to be taken out of service, pending disinfection. If there is a small amount of blood or other bodily fluid, the supervisor may elect to have the vehicle immediately cleaned by an appropriate source, and returned to service. The supervisor shall ensure that the disinfection procedures are adhered to, if the vehicle is to be immediately cleaned and returned to service.

If city personnel are involved in the cleaning, the recommended disinfection
procedures are as follows:

1. **Protective disposable gloves shall be worn during all phases of disinfection.** Police Department personnel and maintenance personnel should be aware that rings, jewelry, or long fingernails may compromise the structural integrity of the gloves. Personnel should make certain the gloves are not torn before they attempt any phase of the maintenance process;

2. Any excess of blood or bodily fluids should first be wiped up with a disposable paper towel. Afterwards, the absorbent materials should immediately be placed in a plastic bag, sealed, and then placed in a designated "Contaminated Item Receptacle";

3. A broad spectrum activity virucidal-germicidal solution shall be prepared according to the prescribed standards. The affected area shall be cleansed with the virucidal-germicidal solution and allowed to air dry for ten minutes;

4. All disposable contaminated cleaning items shall be placed in plastic bags, sealed, and placed in the designated "Contaminated Item Receptacle";

5. Personnel shall be careful not to contaminate themselves during this cleaning regimen or when taking off their disposable protective gloves, and

6. All Police Department vehicles scheduled for periodic washing and maintenance will be routinely cleaned in the interior with the approved virucidal-germicidal solution.

(N) **HANDLING BLOOD OR BODILY FLUID AND EVIDENCE**

Evidence containing suspected blood or other bodily fluids should be handled with gloves. If the stain or sample is dry, it should be placed in a paper bag. A proper evidence tag and an evidence processing request should be affixed to the outside of the package. Evidence consisting of needles and syringes should be placed in available plastic tubes and sealed. The sealed tube(s) should then be marked with a tag, and a processing request completed.

Liquid evidence samples should either be collected as a liquid and stored in a sealed bottle or, if located on clothing or similar materials, should be air-dried and packaged as described above.

Always wash thoroughly with germicidal soap and water after handling any items suspected of being contaminated with blood or other bodily fluids. Wash
even if you have worn gloves.

Personnel working in areas for extended periods of time, where blood and other bodily fluids have been shed (for example, crime scene personnel working for prolonged periods of time at homicide scenes) should wear anti-contamination clothing such as jumpsuits, masks, boot covers, and gloves.

Property Unit personnel shall adhere to a precise regimen when handling, processing, and storing potentially infectious disease contaminated evidence/property.

Any clothing or evidence known to be contaminated with suspected A.I.D.S., Hepatitis B or other contagious diseases will be placed in a specified area and clearly labeled. Label in this manner: "Known A.I.D.S.,” "Known Hepatitis B,” etc.

All bloody clothing shall be treated as if it is contaminated.

All bloody clothing or evidence, and sacks containing the clothing or evidence, will be handled with protective disposable gloves.

(O) DECONTAMINATION

If an on-duty employee’s uniform or garment(s) is penetrated by blood or other potentially infectious materials, the uniform or garment(s) shall be removed immediately or as soon as feasible. Every officer is required to have a replacement uniform at the Police department so that the contaminated uniform can be packaged for cleaning or replacement. Contaminated uniforms should be rinsed in cold water to prevent the setting of blood stains and then placed in a plastic bag and sent to a professional dry cleaner. The dry cleaner should be alerted that the uniform has been contaminated with blood and/or other body fluids.

An antiseptic cleaning solution (1:10 solution of bleach to water) may be used to clean such items as handcuffs, baton, flashlight, pocket masks, protective eye wear, etc.

Personnel shall wash their hands immediately or as soon as feasible after removal of gloves or other personal protective equipment. When provisions for washing facilities are not immediately available, personnel shall utilize an appropriate antiseptic hand cleaner in conjunction with clean paper towels and/or antiseptic towelettes. When antiseptic hand cleaners or towelettes are used, hands shall be washed with soap and running water as soon as feasible.

Eating, drinking, smoking, applying cosmetics or lip balm, and handling contact lenses are prohibited in work areas where and while there is a situation which is
likely to produce an occupational exposure until such time as the area has been cleaned and disinfected. This includes, but is not limited to, the patrol car, jail, interview rooms, report writing area, or any other area where a prisoner might be taken.

(P) REGULATED WASTE

All contaminated “Personal Protective Equipment”, except those personal items listed and handled in a manner specified in this policy, shall be collected at the scene, and placed into a properly labeled “biohazard” material bag or container. The material should be disposed of as soon as possible in one of the following ways:

1. Utilizing “on-scene” Kern County Fire Department disposal containers, as approved by fire personnel, and

2. Utilizing the department biohazard waste container, this will be located in a protected, yet accessible, location within the department. The department property custodian will have the responsibility for subsequent disposal as soon as practical.

(Q) LINE OF DUTY EXPOSURE TO INFECTIOUS DISEASES OR CONTAMINATED MATERIALS

Documentation will be prepared when on duty personnel have a cause to believe they have had a high risk exposure to a person possibly having a contagious disease. A supervisor shall be contacted and an incident report detailing the extent of the exposure will be completed.

Health Services will evaluate personnel both clinically and serologically for evidence of infection. Personal physicians may examine employees who so desire it, provided the Personnel Department has been notified in writing.

Personnel experiencing a high risk exposure shall complete a Record of Possible Contamination with Reportable Disease or Condition Form in addition to an incident report.

(R) CONFIRMED EXPOSURE TO COMMUNICABLE DISEASE

Personnel who have been notified by the Kern County Health Department of confirmed exposure to a subject with a contagious disease shall immediately contact the Worker’s Compensation representative with the City Personnel Department.
(S) TESTING AND TREATMENT

The City Personnel Department has made a series of tests available (as recommended by the County Health Department), for personnel with a documented occupational exposure to a communicable disease.

1. **Hepatitis B Vaccination:** The City Personnel Department has made available the hepatitis B vaccine (a 3 shot vaccination series) to all personnel who have occupational exposure. The vaccine is available at no cost to the employee and made available to the employee at a reasonable time and place.

2. **Tuberculosis:** Tests to determine exposure to tuberculosis are as follows:

   (a) A baseline test for employees with a documented occupational exposure to TB. If the initial test is negative, annual skin tests should be performed thereafter. General symptoms may include: lethargy, weakness, weight loss, loss of appetite, fever, and/or night sweats.

   (b) The most common site of TB disease is in one or both of the lungs. The symptoms of disease at this site, called pulmonary TB, may include chronic cough, chest pain and the coughing up of blood.

   (c) Upon documented exposure to a diagnosed case of TB, employees with a previous negative TB skin test, should have the test repeated upon the knowledge of exposure to the confirmed case and, if negative, 3 months later following the exposure.

   (d) If the skin test is positive; chest x-rays are called for. If the chest x-ray is negative, persons in high risk exposure occupations should receive annual x-rays.

   (e) Persons who have a positive skin test yet have a negative chest x-ray, and who have never received medication for their positive TB exposure, should be placed on medication for 6 months.

For persons who have a compromised immune system - HIV positive, history of present or past steroid use, or certain other chronic medical conditions, (identified by the employee’s or City physician) should seek the proper medication.
POST EXPOSURE EVALUATION

1. Reporting: Personnel shall immediately report an exposure incident to a supervisor and complete the “Communicable Disease Notification Report”. They shall then seek medical treatment at an authorized hospital as soon as possible and provide the doctor with a copy of the Communicable Disease Notification Report. Information relative to the exposure shall also be incorporated into an incident report. Additionally, the notified supervisor shall ensure that Worker’s Compensation Report and County Health forms are completed.

2. Supervisor responsibility: The supervisor will verify the identity and documentation of the source individual. The individual’s blood, if consent is obtained, shall be collected and tested at the appropriate health facility. Results of the testing shall be made available to the exposed person and the department shall be informed of applicable laws/regulations concerning disclosure of the identity and infectious status of the source individual. In those cases in which the source individual does not give consent to provide a blood sample; the supervisor should seek assistance to obtain a court order.

3. Exposed Personnel: The exposed person(s) blood should be collected as soon as feasible and tested after consent is obtained. If the person consents to baseline blood collection, but does not give consent at the time for HIV testing, the sample shall be preserved for at least 90 days. If, within 90 days of the exposure incident, the person elects to have the baseline sample tested, such testing shall be done as soon as feasible.

COMMUNICABLE DISEASE STATUTES

Every supervisor should be familiar with the following California statutes relating to communicable diseases:

1. § 1797.188 California Health & Safety Code: Requires notification to police officers when health officials become aware that a patient contacted by the officer(s) has a reportable condition.

2. § 199.97 California Health & Safety Code: If a person resists arrest by biting, scratching, spitting, or transferring blood or other bodily fluids on, upon, or through the skin or membranes of a police officer, a court order for the person’s blood may be sought by petition and hearing. (Note): Testing can be made if the blood sample is obtained from the person voluntarily at the request of a health care professional.

3. § 7510 California Penal Code: When a police officer files a report
indicating that he has had contact with bodily fluids of a person that has
been arrested, a request may be made to the Kern County Chief
Medical Officer to obtain a blood sample from the arrestee for HIV
testing.

4. § 7521 California Penal Code: A Parole or Probation Officer who
seeks the assistance of Ridgecrest Police Department personnel to
apprehend or take into custody a parolee or probationer, and who has a
record of assaults on police officers, and has tested positive for HIV,
shall inform the assisting officers of the person’s condition.

5. § 1524.1 California Penal Code: A court, at the request of any
victim of any crime, may issue a search warrant for the purpose of
testing the accused’s blood with an HIV test when there is probable
cause to believe the accused committed the offense and there is
probable cause to believe that blood, semen or any other fluid capable
of transmitting HIV has been transferred from the accused to the
victim.

6. § 1797.186 California Health & Safety Code: Entitles all personnel
with occupational exposure to a contagious disease (Refer § 2500,
Title 17, California Administrative Code) to medical treatment to
prevent the onset of disease when an exposure incident occurs while in
the service of the police department.

5.10.36 SEARCH WARRANT (AIDS)

Requests for a search warrant to test for AIDS/HIV may be issued by a judge;
however, the defendant is legally entitled to a hearing prior to a warrant being issued.
Officers should not attempt to obtain a warrant without first affording the defendant a
hearing.

5.10.38 INFORMANTS

(A) GENERAL

Contacts within the community and the information from these contacts are critical to
the success of the police mission. Without the information flow between members of
the public and law enforcement, the Department would lose one of the most crucial
resources in its prevention, enforcement, and investigative capacities. Such sources or
informants may include:

1. Citizen informants who are chance witnesses or victims of a crime;

2. Citizen informants who are free of criminal involvement and are
volunteering information through motives of good citizenship;
3. Criminal informants whose motives are based on factors other than good citizenship, such as consideration on pending criminal charge, and,

4. Mercenary informants who are providing assistance based solely, or in part, on monetary gain.

(B) RELIANCE UPON AN INFORMANT

Employees are encouraged to identify and develop informants to assist in investigations; however, reliance upon informant information should be assessed on a case by case basis. This assessment may include such factors as the type of informants involved, their motives, and their past record of reliability.

(C) USE OF INFORMANTS

Before using an individual as a confidential informant, an officer must receive approval from the Investigation Bureau Supervisor. The officer shall compile sufficient information through a background investigation in order to determine the reliability, credibility and suitability, of the individual, including age, maturity and risk of physical harm.

(D) GUIDELINES FOR HANDLING CONFIDENTIAL INFORMANTS

All confidential informants are required to sign and abide by the provisions of the departmental Informant Agreement. The officer using the confidential informant shall discuss each of the provisions of the agreement with the confidential informant. Details of the agreement are to be approved in writing by the unit supervisor before being finalized with the confidential informant.

(E) RELATIONSHIPS WITH CONFIDENTIAL INFORMANTS

No member of the Ridgecrest Police Department shall knowingly maintain a social relationship with a confidential informant while off duty, or otherwise become intimately involved with a confidential informant. Members of the Ridgecrest Police Department shall neither solicit nor accept gratuities nor engage in any private business transaction with a confidential informant.

To maintain officer/informant integrity, the following must be adhered to:

1. Officers shall not withhold the identity of an informant from their superiors.

2. Identities of informants shall otherwise be kept confidential.
3. Criminal activity by informants shall not be condoned and officers shall report, investigate, or refer any actual and/or suspected criminal activity by informants.

4. Informants shall be told they are not acting as police officers, employees or agents of the Ridgecrest Police Department, and that they shall not represent themselves as such.

5. The relationship between officers and informants shall always be ethical and professional.

6. Social contact shall be avoided unless necessary to conduct an official investigation, and only with prior approval of the Investigation Bureau's Supervisor.

7. Officers shall not meet with informants in a private place unless accompanied by at least one additional officer or with prior approval of the Investigation Bureau Supervisor.

8. When contacting informants for the purpose of making payments officers shall arrange for the presence of another officer, whenever possible, or with prior approval of the Investigation Bureau Supervisor.

9. In all instances when department funds are paid to informants, a voucher shall be completed in advance, itemizing the expenses.

(F) INFORMANT FILE SYSTEM

The Investigations Bureau Supervisor or his/her designee shall be responsible for maintaining files on all confidential criminal and mercenary informants (including citizen informants in such cases where they meet with suspected criminal(s) to purchase narcotics or obtain information on criminal activity). A separate file shall be maintained on each of these informants. A confidential informant identity sheet shall be completed, sealed in an envelope, and booked into evidence in each report where a confidential informant was used. It shall be the responsibility of the supervisor approving the report to ensure the confidential informant identity report has been booked into evidence prior to the report being approved.

(G) 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:

1. Informant's name and/or aliases;
2. Date of birth;

3. Physical description: height, weight, hair color, eye color, race, sex, scars, tattoos or other distinguishing features;

4. Current home address and telephone numbers;

5. Current employer(s), position, address(es) and telephone numbers;

6. Vehicles owned and registration information;

7. Places frequented;

8. Informant's photograph;

9. Briefs of information provided by the informant and his or her subsequent reliability;

10. If an informant is determined to be unreliable, the informant's file is marked as "Unreliable";

11. Name of officer initiating use of the informant;

12. Signed informant agreement;

13. Update on active or inactive status of informant, and

14. Background check through CII, and Wants/Warrants.

The informant files shall be maintained in a secure area within the Investigation Bureau. 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 detectives or the reliability of the confidential informant.

Access to the informant files shall be restricted to the Chief of Police, Division Captain, Investigation Bureau, or their designees.

(H) 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.

(I) 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.

5.10.40 IMMIGRATION VIOLATIONS

PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Ridgecrest Police Department relating to immigration and interacting with federal immigration officials.

POLICY

[Federal]

It is the policy of the Ridgecrest Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this [department/office] in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status.

VICTIMS AND WITNESSES

To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and without regard to race, ethnicity or national origin in any way that would violate the United States or California constitutions.

IMMIGRATION INQUIRIES PROHIBITED

[State]
Officers shall not inquire into an individual’s immigration status for immigration enforcement purposes (Government Code § 7284.6).

**DETENTIONS**

[State]

An officer shall not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant (Government Code § 7284.6). An officer who has a reasonable suspicion that an individual already lawfully contacted or detained has committed a criminal violation of 8 UCS § 1326(a) (unlawful reentry) that may be subject to enhancement may detain the person for a reasonable period of time to contact federal immigration officials to verify whether the United States Attorney General has granted the individual permission for reentry and whether the violation is subject to enhancement (Government Code § 7284.6). No individual who is otherwise ready to be released should continue to be detained only because questions about the individual’s status are unresolved.

If the officer has facts that establish probable cause to believe that a person already lawfully detained has violated 8 USC § 1326(a) and the penalty may be subject to enhancement due to prior conviction for specified aggravated felonies, he/she may arrest the individual for that offense (Government Code § 7284.6).

An officer shall not detain any individual, for any length of time, for any other criminal violation of federal immigration laws (Government Code § 7284.6). An officer should notify a supervisor as soon as practicable whenever an individual is arrested for violation of 8 USC § 1326(a).

**SUPERVISOR RESPONSIBILITIES**

When notified that an officer has arrested an individual for violation of 8 USC § 1326(a), the supervisor should determine whether it is appropriate to:

A. Transfer the person to federal authorities.
B. Transfer the person to jail.

**FEDERAL REQUESTS FOR ASSISTANCE**

[State]

Requests by federal immigration officials for assistance from this [department/office] should be directed to a supervisor. The supervisor is responsible for determining whether the requested assistance would be permitted under the California Values Act (Government Code § 7284.2 et seq.).

**INFORMATION SHARING**
[Federal]

No member of this department/office will prohibit, or in any way restrict, any other
member from doing any of the following regarding the citizenship or
immigration status, lawful or unlawful, of any individual (8 USC § 1373; Government
Code § 7284.6):

A. Sending information to, or requesting or receiving such information
   from federal immigration officials
B. Maintaining such information in [department/office] records
C. Exchanging such information with any other federal, state or local
government entity
D. Nothing in this policy restricts sharing information that is permissible
   under the California Values Act.

IMMIGRATION DETAINERS

[State]

No individual should be held based solely on a federal immigration detainer under 8
CFR 287.7 (Government Code § 7284.6).

Notification to a federal authority may be made prior to release of an individual who is
the subject of a notification request only if the individual meets one of the following
conditions (Government Code § 7282.5; Government Code § 7284.6):

A. The individual has been arrested and had a judicial probable cause
determination for a serious or violent felony identified in Penal Code §
   667.5(c) or Penal Code § 1192.7(c).
B. The individual has been arrested and had a judicial probable cause
determination for a felony punishable by time in a state penitentiary.
C. The individual has been convicted of an offense as identified in
   Government Code § 7282.5(a).
D. The individual is a current registrant on the California Sex and Arson
   Registry.
E. The individual is identified by the U.S. Department of Homeland
   Security’s Immigration and Customs Enforcement as the subject of an
   outstanding federal felony arrest warrant.

NOTICE TO INDIVIDUALS

[State]

 Individuals in custody shall be given a copy of documentation received from U.S.
 Immigration and Customs Enforcement (ICE) regarding a hold, notification or transfer
request along with information as to whether the Ridgecrest Police Department intends to comply with the request (Government Code § 7283.1).

If the Ridgecrest Police Department provides ICE with notification that an individual is being, or will be, released on a certain date, the same notification shall be provided in writing to the individual and to his/her attorney or to one additional person who the individual may designate (Government Code § 7283.1).

ICE INTERVIEWS

[State]

Before any interview regarding civil immigration violations takes place between ICE personnel and an individual in custody, the Ridgecrest Police Department shall provide the individual with a written consent form that explains the purpose of the interview, that the interview is voluntary and that he/she may decline to be interviewed or may choose to be interviewed only with his/her attorney present. The consent form must be available in the languages specified in Government Code § 7283.1.

TRANSFERS TO IMMIGRATION AUTHORITIES

[State]

Members shall not transfer an individual to immigration authorities unless one of the following circumstances exists:

- A. Transfer is authorized by a judicial warrant or judicial probable cause determination.
- B. The individual has been convicted of an offense as identified in Government Code § 7282.5(a).
- C. The individual is a current registrant on the California Sex and Arson Registry.
- D. The individual is identified by the U.S. Department of Homeland Security’s Immigration and Customs Enforcement as the subject of an outstanding federal felony arrest warrant.

U VISA AND T VISA NONIMMIGRANT STATUS

[Federal]

Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)).

Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)).

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Investigation Bureau supervisor assigned to oversee the
handling of any related case. The Investigation Bureau supervisor should:

A. Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.
B. Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.
C. Address the request and complete the certification or declaration, if appropriate, in a timely manner.

1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.
2. Form I-918 Supplement B certification shall be completed if the victim qualifies under Penal Code § 679.10 (multiple serious offenses). Form I-914 Supplement B certification shall be completed if the victim qualifies under Penal Code § 236.5 or Penal Code § 679.11 (human trafficking).
   a. Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.
   b. Inform the victim liaison of any requests and their status.

TIME FRAMES FOR COMPLETION

[State]

Officers and their supervisors who are assigned to investigate a case of human trafficking as defined by Penal Code § 236.1 shall complete the above process and the documents needed for indicating the individual is a victim for the T visa application within 15 business days of the first encounter with the victim, regardless of whether it is requested by the victim (Penal Code § 236.5).

Officers and their supervisors shall complete the above process and the documents needed certifying victim cooperation for a U visa or T visa application pursuant to Penal Code § 679.10 and Penal Code § 679.11 within 90 days of a request from the victim or victim’s family related to one of their assigned cases. If the victim is in removal proceedings, the certification shall be processed within 14 days of the request.

REPORTING TO LEGISLATURE

[State]
The Investigation Bureau supervisor or the authorized designee should ensure that certification requests are reported to the Legislature in January of each year and include the number of certifications signed and the number denied. The report shall comply with Government Code § 9795 (Penal Code § 679.10; Penal Code § 679.11).

**TRAINING**

The Training Sergeant should ensure that all appropriate members receive training on immigration issues.

Training should include:

A. Identifying civil versus criminal immigration violations.

B. Factors that may be considered in determining whether a criminal immigration offense has been committed.

C. Prohibitions contained in the California Values Act (Government Code § 7284 et seq.).

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### 5.10.42 DETENTION OF FOREIGN NATIONALS

When law enforcement personnel arrest or otherwise detain a foreign national in the United States, there may be a legal obligation to notify diplomatic or consular representatives of the foreign national's country.

When a foreign national is arrested by this agency, and a notification is required/requested, the officer will notify a supervisor. The supervisor will ensure that the appropriate notification is made either directly or through the Sheriff's Department. A written record of the notification shall be made, and the person detained shall be advised of the notification.

(A) **MANDATORY NOTIFICATION**

If a person detained is a national of one of the following countries, consular notification is mandatory:

Albania    Malta
Antigua    Mauritius
Bahamas    Mongolia
The U.S.S.R./Russia includes the successor states of Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Russian Federation, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan

The United Kingdom includes the British dependencies of Anguilla, the British Virgin Islands, Hong Kong, Bermuda, Montserrat, and the Turks and Caicos Islands

(B) ADVISEMENT/REQUEST TO NOTIFY CONSULATE/EMBASSY

If a person who has been arrested is a national of another country, that person should be advised pursuant to the Vienna Convention on Consular Relations and customary international law of the right to have their government notified. If the person who has been arrested/detained requests notification, the nearest consulate or embassy must be notified without delay.

5.10.44 DIPLOMATIC IMMUNITY

U.S. and International Law accords to representatives of foreign governments in this country specific rights, privileges, and immunities from law enforcement actions.

(A) DEFINITIONS/TERMS

1. **Diplomatic Immunity:** Diplomatic immunity is defined as the freedom from arrest, detention, or prosecution for a criminal offense accorded to accredited representatives and certain employees of a
foreign government. By the same principle, these persons have the duty to respect local laws and regulations.

2. **Foreign Officials’ Titles and Credentials:** There are several types of foreign officials attached to foreign diplomatic and consular missions in the United States. The scope of a person's immunity is determined by title and credentials.

Anyone claiming immunity can be identified by credentials issued by the United States Department of State, the United Nations, the California State Department, and/or the Kern County Sheriff’s Department.

3. **Diplomatic Officers:** Diplomatic officers are: Ambassadors, Ministers, Minister Counselor, Counselor, First Secretary, Second Secretary, Third Secretary, and Attache. These persons are diplomats and represent their governments in the affairs of state. They are not consular officers.

4. **Consular Officer:** A Consular Officer is any person officially authorized and entrusted by a foreign government to represent the commercial interests of the citizens of the appointing country. Persons so appointed have been approved by the United States government to exercise consular functions in this country. Consular Officers include the Consul-General, Deputy Consuls-General, Consuls, and Vice Consuls. Consular Officers may be either Career Consular Officers or Honorary Consular Officers.

A career Consular Officer is a citizen of a foreign country empowered by its government to act in its behalf on matters of trade and limited governmental functions. Each career Consular Officer possesses U.S. State Department credentials bearing the State Department's seal, the name of the officer, title, and the signatures of State Department officials and other official identification.

An honorary Consular Officer is a citizen of the United States or a citizen of a foreign country who is a permanent resident of the United States. The honorary Consular Officer is appointed to perform the functions of a career Consular Officer. Unlike the career officer, an honorary Consular Officer does not possess a State Department identification card but may have other official identification.

5. **Official Guests:** Official guests carry letters of introduction or other documentation identifying them as official guests of the United States Government.

6. **Vehicle License Plate:** A California "Consul Corps" license plate can be issued to representatives of foreign governments who make proper application to the Department of Motor Vehicles. Officers should remember that the occupants of such vehicles may be entitled to
immunity. This can be easily determined by requesting to see the proper credentials.

(B) IMMUNITY OF DIPLOMATS

A Diplomatic Officer, a Diplomatic Officer's family, official staff, and servants have complete immunity from arrest, detention, or prosecution with respect to any civil or criminal offense. However, reasonable constraints may be applied in cases of self-defense, public safety, or the prevention of serious criminal acts.

(C) IMMUNITY OF CAREER CONSULAR OFFICERS

A career Consular Officer is immune from detention or arrest for a misdemeanor. The Consular's staff and family members do not enjoy any immunity whatsoever.

(D) IMMUNITY: HONORARY CONSULAR OFFICER

The honorary Consular Officer, or consular employee (member of the administrative or technical staff), is immune from prosecution for acts committed only while performing consular functions. Once an honorary Consular Officer has been arrested, the defense of immunity may be raised during the trial. The determination regarding immunity will be made by the court. Additionally, members of an honorary consular officer's family or staff have no immunity.

(E) CONSULAR PREMISES

Law enforcement personnel have an obligation to take all appropriate steps to protect consular premises against any damage or intrusion and prevent any disturbance of the peace of such a post. Consular premises can be entered only with the express permission of the head of the consular post or their designee. (In the case of fire or other disasters requiring immediate protective action, this permission is presumed). This does not apply to the post of an honorary consulate.

(F) CONSULAR ARCHIVES, RECORDS, AND DOCUMENTS

The official working papers of a consular post (including an honorary consulate) are inviolable at all times and wherever they may be located.

(G) INCIDENTS INVOLVING DIPLOMATIC OFFICERS

Handling incidents involving diplomatic officers demands the use of discretion and tact on the part of the officer. The level of full diplomatic immunity
enjoyed by such persons is mandated under federal statute and provides for immunity from detention, arrest, or prosecution for any offense.

When a Diplomatic Officer is contacted during an investigation conducted by officers of this Department, the Diplomatic Officer shall be allowed to leave when the officers have verified the credentials. If the Diplomatic Officer's personal information or statement is necessary to the investigation, Department personnel should request the cooperation of the Diplomatic Officer in remaining at the scene until such information can be obtained. However, the officers should take all steps to avoid any unnecessary delay or inconvenience to the Diplomatic Officer.

(H) INCIDENTS INVOLVING CONSULAR OFFICERS

In order to arrest a career Consular Officer for a felony offense, an officer shall obtain an arrest warrant unless the offense involves an immediate threat to the public safety. If the felony involves an immediate danger to the public safety, the Consular Officer shall be taken into custody; and held until it is determined whether or not the Consular Officer will be booked. The Chief of Police and the Field Services/Support Services Division Commanders will be notified and will be responsible for making this determination.

When a career Consular Officer commits a misdemeanor offense, that person shall be informed of the violation and be permitted to leave. When a question arises as to whether the person actually is a career Consular Officer, a field interview card shall be completed. The Consular Officer shall not be detained any longer than absolutely necessary. An application for complaint may be filed if it is discovered that the person was not a Consular Officer.

Officers stopping Consular Officers for traffic violations who present proper identification shall exercise discretion based on the nature of the offense and the circumstances surrounding the incident. Generally, it is this Department's policy not to issue citations to Consular Officers. However, in an aggravated case, the officer may issue a citation.

Mere issuance of a citation does not constitute arrest or detention as included in Diplomatic Immunity. In the event that the Consular Officer refuses to sign the citation, the Consular Officer shall be permitted to proceed. All copies of the unsigned citation, together with a detailed report, shall be forwarded to the Office of the Chief of Police.

(I) DRIVING UNDER THE INFLUENCE

Officers encountering a situation involving a Diplomatic or Consular Officer driving under the influence shall notify a supervisor. The supervisor shall
respond to the scene and determine the appropriate course of action.

To ensure the personal safety of the consular officer and the safety of others, the officer(s) and supervisor may use one or more of the following options:

1. Call a relative or friend of the person who will provide transportation;
2. Arrange for an alternate means of transportation (e.g., taxi), and/or
3. With the consent of the Diplomatic or Consular Officer, transport the Consular Officer to the station or another location until the individual is sufficiently recovered to proceed safely.

The Diplomatic or Consular Officer shall not be handcuffed or subjected to any sobriety test. If the Consular or Diplomatic officer insists on driving home, the officer may employ tactics to prevent this occurrence. These tactics may include boxing in the Diplomat's vehicle with police cars, taking the car keys, etc.

(J) USE OF FORCE

When handling diplomatic or consular officials, officers shall extend every possible courtesy to them appropriate to the situation. However, officers must be cognizant of their duty to protect the safety of others and their right to self-defense. If a diplomatic or consular official's conduct becomes unreasonable or violent to the point where a danger to the officer or others exists, and all other alternatives have failed or are impractical, the officer may employ that amount of force necessary to meet and stop the threat.

(K) PARKING VIOLATIONS

Consular immunity does not prohibit citing and/or impounding consular vehicles which constitute a traffic hazard or which are in clear violation of local codes. However, as a matter of courtesy, officers should make a reasonable attempt to warn the concerned driver or Consular Officer of the pending action, and allow the vehicle to be moved prior to taking any action.

(L) INCIDENT REPORTS

When a person enjoying Diplomatic or Consular immunity has committed a crime, regardless of the disposition made by the primary officer at the scene, the primary officer shall complete an appropriate incident report detailing the circumstances of the incident. A copy of the report shall be forwarded to the Office of the Chief of Police.

(M) NOTIFICATION OF CHIEF'S OFFICE
In situations where persons enjoying any level of criminal immunity are involved in a serious offense involving the public safety or are detained beyond the initial contact, the officer shall immediately request the Watch Commander to respond to the scene or the station and take charge of the Consular Officer involved.

The Watch Commander shall respond and make notifications to the Field Services Division Commander and Chief of Police.

5.10.46 **POLITICAL ASYLUM**

If an officer is approached by a person requesting political asylum, the safety of that person becomes the total responsibility of that officer. The officer shall:

- Take the person into protective custody;
- Advise the Watch Commander, and
- Transport the person to the station immediately.

The officer shall not ask any questions regarding the request for asylum, including the person's country of origin or reason for requesting asylum. A supervisor shall be notified; however the officer shall not use the voice radio to contact the station due to the delicate political nature of the situation, and the number of citizens and media who monitor the voice radio frequency.

The Watch Commander or supervisor notified shall be responsible for contacting the Field Services Division Commander. Arrangements will be made to transfer the person to the United States immigration and Naturalization Service.

5.10.48 **WITNESS PROTECTION PROGRAM**

The Witness Protection Program is intended to assist local law enforcement agencies and prosecutors who do not have other resources available to protect witnesses. The program consists of different funding sources, each with their own criteria and restrictions. The individual circumstances of the request coupled with the witnesses’ needs will necessarily dictate which funding source meets these criteria and is within the guidelines of the funding resources.

The objective of the Witness Protection program, coordinated by the Kern County District Attorney’s Office, is to expand the capability of local law enforcement to successfully prosecute criminals on trial through the protection of witnesses and their families. The program will enable the District Attorney’s Office to make funds available to local law enforcement and prosecution agencies in Kern County for this purpose.
(A) CRITERIA

The following criteria must be met in order to obtain approval of funding for the protection of the endangered witness and/or family, endangered friends or associates of the witness:

1. Witness or witness’ family, endangered friend(s) or associate(s) has been threatened;

2. An actual threat to safety and witness or witness’ family, friends or associates exists;

3. Criminal charges either have been filed, or there is a strong likelihood that charges will be filed against a defendant;

4. The witness will reasonably be expected to be called or has been called to testify against the defendant, and

5. The witness must cooperate at all stages of the proceedings and may be required to sign a witness agreement specifying their responsibilities for protection services.

(Note: The fact that a witness was an active or passive participant in the underlying charges giving rise to the need for witness protection does not necessarily disqualify their participation in the program).

Only law enforcement agencies and prosecutors, and their investigators, are eligible for assistance under the provisions of the Witness Protection Program.

(B) FUNDING

The Witness Protection funds are limited to endangered witnesses (etc., pursuant to the criteria) only and cannot be utilized for indigent witnesses. Assisted agencies will be required to formally account for funds expended for witness protection in the form of a letter accompanied by original vouchers or receipts which will substantiate expenditures. Every effort should be made to ensure the receipts are legitimate and correctly reflect the approved expenses.

(C) PROCESS

Except in unusual circumstances, requests for witness relocation must be processed by the investigating officer from the law enforcement agency which requested the filing of the case. This should be done as soon as possible after the threatening situation develops.

Liaison: Law enforcement agencies requesting witness protection, including
relocation approval, will be responsible for liaison with the witness(es), securing their cooperation, obtaining any needed documents or information, and coordinating their relocation.

**Approval:** All requests for witness protection must be approved in advance and **no promises or commitments should be made to a witness prior to approval.** The final decision as to whether the request for witness protection is necessary or appropriate lies with the Victim Witness Program.

**Reimbursement:** Only those expenses articulated in the agreement, and in the amounts approved for relocation and other essential expenses determined to be appropriate, are reimbursable. Any other additions, modifications, or changes must be approved in advance. Receipts must be those issued in the normal course of business and contain sufficient information to allow for identification of approved expense, including date, place (address), nature of expense and person issuing receipt, if appropriate.

**(D) PROTECTION OF ENDANGERED WITNESS**

All requests and court orders for witness protection will be assigned to the Investigations Bureau. The method and level of security will be determined by the Investigations Bureau Commander in cooperation with the investigating officer(s). Necessary personnel and equipment may be secured from other divisions/bureaus within the department as deemed appropriate for the protection of the witness.

**(E) OBTAINING ASSISTANCE (PROCESS)**

The process for obtaining assistance in witness protection commences by contacting the Victim/Witness Program Office. The request for assistance may be made in writing or by telephone.

The requests are to be submitted to the Program Director:

Victim/Witness Program  
1415 Truxton Ave., 6th Floor  
Bakersfield, CA 93301  
661-868-4535

**Requests for Witness Protection:** Unless other arrangements have been made, all requests must be made in person and all elements required must be presented. In all cases, the requests must be sufficiently detailed and informative in order for a decision to be made. Insufficient details will result in delays in the processing of requests.

Requests for assistance will be reviewed promptly and on a “first-come, first-
served” basis. The review will be conducted to ensure that the requesting agency has provided sufficient detail to allow for approving action to be taken and that witnesses meet the program’s conditions.

Prior to Filing a Case: If it is determined, prior to filing a case, that a witness is in imminent danger, the witness may be relocated under this program provided all other conditions are met and there is a likelihood that the case will eventually be filed. It should be justified why this need exists and also must include a pre-filing review by a deputy district attorney.

Case Pending in Court: The Program Director will determine if the witness qualifies for assistance, and if so, will authorize reimbursement in a specified amount for costs incurred by the law enforcement agency to protect the witness. The law enforcement agency may then relocate the witness using agency funds and be reimbursed by the District Attorney’s Office for monies expended up to the amount authorized. Receipts for all expenditures must be provided for reimbursement.

Case in Trial: The Program Director will determine the specific amount to be used for protection and relocation of the witness. The Deputy District Attorney prosecuting the case will itemize the expenses authorized. The Order for Payment will be presented to the court for payment authorization by the judge. The agency will be reimbursed based upon the order of the judge.

(F) REIMBURSEMENTS ALLOWED

Agencies, whose request(s) for assistance are approved, will be reimbursed for costs related to the relocation as per the agreement for the protected witness and their family. Any change or modification to the original agreement must be approved in advance by the Program Director or his designee.

Relocation costs for lodging, food, transportation, and related costs, are described as follows:

1. Potential costs associated with an emergency witness relocation for lodging, food, transportation, travel, moving expenses, etc., must be justified and approved separately.

2. In some cases, individual receipts for food may be waived in lieu of the officer obtaining a receipt from the witness for the approved amount of cash given directly to the witness exclusively for food as per the agreement.

3. Reimbursements for transportation will be limited to travel to and from the jurisdiction in which the witness is testifying and the secure area
where the witness is being safeguarded.

4. With prior approval, agencies may be reimbursed for the rental of trailers and vans required for permanent relocation and movement of household goods.

5. Special reimbursement may also be approved for armed protection or escort by law enforcement officials or security personnel before, during or subsequent to legal proceedings and for prolonged expenses such as housing, basic living expenses, and health care.


7. Transportation and storage costs for personal possessions.

(Note: Only those expenditures substantiated by original receipts will be reimbursed).

(G) REIMBURSEMENT PROCEDURES

The following procedures must be followed in order to process requests for witness protection reimbursement:

1. Agencies may be reimbursed on a one-time full payment or in partial payments. Partial payments are authorized to assist agencies whose budgets do not allow for prolonged outputs of funds in protecting witnesses. In either case one-time payment or partial payments, the same procedures apply.

2. Agencies requesting payment should prepare a letter under the agencies letterhead containing the required elements for reimbursement. The letter should be signed by the agency head or designated ranking officer.

3. Reimbursement requests submitted in person will be reviewed within twenty-four (24) hours and, if approved, payment will be made shortly thereafter.

4. Payment of claims for reimbursement submitted by requesting agencies will be authorized by the Program Director or designee. all materials will be reviewed for accuracy and propriety of expenditure and as to form.

5.10.50 ELDER ABUSE

It is the policy of the department to treat reports of violence against the elderly as high priority criminal activity. California Welfare and Institutions Code §§ 15600-15650
have been enacted and mandates reporting the abuse or neglect of any “dependent” or “elder” adult. Police officers must document and report suspected incidents which come to their attention.

(A) DEFINITIONS

1. **Abuse of Elder or Dependent Adult:** Any physical abuse, neglect, intimidation, cruel punishment, fiduciary abuse, abandonment or other treatment with resulting physical harm, pain or mental suffering.

2. **Dependent Adult:** Any person residing in the State of California, between the ages of 18-64, who has physical or mental limitations which 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.

3. **Elder:** Any person residing in the State of California who is 65 years of age or older.

4. **Neglect:** Negligent failure of any person having 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.

(B) OFFICER’S RESPONSE

Officers shall investigate all calls of elder and/or dependent adult abuse. Officers must assess each situation and ensure the safety of the alleged victim. Medical attention should be sought when necessary.

(C) MANDATORY REPORTING REQUIREMENTS

Any reported abuse of an “elder” or “dependent adult” shall be documented on a standard crime report. Pursuant to Welfare and Institutions Code § 15630, the police department is considered to be a mandated reporter.

Officers investigating “elder” and/or “dependent adult” abuse shall complete State of California form SOC 341 (Report of Suspected Dependent Adult/Elder Abuse).

5.10.52 PROVIDING SERVICE TO HANDICAPPED AND DISABLED

Occasionally, it is necessary to review the ADA with regard to citizen contacts by Police. The law requires us to provide reasonable accommodation to individuals who
are disabled. Reasonable accommodation could mean providing restroom facilities, modified handcuffing techniques, or alternative transportation methods.

Our goal is to insure that we look at all of our activities in order that we treat everyone fairly; therefore, when you contact anyone, please keep in mind our necessity to make reasonable accommodations.

5.12 GENERAL PROCEDURES

5.12.1 POLICE DEPARTMENT FACILITY SECURITY

Each employee is responsible for the security of the police facility. Any employee noting a facility security problem shall notify a supervisor immediately. No prisoner or suspect shall be left unsupervised in the police facility.

The Watch Commander is responsible for the security of the police facility. The Watch Commander shall ensure that the exterior of the facility is secure and shall conduct security inspections of accessible areas during each tour of duty.

5.12.2 VISITOR IDENTIFICATION AND SECURITY ACCESS - POLICE FACILITY

Security of the police facility shall be maintained and access controlled at all times; however, numerous persons have legitimate and authorized business which requires access to the interior of the Police facility. In order to identify and control access, the following procedure is to be followed:

1. When practical, non-departmental visitors, including other City Department staff, shall be announced to the person requested.

2. Identification cards or Visitor ID Tags are to be worn subject to the following guidelines:

   a. Full-time employees, Reserve Officers, Temporary Records and Dispatch, and CSO’s of the Department need to wear no special identification.

   b. Explorers, Crossing Guards, Student Aids, and Volunteers who are not in uniform will wear their Ridgecrest ID cards or uniform badge in a visible location at the waist or above.

   c. All non-uniformed visitors from other City departments will wear their City-issued ID cards or a Visitor card, except for persons going directly to the Chief’s office of the Administrative Conference Room. ID cards will be required if any other destination follows.

   d. All other non-uniformed visitors, guests, witnesses, victims, suspects (non-custodial), non-uniformed visiting officers, including undercover officers, will wear a Visitor card, or Police ID.
e. Tour groups accompanied by an Officer will be exempt from the ID/Visitor rule.

f. Visitor cards are available at the desk and should be returned when leaving the facility.

5.12.3 ACCESS RESTRICTIONS: GENERAL

Personnel shall only enter those areas and use the equipment to which they are specifically assigned to enter or authorized to use.

Non-supervisory personnel not assigned to the Records Unit will not be permitted access to the Records Unit without the authorization of the Administrative Services Bureau Commander or Records Unit supervisor. In the absence of the appropriate Records Unit personnel, the Watch Commander will be responsible for granting authorization to access the Records Unit.

The Records Unit supervisor may grant permission to other bureaus within the Department to enter the Records Unit on a regular basis in order to perform specific tasks.

5.12.4 SMOKING POLICY/TOBACCO USE: DEPARTMENT WIDE

The Ridgecrest Police Department is a non-smoking facility. Smoking, chewing or any form of taking or using tobacco products is prohibited in buildings or vehicles owned by the City of Ridgecrest. The use of tobacco while on duty is prohibited at any time or place where such action is offensive to others.

Smoking is strictly prohibited within a 50 foot radius of city fuel pumps.

5.12.6 PAGING SYSTEM

Personnel may use the Department's paging system to request an individual to call a specified extension or report to a specified area.

When using the paging system, personnel shall address the paged individual by the appropriate title and last name. Personnel shall not be paged by only last names.

Use of the Department paging system is restricted to business purposes only. The paging system shall be used in a professional, business-like manner at all times.

5.12.8 TELEPHONE PROCEDURES: GENERAL

(A) ANSWERING GENERAL OR OTHER EMPLOYEES EXTENSIONS
When answering a “general” telephone extension or an assigned telephone extension other than their own, employees shall answer the phone in a friendly and professional manner that welcomes the caller and demonstrates a desire to assist him/her. (A “general” telephone extension are those telephone extensions that are not assigned to an individual employee, i.e. Records, Watch Commander’s Office, Jail, Investigations Bureau, etc. “Assigned telephone extensions are those telephone extensions that are assigned to one specific employee). When answering the telephone, employees shall:

1. Answer promptly;
2. Introduce themselves to the caller, (Dispatchers shall use their last name rather than a number), and
3. Offer to help the caller.

If it is necessary to leave the line for any reason, tell the caller why. Return to the line within 30 to 45 seconds to give a progress report. If more time is necessary to get the information required, offer to call back;

Transfer calls only when necessary. Employees shall assist the callers to their fullest capabilities, refraining from needlessly forwarding callers to other City extensions at services. Be sure to transfer to the right person or department and tell the caller why and to whom you are transferring the call;

Do not transfer calls blindly. When transferring calls, place the caller on hold and call the extension to which the call will be transferred. Advise that person of the identity of the caller and the reason for the transfer. Following notification, transfer the caller. If there is no answer at the extension to which the caller was transferred, advise the caller that you will be transferring them to the individual’s voice mail.

(B) ANSWERING ONE’S OWN ASSIGNED EXTENSION

When answering one’s own “assigned” extension, employees shall answer the phone in a friendly and professional manner that welcomes the caller and demonstrates a desire to assist him/her. When answering the telephone, employees shall:

1. Introduce themselves;
2. Offer to help the caller, and
3. Follow the transfer etiquette above.
5.12.9 STATUS REPORTING AND MESSAGE TAKING FOR POLICE DEPARTMENT EMPLOYEES

(A) LOGGING ON AND OFF-DUTY

All sworn officers, including uniformed, detective, and administrative officers, may log on with Communications at the beginning of their work day or shift. Officers logging on-duty shall also log off-duty at the end of their work day or shift.

(B) VOICE MAIL - EXTENDED ABSENCE GREETING

Whenever on vacation, away for training, or otherwise off-duty for periods of time other than a normal weekend, all police personnel will record a greeting (or an "extended absence" greeting) in their voice mail box indicating when the employee will be returning to work and who to contact within the Department if immediate assistance is needed. Employees may also arrange for another employee to retrieve and reply to their voice mail messages.

(C) PHONE MESSAGES RECEIVED FOR OFF-DUTY EMPLOYEES

Citizens attempting to contact a Police Department employee will be advised whether or not the employee is on duty. Citizens may also be advised when an employee will be returning to work. Citizens asking when a patrol officer will be returning to work may be advised of the day that the officer will return to work and that the officer can be reached either after 7:00 a.m. (day shift) or 7:00 p.m. (Night shift). Citizens shall not be advised why an employee is off-duty (e.g. on vacation or training) or of the location of the employee while off-duty.

(D) PHONE MESSAGES RECEIVED FOR ON-DUTY EMPLOYEES

Citizens attempting to contact an on-duty but unavailable Police Department employee will be given the option of leaving a message or being transferred to the employee’s voice mail box. Whenever possible, on-duty patrol personnel will be advised via radio that a message was taken and may be picked up in the Communications Center. Messages taken for any other Police Department employee will be placed in the employee’s mail box.

5.12.10 USE OF CELLULAR TELEPHONES

Department issued Cellular phones are to be used for Ridgecrest Police Department business only and in accordance with each Bureau's policy.

(A) POLICY

To establish a procedure for employee use and responsibility of City issued cellular telephones.
(B) **PROCEDURES**

Issuing of city owned cellular telephones to on-duty employees in the field.

The City of Ridgecrest, in accordance with the Memorandum of Understandings between the City of Ridgecrest and the Police Employee’s Association of Ridgecrest, will make available cellular telephones to all on-duty employees of the Department who work in the field. The philosophy of this policy is to better allow the Department to contact the employee as well as to increase the employee’s effectiveness by providing a source of immediate and mobile communication (cellular telephone use includes the use of direct connect features).

The issuance of a City owned cellular telephone does not negate the employee’s responsibility to maintain standard communication, such as the Department’s radio communications center, when appropriate. The cellular telephone shall not replace the use of the radio for communicating with the Department and calls for service shall not be dispatched using cellular telephones.

(C) **EMPLOYEE RESPONSIBILITY**

The responsibility of the general care of any City owned and issued telephone rests with the employee that it was trusted to. If the employee determines that the telephone is not functioning properly, then they will notify their supervisor as soon as possible to remedy the problem.

(a) On-duty employees working in the field may carry a City issued cellular telephone. On-duty employees working in the field are defined as those employees who are assigned duties outside the police facility. This would include, but not limited to, uniformed officers, detectives, and animal control officers.

(b) Employees may use City cellular telephones to conduct official business when the use of police radio communication or hard line telephones is inappropriate, unavailable, or inadequate to meet communication needs. Field personnel who communicate with the dispatch center, via cellular phone, shall use the appropriate business or emergency line. All business-related communications with the dispatch center shall be able to be captured via the voice logger system in order to preserve the record.

(c) Police reports should not normally be taken using any cellular telephone. The cellular telephone may be used to contact the victim or complainant and arrange an interview, but not to expedite service and/or avoid direct personal contact.

(d) City issued cellular telephones are an augmentation to the
Department’s communication system, not a substitute for radio communication designed primarily for transmission through the Dispatch Center. Approved use of City cellular telephones includes but is not limited to:

1. Conveyance of sensitive or restricted information.
2. Undercover operations.
3. Tactical operations, e.g. barricaded suspects, hostage situations, and mobile command post.
4. Lengthy communication with supervisors in the field or personnel at the station.
5. Investigative stakeouts where regular telephone use or police radio use is not reasonably practical or would unreasonably jeopardize the investigative effort.
6. Contact with outside agencies or outside agency field units equipped with cellular telephones.
7. Communication beyond normal police radio range.
8. Returning/receiving Department/City business related telephone calls by personnel in the field during incidents in which direct contact between an officer and the public is critical and other means of communication are not readily available or reasonably feasible.
9. Incidents in which the use of a hard line telephone would be appropriate but where one is not available.
10. When communication is needed and the use of the police radio is not reasonably appropriate and other means of communication are not readily available or reasonably feasible.

(e) If the City issued telephone is lost or damaged, then it is the responsibility of the employee to complete a memorandum to their immediate supervisor explaining the circumstances leading to the lost or damaged City telephone.

(f) The employee issued the cellular telephone shall make every effort to ensure that the unit is satisfactorily charged and is turned on when on-duty during their regularly scheduled shift. At the end of the shift, uniformed patrol personnel, animal control officers and volunteers shall check-in the City issued cellular telephones.
(g) When on-duty the employee should make every effort to answer incoming calls when appropriate and safe.

(h) Employees should observe and adhere to all laws, policies, procedures and other requests by outside entities pertaining to the restriction of cellular telephone use.

(i) Examples of outside entities that commonly restrict the use of cellular telephone usage are: Court houses, public schools, law enforcement training facilities, government installations, and aircraft.

(j) When carrying any cellular telephone employees should ensure that the telephone is turned off in any situation during which the use or sounding of the telephone would unreasonably endanger public or officer safety or the successful resolution of an incident (examples: bomb investigation, building search, etc).

(k) Employees should acknowledge that the operation of a cellular telephone commonly interferes with the ability to safely operate a motor vehicle. In such incidents, employees should make every attempt to safely pull the vehicle to the side of the roadway to use these devices. The safe operation of the vehicle shall take precedence over cellular phone usage. Unless absolutely necessary, no cellular telephone should be used during a “Code 3” response.

(D) PROHIBITED USAGE

The Department urges the employee to utilize the cellular telephone as a valuable tool when completing fieldwork. However, if there is a more appropriate, efficient and economical manner in which to complete the needed communication, then the employee should pursue the more suitable means. The cellular telephone shall not replace the use of the radio for communicating with the Department and calls for service shall not be dispatched using cellular telephones.

No personal calls, text messages or multi-media messages should be made or received on city owned phones that are temporarily assigned (example: Cellular phones assigned to patrol officers for the shift).

Personnel should not give out the phone numbers of the temporarily issued cellular telephones to the public (this includes family and friends).

If in the event the employee is found not to adhere to the procedures in regards to City issued cellular phones, then the employee may be subject to the following:

(a) Administration of discipline.
(b) The reimbursement to the Department of all excessive usage fees and charges that were deemed to incur as a result of the personal use.

(E) USE OF PERSONAL CELLULAR TELEPHONES BY UNIFORMED OFFICERS

Uniformed personnel, including animal control officers, while on-duty may have access to a personal cellular telephone. A personal cellular telephone may not be carried on the employee’s person in open view. Phone calls may be made on the employee’s personal phone while on-duty; however, its use shall be out of the public’s view. Uniformed personnel shall not send or receive text or multi-media messages on their personal cellular telephones while driving city vehicles. Personal cellular phone calls shall be kept to a minimum and should not interfere with an employee’s assigned duties.

5.12.12 NOTIFICATION OF KEY PERSONNEL: MAJOR INCIDENT

In the event of a Major Incident the Watch Commander shall make the appropriate notifications. The Chief of Police and appropriate Division Commander shall be notified.

5.12.14 AFTER ACTION REPORTS

An After Action Report is designed to document an unusual event, allowing the Department to evaluate its response, and prepare to handle events of a similar nature in the future. “After Action Reports” are required at the conclusion of every major incident or operation.

(A) AFTER ACTION REPORT: RESPONSIBILITY FOR COMPLETION

The supervisor responsible for a major incident or operation will ensure that an After Action Report is completed and forwarded to the Chief of Police via the chain of command within 72 hours of the conclusion of the incident.

(B) MAJOR INCIDENT DEFINED

A major incident or operation shall be defined as any event (criminal or non-criminal) that requires an unusual investment of resources and/or equipment, or an event that is so unusual in its nature that an After Action Report would be desirable.

(C) AFTER ACTION REPORT: FORMAT

An After Action Report should contain the listed elements in the following format:
1. Brief description of the problem;

2. Chronological list of action taken;

3. Conclusion of event;

4. Description of resources/equipment used, and in the event of a disaster, estimated cost, and

5. A critique.

(D) REQUIRED NOTIFICATIONS

Submitting of an After Action Report shall not relieve personnel from the responsibility for making the appropriate notifications as required during emergent circumstances or unusual events.

(E) MAINTENANCE

A copy of the After Action Report shall be delivered to the appropriate Division Commander.

5.12.16 REQUEST TO CONTACT PRIVATE ATTORNEY

If an employee of this Department receives a request to contact a private attorney/public defender regarding a Ridgecrest Police Department civil case, the employee shall not speak with that attorney without expressed approval from the employee’s Division Commander. If approval is granted by the employee’s Division Commander, a supervisor shall be present during any interview or conversation between the private attorney and the employee.

5.12.18 CURRENT ADDRESS & TELEPHONE NUMBER: ON FILE WITH DEPARTMENT

The Police Department and City Personnel Department shall have every employee's current address and telephone number. An employee may use a Post Office Box as a mailing address; however the employee is still required to provide the Police Department and the City Personnel Department with their current home address. Employees are required to inform the City Personnel Officer via department chain of command of any change in their address, telephone number, dependents, or emergency notification information. Any change in this information shall be reported as soon as possible.

Employees shall have on file with the Department Emergency Contact Information.
Employees shall submit changes in Emergency Contact Information via the chain of command via memorandum. This information shall be reviewed and updated periodically.

5.12.20 EMPLOYEE TELEPHONE NUMBERS: REQUEST FOR

All Bureau Managers will have a Ridgecrest Police Department personnel roster containing the home telephone numbers and addresses of each employee. All requests for home telephone numbers shall first be directed to the requesting employee's supervisor or bureau manager. As a last resort, a request for a home telephone number may be directed to the on-duty Watch Commander.

5.12.22 EQUIPMENT: ISSUANCE AND CONTROL

Equipment (such as vehicles, shotguns, portable radios, etc.) may be assigned to a division or bureau. The division or bureau to which the equipment is assigned is ultimately responsible and accountable for the operation and care of assigned equipment.

(A) EQUIPMENT: EMPLOYEE RESPONSIBILITY

An employee is responsible for obtaining and returning equipment, in accordance with the policies and procedures of the division or bureau to which the equipment is assigned. The employee is responsible for the proper care and use of the equipment while the equipment is in the employee's possession. Any malfunction or damage to equipment will be reported to a supervisor of the division or bureau to which the equipment is assigned.

(B) EQUIPMENT: SUPERVISOR RESPONSIBILITY

The bureau supervisor is accountable for the equipment assigned to the division or bureau. The bureau supervisor shall develop a system for obtaining and returning equipment assigned to the division or bureau. The system is subject to audit and must clearly indicate the status of all equipment assigned to the division or bureau.

(C) EQUIPMENT: USE BY OTHER DIVISIONS OR BUREAUS

At the discretion of the Division/Bureau Commander, equipment assigned to a specific division or bureau may be available for use by personnel assigned to other divisions or bureaus.

Personnel who wish to use equipment assigned to a different bureau or division shall use that equipment only with the permission of the Bureau Manager responsible for that equipment or in accordance with the policies contained in this manual.
5.12.24 CHILD SEATS: USE IN POLICE VEHICLES

Police Department personnel who must transport a small child (under 6 yrs old or 60 lbs) shall use a child restraint device (available at the police department). Personnel will not hold children during transportation; child seats shall be used.

5.12.26 COMMAND POST

A mobile Command Post is maintained by this agency for purposes of establishing a versatile base of operations. The Command Post may be utilized at special events, disaster and/or crime scenes, or when the communications center radio system is disabled.

(A) FAMILIARITY WITH EQUIPMENT: RESPONSIBILITY

It is the responsibility of each supervisor to be familiar with the operation and capabilities of the Command Post.

(B) ACTIVATION OF COMMAND POST: AUTHORITY

The Watch Commander may authorize the activation of the command post.

(C) COMMAND POST STAFFING: FIELD INCIDENT

The supervisor responsible for the field incident shall be responsible for the Command Post and the Command Post staff. For a tactical operation, the supervisor shall designate a member of the Command Post staff to maintain a comprehensive log of the incident.

5.12.28 CRIME SCENE PRESERVATION: GENERAL RESPONSIBILITIES

Any officer at the scene of a crime shall make every effort to protect the crime scene and prevent the destruction, contamination, or alteration of evidence. Special attention should be given to weapons, wet stains, spattered stains, fluids, scrapings, fingerprints, etc. For specific collection techniques, see the Property and Evidence Unit of this manual.

(A) OFFICER IN CHARGE OF CRIME SCENE RESPONSIBILITY

The officer in charge at the scene of a crime shall exclude all persons not engaged in the investigation from the area where evidence would most likely be found. Initially, the first officer to arrive at the scene shall contain the scene (until relieved) and initiate the Major Incident Log.

(B) CRIME SCENE SEARCH: OFFICERS
An officer assigned to a preliminary or follow-up investigation may be required to search a crime scene for physical evidence.

If investigators are not called to the crime scene, the officer conducting the preliminary investigation is responsible for the detection, preservation, and collection of evidence. The officer shall maintain custody of the evidence until it is booked into Property or relinquished to an investigator.

If investigators respond to the crime scene, the officer in charge of the preliminary investigation will advise the investigators of the location of any physical evidence which has been identified. The officer will then comply with the instructions given by the investigator.

(C) MAJOR INCIDENT LOG

The purpose of the Major Incident Log is to preserve the integrity while enhancing the department’s ability to successfully and efficiently handle major incidents. The Major Incident Log will be used to record and document the names of all persons entering a major incident/crime scene.

In maintaining the Major Incident Log, the following guidelines shall be followed:

1. Only persons authorized by the handling officer, supervisory personnel, or the handling investigator, shall be permitted to enter scene containment;

2. All persons entering the scene, or persons known to have been at the scene prior to containment, regardless of their agency affiliation, rank or reason for entering, shall be identified on the Major Incident Log;

3. At the direction of a supervisor, a Major Incident Log may be used for other scene containments. These containments may be the result of, but not limited to, hazardous material spill, bomb threat, etc.;

4. The Major Incident Log shall be maintained until all Departmental personnel have left the scene and the containment ends, and

5. The Major Incident Log shall be attached to the follow-up (after action) report and be retained by the Records Unit.

5.12.30 INFORMATION: PROVIDED TO OTHER AGENCIES

When personnel possess information that is suitable for dissemination to other agencies, (i.e., wanted persons and criminal activity possibly within that agency's
jurisdiction) the employee’s supervisor shall be advised. The notification shall be made to the appropriate agency without unnecessary delay.

If a major incident or crime occurs near the border of an adjoining jurisdiction, the Watch Commander shall ensure that the appropriate agencies are contacted and provided with the appropriate information.

5.12.32 INFORMATION: PROVIDED FROM OTHER AGENCY

The Watch Commander shall be advised when information is received from other agencies pertaining to criminal elements, police activity, or wanted persons within this agency's jurisdiction. The Watch Commander will determine the appropriate method of dissemination.

5.12.34 INTELLIGENCE INFORMATION REPORTING

Success of the criminal intelligence process depends on a continuous flow of information, which can be evaluated for reliability and validity, and acted upon by monitoring, investigating, or disseminating, as procedures dictate. The following procedures shall be adhered to:

(A) CONFIDENTIAL INTELLIGENCE INFORMATION

Criminal intelligence information concerning, organized crime, and subversive or terrorist activities, or threats to Homeland Security coming to the attention of the Ridgecrest Police Department will be gathered and submitted to the employee’s supervisor and shall immediately be forwarded to the Chief of Police via the chain of command and shall be treated as confidential.

The nature of the information will dictate the immediacy of how the information will be handled. When in doubt the information shall be forwarded immediately.

(B) PUBLIC TRUST

Corruption of public officials, government employees or others deemed to be charged with the public trust shall be reported immediately to the employee’s supervisor. The supervisor shall prepare a detailed memorandum surrounding the allegation(s) and forward to the Chief of Police via the chain of command.

In the case of an emergency or when extremely confidential information needs to be reported, the information should be reported in person or by telephone to the Investigations Bureau manager or any other bureau manager.

5.12.36 MEDICAL SERVICES: VICTIMS & PATIENTS
The Ridgecrest Police Department intends to obtain, whenever necessary, adequate ambulance and medical services for persons in need of these services. Medical services will be provided in accordance with the existing programs and services of other organizations and entities.

(A) EMERGENCY ROOM SERVICES

Victims of a sexual assault will not be charged for the basic emergency room fee and the Pap smear examination if police personnel make the request for the purpose of obtaining evidence. The City of Ridgecrest will, therefore, accept liability for these reasonable and necessary charges. Charges for pharmaceutical supplies and doctor's fees for examination and treatment shall be incurred by the victim/patient. Officers should advise the victim of the Department's limited responsibility for emergency room charges.

(B) INDEMNIFICATION OF VICTIM: OBLIGATION TO ADVISE

In all cases where a person has been the victim of a violent crime they shall be referred to and given the number for the Victim of Violent Crimes Unit to ascertain any rights they may have regarding indemnification.

5.12.38 MUTUAL AID

In the event of a major occurrence necessitating the immediate response of additional resources, the Watch Commander may exercise those mutual aid agreements held by this agency. The Watch Commander shall maintain an accessible list of those agencies that have entered into the Kern County Mutual Aid Agreements with this agency. The Watch Commander shall cause notification to be made to the selected mutual aid agency by contacting that agency's on-duty Watch Commander and demonstrating the need for such aid by stating all known facts of the occurrence and the resources necessary.

(A) REQUEST FOR MUTUAL AID BY ANOTHER AGENCY

Personnel receiving a request for assistance or mutual aid from any agency shall immediately notify the Watch Commander.

The Watch Commander shall evaluate the requesting agency's needs and shall respond accordingly. The requesting agency will be provided with as many resources as possible, while maintaining sufficient personnel for the continued efficient operation of this Department within the City of Ridgecrest.

(B) REQUEST FOR MUTUAL AID BY THIS DEPARTMENT

The resources of other police agencies shall not be requested within the boundaries of this agency's jurisdiction without the express consent of the
Watch Commander.

(C) MUTUAL AID: NOTIFICATIONS

The Watch Commander shall notify the Chief of Police via the chain of command as soon as possible following a decision to exercise mutual aid for major occurrences. If the mutual aid request is not for a major occurrence, the Watch Commander will make an entry in the Watch Commander’s Log.

(D) MUTUAL AID: LOCAL ASSISTANCE

Local police agencies may request police assistance from one another for short durations of time due to the close proximity to each city. These events are normally contained to a small area for a short period of time. Requests made by other cities shall be directed to the Watch Commander for consideration and approval to send personnel and resources outside of the City. Requests for local assistance shall be made through the Watch Commander.

The requesting agency will be provided with as many resources as possible, while maintaining sufficient personnel for the continued efficient operation of this Department within the City of Ridgecrest.

5.12.40 OPERATIONS OUTSIDE CITY: NOTIFICATION

It is the policy of this Police Department to notify the appropriate police agency, when practical, when investigations or operations lead into another jurisdiction. If necessary, assistance may be sought from the jurisdiction where the investigation or operation is being conducted.

5.12.42 GRAFFITI AND BLIGHT

Police personnel, like other city employees, have a responsibility to report graffiti and blight conditions such as abandoned furniture, shopping carts, and other debris. Officers should report such conditions to the appropriate authority.

5.12.44 PUBLIC HAZARDS

At times, personnel will become aware of service needs to facilities, equipment, or property which are the responsibility of this municipality or another public service agency. Requests for service may include, but are not limited to, inoperative street lights, missing street signs, and graffiti removal.

When personnel become aware of a service need which represents a potential threat to public safety, they shall notify the responsible agency. An appropriate police response shall be initiated, pending corrective action by the responsible agency.
If the situation is not an emergency or threat to public safety, then the personnel observing the condition shall advise the Communications Center who shall contact the appropriate city Department.

5.12.46 CONCEALED WEAPONS PERMIT: PRIVATE PERSONS

It is the policy of the department to issue permits to carry a concealed weapon when there is a demonstrated need to do so. A permit will not be issued merely for the personal convenience of the applicant. No job or position classification in itself should constitute good cause for the issuance or denial of a license. Each application shall be individually reviewed for cause.

The Chief of Police is given the statutory discretion to issue a permit to carry a concealed weapon. Nothing in this policy shall be construed to require the Chief of Police to issue a concealed weapons permit.

(A) APPLICATION

In accordance with California Penal Code § 12050.2 and in accordance with department procedure, any resident of the City of Ridgecrest may obtain a department application for authorization to carry a concealed weapon.

Applicants must demonstrate proof of residence and good character. In addition, good cause for the purposes of Penal Code § 12050 will exist only if the following elements prevail:

1. Convincing evidence of a clear and present danger to life or great bodily harm to the applicant, a spouse, or dependent child which cannot be adequately dealt with by existing law enforcement resources. The applicant must show that this danger cannot be avoided by reasonable alternative measures, and would be significantly mitigated by the applicant’s carrying a concealed weapon, and

2. A valid certificate from a training institution approved by the Chief of Police and the California State Bureau of Collection and Investigative Services, attesting to the applicant’s satisfactory completion of at least twenty-four hours (24) of firearms training. Alternate proof of firearms proficiency may be submitted for review and possible acceptance in lieu of this certification.

(B) QUALIFICATION REQUIREMENTS

Applicants must meet the following requirements:

1. Be a resident of the City of Ridgecrest;

2. Be at least twenty-one (21) years of age;
3. Complete the Ridgecrest Police Department application;
4. Be of good moral character;
5. Pass a criminal record background check and be free of any criminal convictions which would disqualify the applicant from carrying a concealed weapon;
6. Show good cause for the issuance of the license;
7. Be free from any medical and psychological conditions, and
8. Complete required training.

(C) LICENSE RESTRICTIONS

When a license is granted, it will be subject to the following restrictions. Licensees shall not:

1. Consume any alcoholic beverage while in possession of a weapon;
2. Represent to any person that they are a peace officer unless they are in fact a peace officer as defined by law;
3. Unjustifiably display a firearm;
4. Be under the influence of any medication or narcotic drug;
5. Violate any law of this state or country;
6. Impede any law enforcement officers in the conduct of their duties, or
7. Refuse to display their permit (license) to any peace officer for inspection.

(D) PROCESS

Applicants must contact the Office of the Chief of Police to obtain a detailed application package in order to complete the application process. A complete application for the issuance of a concealed weapons permit and procedure for completion of the application will be provided to any resident of the City of Ridgecrest upon request.
Any officer who believes that a victim is likely to die from his injuries may take a statement from the victim regarding how the injuries were sustained. Such a statement is referred to as a “dying declaration.” When taking such a statement, and if circumstances allow, the officer should ask the following questions before receiving a “dying declaration:”

- What is your name and where do you live?
- I understand you are seriously injured, is that true?
- Do you believe you are about to die from the injuries you have sustained?
- Have you any hope of recovering from your injuries?
- Are you willing to make a true statement as to how you received the injuries from which you are suffering?
- All statements should be detailed in a crime/incident report.

5.14 MEDIA RELATIONS

5.14.1 PUBLIC INFORMATION OFFICER

The Watch Commander or a designee selected by the Chief of Police shall be the Department's Public Information Officer (PIO). The duties of the PIO are to provide liaison with the media and to coordinate and assist in the dissemination of Departmental information to the public. In the normal course of business, all inquiries from members of the media shall be referred to the PIO. Division Commanders and the Chief of Police may, however, choose to address the media in specific instances or may designate other employees to act in that capacity for a particular incident. The PIO may also designate others to act in that capacity.

During major incidents, investigations and disasters, the PIO shall remain accessible to the media so that Department personnel can perform their tasks uninterrupted by members of the media requesting information. All personnel shall cooperate with the PIO in meeting the needs of the Department and the news media.

5.14.2 MEDIA RESPONSIBILITY IN CASES INVOLVING OTHER AGENCIES

When the Ridgecrest Police Department is involved with other agencies in matters of mutual responsibility and concern, Department personnel shall cooperate and coordinate fully with those agencies in releasing public information. Generally, the agency of primary jurisdiction will make appropriate news releases citing assisting or secondary agencies. At any time other agencies assist the Ridgecrest Police Department in an operation or investigation, such assistance will be noted in any news
release issued by the Ridgecrest Police Department.

5.14.4 ACCREDITED NEWS REPORTERS

Accredited news reporters are those who have proper identification credentials establishing affiliation with bona fide news organizations. Generally, Ridgecrest police personnel should consider valid press passes from Kern Sheriff’s Department, Bakersfield Police Department, and California Highway Patrol as sufficient evidence that a reporter is affiliated with a bona fide news organization.

The PIO may verbally provide accreditation for an otherwise un-credentialed news reporter for a particular situation.

5.14.6 RELEASE OF INFORMATION: GENERALLY

The Records Unit Manager shall maintain a current file containing information from daily activity reports, and crime reports. The records manager or a designee, who shall verify the credentials of the reporters, shall make information from this file available to news reporters. The Records Unit Manager and the PIO may release information either verbally or in writing.

5.14.8 RELEASE OF INFORMATION: SPECIFIC CASES UNDER INVESTIGATION

Media inquiries concerning specific cases under investigation by this Department shall be referred to the PIO. Release of appropriate details concerning investigations will be coordinated by the PIO with the appropriate bureau commander and/or detail supervisor.

5.14.10 RELEASE OF INFORMATION: TRAFFIC COLLISIONS

California Vehicle Code § 20012 specifies what information shall be disclosed and to whom. Specifically:

“All required accident reports, and supplemental reports, shall be without prejudice to the individual so reporting and shall be for the confidential use of the Department of Motor Vehicles and the Department of the California Highway Patrol, except that the Department of the California Highway Patrol or the law enforcement agency to whom the accident was reported shall disclose the entire contents of the reports, including, but not limited to, the names and addresses of persons involved or injured in, or witnesses to, an accident, the registration numbers and descriptions of vehicles involved, the date, time and location of an accident, all diagrams, statements of the drivers involved or occupants injured in the accident and the statements of all witnesses, to any person who may have a proper interest therein, including, but not limited to, the driver or drivers involved, or the guardian or conservator thereof, the parent of a minor driver, the authorized representative of a driver, or to any named person injured therein, the owners of vehicles or property damaged thereby, persons
who may incur civil liability, including liability based upon a breach of warranty arising out of the accident, and any attorney who declares under penalty of perjury that he or she represents any of the above persons.”

A request for a copy of an accident report shall be accompanied by payment of a fee, provided such fee shall not exceed the actual cost of providing the copy.”

5.14.12 NEWSWORTHY INCIDENTS: CODE 20

(A) CODE 20

A Code 20 is a notification to the news media of an immediate newsworthy incident. When a newsworthy incident occurs in the field, it shall be the responding field officer’s responsibility to notify a supervisor and the Watch Commander of such occurrence. The Watch Commander shall obtain pertinent elements of the newsworthy incident and determine if release of information regarding this incident (Code 20) is in the public interest and that of the Department. Depending upon the magnitude of such incident, the availability of personnel, or other exigencies, the Watch Commander shall be responsible for advising the media, and/or PIO of the incident. If the Watch Commander issues a Code 20 media notification regarding the incident, independently of the PIO, all media notifications shall be recorded in the Watch Commander’s log, noted on the original press release and forwarded to the PIO.

(B) MEDIA NOTIFICATION LIST

The PIO shall compile and keep current a list of news agencies and wire services for use in Code 20 notifications. A copy of this list shall be maintained in the Watch Commander’s office.

5.14.14 MAJOR INCIDENTS: PIO RECALL

At the direction of a Division Commander, the PIO or a designee shall respond to the scene of major incidents to coordinate release of information to the media. In the event of major incidents such as officer involved shootings, hostage incidents, or natural disasters, the PIO may be subject to emergency recall and shall respond as directed by the Division Commander.

5.14.16 PIO NOTIFICATION: NEWS RELEASE OR INTERVIEW

The PIO shall be advised of any news releases or media interviews originating anywhere in the Police Department. It shall be the responsibility of the person authorizing the release or interview to ensure that the PIO is notified. The notification may be made verbally when the PIO is on duty, by internal memorandum, or Watch Commander’s Log entry. The purpose of the notification is to ensure that consistent and accurate information is disseminated to the media.
5.14.18 NEWS RELEASES: SPECIAL BULLETINS

Quite frequently, news releases will be made in written form by means of special bulletins. The PIO is generally responsible for the creation of special bulletins, but they may be generated anywhere within the Department. Special bulletins shall be issued on the approved Departmental form and the release of such bulletins shall be coordinated through the PIO. Special bulletins shall be maintained by the Records Unit.

5.14.20 SPECIAL FEATURE NEWS STORIES

Requests for Police Department cooperation for feature news stories or commercial productions shall be referred to the PIO. The PIO may accommodate such requests on approval of the Chief of Police after determining that no conflict of interest, no undue loss of time from Departmental personnel, no other undesirable or disruptive factors are involved, and that the feature story is in the best interest of the community and the Department.

5.14.22 NEWS CONFERENCES

From time to time, activities of members of the Ridgecrest Police Department will be of such note that it is in the interest of the Department and the public to call a news conference. When authorized by the Chief of Police the PIO, or designee, shall coordinate all news conferences. Prior to any news conference, individuals most familiar with the information to be disseminated shall brief the PIO. Police management and/or the PIO shall determine who will address the conferees and what information will be released. The PIO will ensure that equal access is provided to all members of the media.

5.14.24 EXHIBITION OF EVIDENCE

Rules of evidence require strict accountability and handling of all items of evidence in criminal cases. Occasionally, however, a display of items of evidence to the media is in the community interest and is of great benefit in educating the public regarding specific crimes and police activities.

Police management and/or the PIO may authorize the display of evidence for the media on a case-by-case basis. Personnel assigned to display such evidence shall maintain direct control over the evidence until it is returned to storage. Members of the media shall not be allowed access to the evidence except under direct supervision of Department personnel. Evidence shall not be displayed if the display might hinder the successful prosecution of a case, shock or offend the public, adversely impact an innocent party, or present a security risk by its display.

5.14.26 RELEASE OF VICTIM /REPORTING PARTY INFORMATION TO THE MEDIA
California Government Code § 6254(f) requires that certain information regarding victims and reporting parties be released unless such release would endanger the victim, witness(es), reporting party or the successful completion of an investigation. Officers shall not guarantee to any victim or reporting party that a case will not receive publicity.

The decision whether or not to release information about a particular crime, incident, or the name of a victim reporting party shall be made by a member of police management or the PIO. Victims of the following crimes shall, upon request, have their names and/or addresses withheld from the public: Penal Code §§ 220, 261, 261.5, 262, 264, 264.1, 273a, 273d, 286, 288, 288a, 289, 273.5, 422.6, 422.7, and 422.75.

Additionally, Penal Code Section 293(a) states, “Any employee of a law enforcement agency who personally receives a report from any person, alleging that the person making the report has been the victim of a sex offense, shall inform that person that his or her name will become a matter of public record unless he or she requests that it not become a matter of public record, pursuant to Section 6254 of the Government Code.

Any request by a citizen to a member of the Police Department to withhold from release information regarding a criminal incident shall be documented on the Department’s Authorization to Release Information Form.

5.14.28 MEDIA ACCESS TO DISASTER, RIOT, AND ACCIDENT SCENES

Disaster, riot and accident scenes may be closed to the public pursuant to § 409.5 PC; however, news media representatives are exempt from this restriction. Ridgecrest police personnel shall not restrict the media's access to a disaster, riot, or accident scene unless:

· The area is a crime scene, or

· The presence of the media is interfering with the rescue efforts of emergency personnel at the scene

As soon as a disaster or accident scene has been identified and secured, authorized media shall be permitted free access to the area, after being advised of any existing danger. Ridgecrest Police Department personnel will not be required to provide an escort into or out of dangerous areas. Authorized members of the news media are to be permitted free movement in the area as long as they do not hamper, deter, or interfere with law enforcement or public safety operations.

The area immediately surrounding any emergency field command post or any other command post activated for the purpose of abating any calamity enumerated in § 490.5 PC, or any riot or other civil disturbance may be closed to unauthorized persons whether or not such field command post or other command post is located near the
actual calamity or riot or other civil disturbance. Authorized members of the media shall be permitted into this area to the extent that their presence does not hamper, deter, or interfere with law enforcement or public safety operations.

5.14.30 MEDIA ACCESS TO CRIME SCENES

Generally, the news media shall not be allowed into crime scenes. Reporters and/or photographers shall be kept sufficiently distant from a crime scene being searched or preserved to protect it from being disturbed and to prevent evidence from being destroyed or contaminated.

If a determination is made by police management that admittance of the media to a crime scene is in the public interest and that evidence will not be disturbed, destroyed, or contaminated, authorized members of the media may be allowed into a crime scene only under direct escort. Members of the media shall not be invited by Department personnel onto private property not open to the general public unless permission has been obtained from the owner/agent or person in control of said property.

5.14.32 MEDIA ACCESS TO AREAS OF TACTICAL OPERATIONS

Areas of tactical operations should be considered the same as crime scenes. Every effort should be made to allow the media access to the outer perimeter of such areas to the extent that such tactical operations are not jeopardized by media presence.

5.14.34 MEDIA ACCESS TO JAIL FACILITIES

The media has no special right to enter any Ridgecrest Police Department Jail Facility. Requests for any Ridgecrest Police Jail Facility to be the subject of a feature article shall be referred to the PIO. The PIO shall accommodate such requests only on approval of the Chief of Police. The PIO or a designee shall coordinate media access and coverage of jail facilities. Because access by the media to jail facilities must be closely monitored, prisoners' privacy must be maintained and facility security must not be compromised, such access is extremely labor intensive for police personnel. Cost, availability of personnel, and safety concerns are factors which must be evaluated when considering approval of media access to custody facilities. News media recording devices, such as video cameras, tape recorders, or still cameras shall not be allowed inside any Ridgecrest Police Department jail facility except by approval of a Division Commander.

5.14.36 MEDIA ACCESS TO PRISONERS IN CUSTODY

Prisoners shall not be posed for news photos or video. Members of the media may take "grab shots" while prisoners are being transported to and from detention or court facilities but under no circumstances are shots to be posed. Prisoners shall not be requested to make statements to the media. News media interviews shall not be granted for any pre-arraigned prisoner.
News media interviews shall not be granted for any other agency's pre-sentenced prisoners in Ridgecrest police custody.

5.14.38 MEDIA REQUESTS FOR INFORMATION PURSUANT TO THE CALIFORNIA PUBLIC RECORDS ACT (CPRA)

Occasionally, members of the media will make written requests to obtain information in police reports or other records on file with the Ridgecrest Police Department pursuant to the California Public Records Act (CPRA). The CPRA requires that recorded information is subject to public inspection and copying unless: a specific exception or exemption within the act or a confidentiality rule elsewhere in state or federal law permits or mandates non-disclosure; or the agency can show that, on the facts of a particular case, the public interest served by withholding the information clearly outweighs the public interest served by disclosure.

Written CPRA requests shall be directed to the Administrative Services Manager (ASM) or the PIO. The request may then be forwarded with a copy of the document containing the requested information to the City Attorney's office for review. It is imperative that the City Attorney's office receive the request in a timely manner, as the CPRA mandates a response within ten days of receipt of the request. If the City Attorney's office directs release of information, the ASM or the PIO shall notify the requesting person or organization and coordinate release of the information. If the City Attorney's office denies the request, the ASM or the PIO shall notify the requesting person or organization in writing within the statutory time allowed.

5.14.40 RELEASE OF CRIMINAL HISTORY

Criminal history information is defined as the master record of information compiled by either the Department of Justice or a local law enforcement agency pertaining to the identification and criminal history of any person. The Penal Code prohibits dissemination of such information, unless the material released is merely statistical or research data that does not identify the subject of the record, or is done to help apprehend a person wanted in connection with the commission of a crime. Dissemination of rap sheet information about an arrestee does not fit either of these exceptions and the unauthorized release of such information may be prosecuted as a misdemeanor. Police personnel shall not release rap sheet information regarding any arrestee, unless the stated criteria for release have been met.

Criminal history may only be released for law enforcement purposes to authorized agencies, further restricted to those members of law enforcement that have both a need to know and a right to know the information.

5.14.42 RELEASE OF INFORMATION REGARDING DEATH

Ridgecrest Police Personnel shall not release the name of any decedent to the media
without first verifying the identity of the decedent and confirming that next-of-kin has
been notified. In any case where identification of a decedent is not certain, media
inquiries shall be referred to the Kern County Sheriff’s Office, Coroner's Division. If
the circumstances surrounding the death of the decedent are being investigated by
members of the Ridgecrest Police Department, release of any details concerning the
death shall be coordinated by the PIO with the Bureau Commander and/or unit
supervisor.

5.14.44 RELEASE OF INFORMATION REGARDING DEATH IN CUSTODY

Information regarding the death of a prisoner in a Ridgecrest Police Department Jail
Facility, or other person in custody of the Ridgecrest Police Department may be
released in the same manner as any similar incident occurring outside of the Jail
Facility. It must be recognized, however, that the death of anyone in custody of
Ridgecrest police personnel is quite often the subject of litigation. Prior to release of
information regarding the death of any person in custody of police personnel, the PIO
shall be notified and police management and/or the City Attorney's office shall review
the details to be released.

5.14.46 MEDIA ACCESS TO SCHOOL GROUNDS

Legitimate media representatives may be on a school campus even without the
permission of school authorities. The media does not have a right to disrupt school
activities, however, and any disruptive activities may be prohibited. Police personnel
shall respond appropriately to calls for assistance from school authorities.

5.14.48 MEDIA ACCESS TO PUBLIC MEETINGS

Local governing bodies, state boards, and state commissions are required to conduct
meetings that are open to the public and the media.

5.14.50 MEDIA ACCESS TO PRIVATE PROPERTY

The media has no special exemption from civil or criminal trespass laws or from civil
liability for invasion of privacy stemming from entry onto premises without the lawful
possessor's consent. However, the media may generally enter onto private property
that is open to the public.

Case law suggests that when a property owner permits general public access to or
passage through the premises, peaceable and non-destructive conduct by the media
cannot be prevented by recourse to the criminal trespass law.

Members of the Ridgecrest Police Department shall not extend an invitation to media
representatives to enter onto private property that is the location of a police operation.
If an area of private property has not been declared a crime or tactical operations
scene and the presence of media representatives will not hinder emergency efforts or
endanger officers, the decision to enter onto the private property, absent consent or denial by a responsible party, rests with the media representatives themselves.

5.14.52 MEDIA ACCESS TO CRIME SCENES AND TACTICAL OPERATIONS ON PRIVATE PROPERTY

When a law enforcement agency has secured an area as a crime scene, the lawful possessor temporarily loses some rights of immediate control over that area. News reporters may be civilly liable for trespass and other torts if they simply accompany rescue officials into a private home without the resident's consent. The media may incur civil liability from entering private homes or lands that are crime scenes, unless the premises have been placed under the control of a government agency and that agency has invited or permitted the media to enter in order to view evidence or an official action. The media may, of course, ensure its immunity from civil liability by restricting its presence to public property or adjacent land belonging to someone who has no objection to that presence.

Police personnel shall not invite media representatives to accompany officers onto private property during tactical operations or into crime scenes without the consent of the owner or person in control of such property.

5.14.54 RELEASE OF PUBLIC INFORMATION

As defined by California Government Code Section 6254 (F) (1), the below listed information is considered to be public information and shall be released to the public, except to the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation, or would endanger the successful completion of the investigation, or a related investigation. This public information includes:

- The full name, current address, and occupation of every person arrested;
- The arrestee's physical description, including date of birth, color of eyes and hair, sex, height and weight;
- The time and date of arrest;
- The time and date of booking;
- The location of the arrest;
- Factual circumstances surrounding the arrest;
- The amount of bail set;
The time and manner of release or the location where the arrestee is currently being held;

All charges against the arrestee, including any outstanding warrants from other jurisdictions and parole or probation hold;

The time, substance, and location of all complaints or requests for assistance received by the agency;

The time and nature of the response thereto;

The time, date, and location of an occurrence;

The time and date of the report;

Except in the enumerated cases of sexual assault, child abuse, interference with civil rights and spousal abuse, the name, age and current address of the victim;

The factual circumstances surrounding the crime or incident, and

A general description of any injuries, property or weapons involved.

5.16 CEREMONIAL FUNCTIONS

5.16.1 DEPARTMENT INSPECTIONS

The Chief of Police or any member of the Command Staff may inspect the Department or any unit within it at any time.

5.16.2 DIVISION INSPECTIONS

Division commanders may call an inspection of their personnel at any time.

5.16.4 BUREAU/WATCH COMMANDER INSPECTIONS

Bureau and Watch Commanders are responsible for conducting periodic inspections of the personnel under their command to ensure that equipment is properly worn, that the equipment is in a clean serviceable condition, and that personal appearance standards set forth by the Department are being complied with.

5.16.6 SALUTING REGULATIONS

(A) SALUTING DURING A PARADE

A uniformed officer at a parade needs to salute only the massed National
Colors at the head of the parade. When the flag is six paces from the officer, the officer shall face it and render a hand salute. The salute shall be maintained until the flag is six paces beyond the officer. Other groups of colors that follow may be saluted if the officer's immediate attention to duty is not necessary.

(B) SALUTING DURING THE NATIONAL ANTHEM

When the National Anthem is played at any ceremony, an officer wearing a uniform with a cover shall face the national colors, assume the position of attention, and render a hand salute. If there are no national colors present, the officer shall face the band and render the salute. Officers who are in uniform but are not wearing a cover shall stand at attention. Officers who are in civilian dress shall remove hats (if applicable) and stand at attention.

(C) SALUTING DURING FLAG CEREMONIES

During the ceremony of hoisting or lowering the United States flag, those officers present and in uniform shall render the prescribed hand salute.

(D) FUNERAL PROCESSIONS

When duty requirements permit, an officer who is on a fixed post at an intersection through which a funeral procession passes shall stand at attention facing the procession. This position should be maintained until at least the hearse and the portion of the procession that contains the immediate family has passed.

5.16.8 FLAG FLOWN AT HALF-STAFF

From time to time the National Flag is displayed at half-staff. This is accomplished by first hoisting the flag to the peak and then lowered it to the half-staff position.

(A) DIRECTION OF CHIEF OF POLICE

The flag shall only be flown at half-staff at the direction of the Chief of Police or designee in compliance with this Manual.

(B) DEATH OF PEACE OFFICER

At the direction of the City Manager, the United States Flag will be flown at half-staff whenever any local, county, state, or federal law enforcement officer dies in the line of duty within Kern County.

Additionally, the City Manager may authorize the United States Flag to be flown at half-staff whenever any active duty or retired Ridgecrest Police
Officer dies.

The flag will be flown at half-staff from the time of death to the time of internment.
At the direction of the City Manager, the flag may be flown at half-staff in respect for other deaths or events.

5.16.10 UNIFORM BADGES: DEATH OF LAW ENFORCEMENT OFFICER

Ridgecrest Police Department personnel are authorized to wear a black mourning band on the Ridgecrest Police badge whenever any local, county, state or federal law enforcement officer dies in the line of duty within the Southern California area. This includes the counties of Kern, Inyo, Los Angeles, Orange, Riverside, San Diego, Ventura, San Bernardino and others as approved by the Chief of Police. Personnel are also authorized to wear the mourning band on the Ridgecrest Police badge whenever any active duty Ridgecrest Police Officer dies, or when authorized by the Chief of Police for other deaths.

Mourning bands shall be a half-inch wide, black, elastic band, which is worn horizontally across the badge covering the state seal. The mourning bands shall be worn from the time of death until the internment.

5.16.12 FUNERAL OF DEPARTMENT PERSONNEL

The Field Services Division Commander shall be responsible for coordinating Department participation in and assisting family members with funerals of Department personnel.

In the event of the death of any active or retired Ridgecrest Police Officer, the Command Officer assigned shall be responsible for the following:

- Contact the spouse, or nearest of kin, and offer assistance in completing funeral arrangements;
- Ensure that a notice is published informing Department personnel of the funeral arrangements;
- Provide liaison between the surviving family and various organizations that should be contacted (RPOA, PERS, etc.);
- Advise the surviving family that a Police Department Chaplain or the Department Honor Guard (if the deceased was killed in the line of duty or had been honorably discharged from the Armed Forces of the United States) will be available to assist in the funeral services, if desired;
- Provide overall coordination and briefing of participating Department
personnel as well as members of other Departments at the funeral, and

· Notify the Office of the Chief of Police of the arrangements made for the funeral.

(A) PROCESSION TO THE GRAVE SIDE

A marked Department vehicle, led by a supervisor, will lead (not escort) the hearse to the grave side. Additional vehicles may be assigned by the Field Services Division Commander with the approval of the Chief of Police. Marked units will follow the family car.

(B) GRAVE SIDE PROCEDURE

Upon arrival at the grave side, the Officer-In-Charge shall form the uniform detail into ranks facing the family of the deceased. Staff and Command Officers will form the front rank of the detail.

As the casket is removed from the hearse, the detail shall be brought to attention until the casket is placed at the grave side. At that time, the detail will be placed in a position of parade rest and will remain covered.

At the conclusion of the services, the uniformed detail will be brought to attention and render a hand salute on command. If no further military honors are presented, the detail will then be dismissed.

(C) PRESENTATION OF THE FLAG

If the deceased was a veteran of the armed forces and the casket is draped with the Flag of the United States, the following procedures shall be followed:

1. Upon completion of the services, the ranking Department member will step forth and stand in front of the ranks facing the grave and family.

2. Members of the Department Color Guard will remove the flag from the casket, fold it in the approved manner, and hand it to the ranking Department member. The ranking Department member will present the flag to the deceased's nearest of kin.

3. A hand salute will be executed by the Color Guard and the ranking Department member at the time of transfer.

5.16.14 ACTIVE RIDGECREST POLICE OFFICER: KILLED IN THE LINE OF DUTY

(A) CASKET BEARERS
If agreed to or requested by the family, casket bearers will be assigned from the deceased's division of assignment or will be personal friends of the deceased who are members of the Department.

(B) RESPONSIBILITY FOR UNIFORMED PERSONNEL AT SERVICES

A uniformed Command Officer from the department will be assigned to attend the funeral and assume command of all uniformed Department personnel in attendance. Prior to the service, the Command Officer will be thoroughly briefed on all procedures to be followed by the uniformed contingent. Uniformed personnel in attendance from other jurisdictions will be requested to place themselves under the direction of assigned Command Officer.

(C) CHAPEL SERVICE PROCEDURES

Staff officers and other dignitaries will be ushered to reserve seating by mortuary personnel. Uniformed personnel under the rank of Captain shall be assembled in ranks outside the chapel as they arrive and will be instructed in procedures by the Command Officer in charge. Uniformed personnel shall sit in areas reserved for them, and they shall file in as a group just prior to the services. Personnel will carry their hats under the left arm while walking into the chapel.

After the service, uniformed personnel shall form into ranks near the location where the casket will be brought out. If impractical, the Officer-In-Charge shall form uniformed personnel into the two (or more) ranks allowing others attending to walk between the ranks as they exit the chapel.

The Chief of Police, Captains, and others in descending rank will form a front rank and be requested to follow, along with the others in the formation, the voice commands of the Officer-In-Charge. As the casket is brought from the chapel, the detail will be brought to attention and will render a hand salute until the casket is placed in the hearse and the casket bearers have stepped back. The detail will then be dismissed for the procession to the grave side.

5.16.16 DEATH OF AN OFF-DUTY ACTIVE OFFICER OR RETIRED DEPARTMENT PERSONNEL

Casket bearers from the deceased's division of assignment will be provided in accordance with the wishes of the next of kin. If the deceased was a veteran of the Armed Forces of the United States, the military honors set forth in this Manual may be provided at the request of the next of kin.

5.16.18 DEATH OF AN ACTIVE OFFICER: OTHER LAW ENFORCEMENT
AGENCIES

When an officer of another agency in the Kern County area is killed in the line of duty, the Field Services Division will contact the concerned department as soon as possible and ascertain the date, time, and location of the funeral and burial. This information shall be forwarded to the Chief of Police who will determine the manner in which the department will show its respect.

The Field Services Division will coordinate funeral attendance of Ridgecrest Police Department personnel. An order shall be published indicating the date, time and location of the funeral and shall also include the date, time, and place where Ridgecrest Police personnel are to assemble for a pre-funeral briefing. Transportation to and from the funeral shall also be coordinated through the Field Services Division.
CHAPTER 6: EMERGENCY PREPAREDNESS

6.0 EMERGENCY PREPAREDNESS

6.0.1 DISASTER: DEFINED

A disaster exists when there are (actual or threatened) conditions of extreme peril to the safety of persons and property within the City of Ridgecrest caused by such conditions as, but not limited to, air pollution, fire, flood, storm, epidemic, riot, war, earthquake, transportation accident, nuclear or hazardous materials accident.

6.1 GENERAL PROCEDURES

6.1.1 PERSONNEL RESPONSE

At the onset of an apparent disaster situation, the on-duty Watch Commander shall assume initial incident command. The Watch Commander will assess the overall situation, city-wide, and determine Police Department priorities until an Emergency Operations Center has been established. During disaster operations, the following procedure shall apply:

(A) RECALL

The Watch Commander may request the call-back of key police personnel.

The recall list is as follows:

· Chief of Police
· Field Services Division Commander
· Support Services Division Commander
· Patrol, Investigative and Administrative Personnel
· All other personnel as needed

(B) MEDIA ASSISTANCE / PERSONNEL RECALL

Upon notification of a disaster (pending or actual emergency), the Watch Commander may request Communications to notify local radio/television/cable stations to broadcast personnel recall messages.

The media may also be contacted through the Kern County Operational Area Emergency Broadcast System at the Kern County Sheriff’s Office
Information Bureau.

(C) REPORTING FOR DUTY.

When an emergency occurs, Communications Personnel will notify the Department chain of command. The Watch Commander will supervise the recall of Department personnel. All Police Department personnel who are able to respond shall report to the police station or other location as directed by call back personnel.

If the Emergency Operations Center located at the Police Department has been activated, personnel assigned to the Emergency Operations Center should report there.

When off-duty Police Department personnel have reasonable cause to believe that an emergency situation exists, but have not been recalled to work, and are unable to reach the Department by telephone, they shall report to the police facility for assignment.

All Reserve Police Officers and Explorers, who are unable to contact the Department by telephone in the event of an actual emergency situation, should report to the police facility for assignment.

(D) DECLARED DISASTER/EMERGENCY: REPORTING FOR DUTY

The official declaration of a state of emergency, which includes the City of Ridgecrest, regardless of the level of government making the declaration, shall immediately create the following recall to duty response by every employee of the Ridgecrest Police Department.

Upon becoming aware that a declared state of emergency or disaster exists, employees not currently on duty shall:

· Make an immediate and concerted effort to contact the Watch Commander, immediate supervisor, or the Emergency Operations Center (if functional) to advise the Department of the employees’ status and to receive appropriate instructions concerning reporting for duty;

· If employees are unsuccessful in making contact and have the ability to respond to the Ridgecrest Police Department facility, they shall make a reasonable effort to do so and respond at the earliest opportunity. The Incident Commander shall be advised upon arrival;
If employees are unsuccessful, or unable to comply with paragraphs (1) and/or (2), they shall report to law enforcement facilities or command centers nearest to their places of residence or current locations and report for duty to those agencies until they are to comply with paragraphs (1) and/or (2), and

Employees, who have suffered personal injury or death to family members, serious personal property damage, or other significant emergencies, shall receive reasonable consideration for these issues, provided they have complied with paragraphs 1, 2, or 3 at their earliest opportunity.

**E) VOLUNTEERS**

A separate staging area shall be established by the Incident Commander, or a designee of the Watch Commander, at the station for Reserves, Explorers and any other volunteer workers. Amateur radio personnel should be directed to the Emergency Operations Center for assignment.

**6.2 INCIDENT COMMAND STRUCTURE AND RESPONSIBILITIES**

**A) CHIEF OF POLICE**

The duties and responsibilities of the Chief of Police are as follows:

- Establish and activate the Emergency Operations Center;
- Maintain communication and liaison with City officials and representatives of other City and County agencies;
- Assume role within Incident Command Structure/Emergency Operations Center policy group, and
- Transmit reports, both verbal and written to the Director of Emergency Services (City Manager) at regular intervals, or as the situation warrants.

**B) FIELD SERVICES DIVISION COMMANDER**

The duties and responsibilities of the Field Services Division Commander are as follows:

- Assume command of the Emergency Operations Center (Police Operations function). Unassigned Field Services
Division Patrol Sergeants may be used as adjutants;

· Advise the Support Services Division Commander regarding the allocation and maintenance of task force strengths;

· Coordinate activities between the Field Command Post and the Emergency Operations Center. When appropriate, consolidate police communications under the Emergency Operations Center Police operations module;

· Assume command of the Field Command Post in extreme circumstances, and

· Supervise the deployment and assignment of personnel recalled to duty; and also those persons supplied in response to mutual aid requests.

(C) SUPPORT SERVICES DIVISION COMMANDER

The duties and responsibilities of the Support Services Division Commander are as follows:

· Serve as “Incident Command” Commander of Police Operations and assist with the operations of the Emergency Operations Center;

· Allocate and maintain task force strengths based upon the needs, as determined by the information received from the Field Personnel;

· Maintain an overall monitoring of the incident, police response, and incoming information for the purpose of prioritizing and designating assignments;

· Approve development of personnel and equipment for the duration of disaster operation;

· Assign personnel as needed to the Emergency Operations Center for records keeping and assisting the Support Services Division Commander, and

· Have records staff assist in the identification of casualties and injured persons, utilizing Departmental records, and other resources.
(D) INVESTIGATIONS BUREAU SUPERVISOR

The duties and responsibilities of the Investigations Bureau Supervisor are as follows:

· Assign Investigations personnel to the disaster zone and to the Field Command Post as Intelligence Units;

· Evaluate intelligence received at the Emergency Operations Center;

· Facilitate intelligence for the planning of alert and warning, movement and evacuation, access control, and recovery;

· Select and staff casualty stations as necessary;

· Act as a liaison officer with representatives from the Municipal Court and the District Attorney’s office, and

· Insure Coroner functions are performed as necessary.

(E) ADMINISTRATIVE SERVICES BUREAU MANAGER

The duties and responsibilities of the Administrative Services Bureau Manager are as follows:

· Provide logistical support;

· Maintain an inventory of all available resources and execute a detailed plan for the rapid procurement of critical equipment;

· Obtain inventory records of equipment available from outside agencies and provide summaries to the Emergency Operations Center for prompt distribution;

· Coordinate the acquisition, allocation, and accountability of all supplies;

· Arrange for the feeding, personal hygiene, and rest areas for all on-duty personnel, and

· Assist in arrest and detention operations, with emphasis on the feeding and transportation of arrestees.
(F) WATCH COMMANDER/PATROL

The duties and responsibilities of the Patrol Watch Commander are as follows:

- Establish a Field Command Post if necessary; take command of Field operations;
- Establish an Assembly Area in the Traffic Zone near the Field Command Post;
- Direct reconnaissance activities to determine the boundaries of the Disaster Zone and the Traffic Zone;
- Deploy, assign, and reassign manpower and equipment as the situation dictates, based upon information received from intelligence units and from the Emergency Operations Center;
- Receive and transmit information to the Emergency Operations Center for updating of incident progress reports;
- Relay any changes in manpower, equipment, or the development of the situation immediately to the Emergency Operations Center in order that command decisions can be made quickly;
- Direct and coordinate the movement of all field units in accordance with instructions from the Emergency Operations Center;
- If necessary, alert and warn the populace of threatening situations, and
- Control access to areas of disaster.

(G) PATROL SUPERVISOR

The duties and responsibilities of the Patrol Supervisor are as follows:

- Assume command of recalling personnel;
- Select and designate a staging area for recalled personnel;
- Brief, equip, and control recalled personnel, through coordinated efforts with the Headquarters Command Post;
- Ensure that accurate records of all personnel on overtime
status are kept;

· Coordinate personnel needs with Emergency Operations Center and Field Command Post;

· Direct recalled personnel to Field Command Post, standby status, and other assignments as required;

· Provide relief for the field personnel within the disaster area;

· Keep accurate records of all mutual aid personnel in coordination with the Headquarters Command Post;

· Dispatch personnel from station headquarters to emergency crimes in progress as assigned by the Emergency Operations Center, and

· Provide station/facility security as needed.

(H) INVESTIGATIONS BUREAU SERGEANT

The duties and responsibilities of the Investigations Bureau Sergeant are listed below:

· Report to Emergency Operations Center for situation analysis;

· Coordinate personnel for reconnaissance to keep Emergency Operations Center fully informed of current situation;

· Sort incoming information and seek verification to establish intelligence;

· Assist in establishing the situational analysis function, based on developed intelligence, with regard to pending movement and evacuations;

· Establish an information center for the dissemination of information to the public and the various news media;

· Maintain a situational reporting and verification team;

· Perform tasks as directed by the staff of the Emergency Operations Center;

· Assign record clerks as needed to compile information on the
family status/welfare of Police Department personnel;

- Assign personnel to handle coroner functions if the Kern County Coroner is unavailable;

- Ensure the operation and maintenance of emergency communications equipment within the Department and that the equipment is operational before and during an emergency, and

- Supervise personnel from Communications to ensure that the Field Command Post and Emergency Operations Center are adequately staffed.

6.2.1 COMMUNICATIONS

Primary communications will occur by radio on Ridgecrest Police Department radio frequencies. The telephones, if functioning, will be staffed at the staging area, Emergency Operations Center, Police Facility and Field Command Post.

6.2.2 EMERGENCY PRIORITIES

Initial priorities for the Watch Commander shall be to direct field units to begin reconnaissance of damaged areas.

6.2.4 FIELD PERSONNEL

Field personnel, in the event of a disaster, will immediately begin reporting the visual conditions of critical sites within their assigned districts. Responsibilities will include:

- Alert the local populace to hazards;

- If current staffing levels are insufficient to handle the incident, the Watch Commander will begin personnel recall procedures;

- Once staffing has reached sufficient levels, Field Services Division personnel will concentrate on those activities which will have the greatest impact on saving lives and protecting property;

- As staffing permits, control access into the affected areas to prevent looking;

- The Investigations Bureau will assume reconnaissance responsibilities and coroner functions. Investigations Bureau staff will also administer rest stations, logistical support, crime suppression and station/facility
security, and

- Emergency calls will be handled by existing available personnel augmented by Reserve Police Officers.

### 6.2.6 ACTION PRIORITIES

The Support Services Division Commander will begin to process information and develop operational priorities.

The Field Services Division Commander will assess the need for mutual aid personnel and/or equipment to accomplish prioritized assignments and advise the Emergency Operations Center.

#### (A) MUTUAL AID

The Chief of Police or a designee shall make requests for mutual aid. A request for mutual aid will be made directly to the Kern County Sheriff’s Department. The Sheriff’s Department should be furnished with the following information:

- The type of unusual occurrence or major disaster;
- The number of persons involved or any known number of casualties;
- The approximate size of the area involved;
- The location of the command post or the assembly area where the responding officers are to report;
- The identity of the person to whom they should report;
- The anticipated duration of the incident, if known;
- How responding personnel will be utilized, and
- Additional information needed, if available, should be furnished upon request.

#### (B) ADDITIONAL SUPPORT SERVICES

The Investigations Bureau Supervisor will take action in the functional area of coroner duties and provide support action to the situational analysis effort. Security for City buildings, personnel rest and staging areas, the Emergency Operations Center, and Jail Facilities shall be the responsibility of the Patrol
Bureau. Overall logistical support action for police operations will be provided by the Support Services Division Commander.

Requests for public information and aerial observation shall be made to the Field Services Division Commander.

6.2.8 MEDIA RELATIONS

Nowhere is there greater chance for misunderstanding and conflict between law enforcement and the media than at scenes of tactical operations, accidents, and disasters. It is essential that police officers know the extent of their authority in regards to a disaster.

(A) PRESS/MEDIA AUTHORIZATION

Under § 409.5 PC, which reads in part [sub-section (d)], “Nothing in this section shall prevent a duly authorized representative of any news service, newspaper, or radio or television station or network from entering the areas closed pursuant to this section.” A police officer can not keep the media out of a disaster scene unless: it is a crime scene, and/or the presence of the media is interfering with the rescue efforts of emergency personnel at the scene.

(B) DULY AUTHORIZED

“Duly Authorized” refers to a credentialed representative from a bona fide newspaper, television, radio station, etc. Ridgecrest Police Officers should consider the Kern County Sheriff’s Department and California Highway Patrol press passes as sufficient evidence that the holder is a credentialed media representative.

6.2.10 WORK SCHEDULES

Upon request of the Watch Commander, with approval of the Emergency Operations Center, all Police Department personnel will be assigned to work extended shifts as directed. Personnel will return to staging areas for rest periods. The Watch Commander will alternate work shifts with the off-duty Captains. Where appropriate, the Department’s Management Staff has the authority to alter work shifts to meet short-term needs. Once the Emergency Operations Center has been established and staffed, the Emergency Operations Center will assume shift scheduling responsibilities and relief assignments.

A log shall be maintained of personnel checking in and out of their assignments.

6.2.12 STAGING AREAS
The primary staging area for police personnel will be the Police Department Facility. Should the Police Facility be rendered unusable due to some form of disaster, alternate site plans will be implemented as outlined in the Emergency Preparedness Manual.

(A) **HOUSING AND SANITATION**

Department personnel may be housed at the Kerr McGee Community Center and school gymnasiums during a disaster.

(B) **POLICE PERSONNEL FAMILIES**

Recalled personnel with displaced families may bring family members to designated City Shelters. Until City Shelters are designated by Emergency Operations Center Staff, police personnel families will be directed to specified locations identified by the Administrative Services Bureau Manager.

On-duty personnel will be notified of their family’s status by a network of Ridgecrest Police Department, Office of Emergency Services, and Radio Amateur Civil Emergency Services personnel.

(C) **SECURITY**

Entry will be restricted to properly identified personnel. The staging areas will be secure, permitting entry by emergency vehicles and authorized personnel only. Personnel will park personal vehicles in assigned areas.

6.2.14 **EMERGENCY EQUIPMENT AND SUPPLIES**

The Administrative Services Bureau Manager shall ensure that all Department equipment (including vehicles) is staged in an area free from the effects of the disaster and with easy access by field personnel. The Administrative Services Bureau Manager shall also direct mutual aid and outside resources to designated staging areas. Further, coordination with other Departments regarding equipment that might be shared should be implemented.

(A) **SUPPLIES**

The Administrative Services Bureau shall routinely maintain emergency food, water, and related supplies in the station as a disaster preparedness function.

The Administrative Services Bureau is responsible for the logistical support of field disaster operations. This shall include maintenance of supply inventories, procurement of needed items, and the proper staging of those items. Those supplies maintained by this Department consist of a 3 day supply of food...
which is constantly being recycled.

(B) DOCUMENTATION

Necessary records and reports for the reimbursement of expenses incurred during declared disasters and emergencies shall be created and maintained by the Administrative Services Bureau. A special incident form has been created to briefly document crimes and other incidents occurring during a disaster situation.

6.2.16 PATROL RESPONSE GUIDELINES

During a declared emergency or disaster, normal crime control activities must necessarily continue, but only pursuant to emergency operating priorities. As a result, the following guidelines will be used. The Department will **not** respond to:

- Non-injury traffic accidents unless the roadway is impassable;
- Cold incident report calls;
- Parking complaints unless vehicles are blocking roadway, or
- Non-criminal public service demands.

All other calls for service shall be prioritized as follows:

- 1st - incident where the public is at risk;
- 2nd - incident where property is at risk, and
- 3rd - incident where public order is at risk.

Reporting parties whose calls for service does not meet the criteria for dispatch will be advised to re-contact this Department at the conclusion of disaster operations for normal service.

6.2.18 VARIED MAGNITUDE: UNUSUAL OCCURRENCE

In the event of an unusual occurrence that is varied in magnitude, such as a plane crash, train accident, hazardous materials spill, etc., the first priority shall be the protection of life and property. The on-duty Watch Commander shall assess the severity of the situation and make a determination as to the type of appropriate response based on the resources available. The magnitude of the incident shall determine what level of emergency response will be implemented.
SPECIFIC INCIDENTS

Every emergency incident requires response from law enforcement. The type of response and the amount of personnel required are dependent upon the type and severity of the emergency. The following are some examples of the response required to certain specific emergencies:

(A) AIRCRAFT ACCIDENT

1. Dispatcher Responsibilities:
   - Determine the exact location and keep the reporting person on the telephone if possible;
   - Assign a patrol unit;
   - Assign at least one follow-up unit;
   - Notify ambulance service to dispatch one unit and request stand-by units;
   - Notify the Fire Department;
   - Attempt to determine details from the reporting person such as fire hazard, most accessible route for emergency equipment and the condition of persons and property, and
   - Notify the Watch Commander.

2. Watch Commander Responsibilities:

   The Watch Commander will be faced with decisions concerning adequate response to the scene. Consideration must be given to conditions involving serious life and property hazards. Whenever possible, a field supervisor will be dispatched to the scene to assist in evaluating the situation. The Watch Commander is responsible for the notification of the Federal Aviation Administration.

   If a military aircraft is involved, Ridgecrest units will contain the scene and administer life saving measures. The Watch Commander will notify the China Lake Police Department and FAA.

3. Police Officer: Approaching the Scene

   Obtaining adequate assistance for the protection of lives and property is the first responsibility upon arrival. The most important
responsibility is to notify the dispatcher by radio of crash conditions so that adequate emergency assistance may be promptly dispatched. Caution must be exercised if flames are apparent as fuel may explode.

4. Police Officer(s): Rescue

Rescue attempts by police personnel may be made as emergency conditions dictate, but each officer must bear in mind that he/she is not specifically trained in aircraft rescue procedures. Any rescue operations should be conducted with great caution balancing the potential hazard with the potential of a successful rescue.

5. Police Officer(s): First Aid

Police Officers at the scene may render first aid as necessary and:

- Conduct a search for all survivors and victims should be made so that additional personnel responding to the scene may be properly directed to render medical assistance, and

- Administer general first aid treatment with the immediate objective of stopping bleeding.

6. Police Officer(s): Safeguard the Scene

It is the responsibility of police officers to safeguard the scene of an aircraft crash to preserve evidence contributing to the accident. Additional police personnel may be required to accomplish this responsibility if military personnel are not required, or until their arrival. Officer(s) should:

- Establish a 1,500 feet safety perimeter, allowing no one but recognized emergency personnel to enter, and

- If the aircraft is military, military authorities will take command of the crash scene and assume full responsibility. Police officers will assist as necessary.

(B) EARTHQUAKE, FIRE, AND FLOOD

The impact of a major earthquake, fire or flood can be magnified by such things as population density, the time of day, day of the week and season of the year (as is the case with schools), the type of structures affected (such as hazardous chemical manufacturers or users), and the availability, or unavailability, of resources such as trained personnel and adequate equipment.
1. **Dispatcher Responsibilities:**

As with any emergency situation, the dispatcher must obtain all pertinent information as rapidly as possible and relay it to the proper personnel without delay. Until an emergency operations center (EOC) is set up, the dispatcher is responsible for a myriad of duties from dispatching emergency personnel and equipment to maintaining a log of activities. In a major emergency, assistance should be provided to the dispatcher as soon as possible.

2. **Police Officer(s): Field Personnel**

The primary responsibility of field personnel is to evaluate the circumstances created by the incident, keeping in mind that injuries to persons dictates the highest priority. Secondarily, personnel must be alert for damage to property, both public and private, with special attention to facilities that provide emergency services and utilities.

3. **Field Supervisor Responsibilities:**

The field supervisor must evaluate the circumstances of the emergency and determine:

- The need for a field command post;
- The type and number of rescue personnel and equipment required;
- Notifications to be made to;
- Chief of Police and city officials;
- Mutual aid agencies;
- Media, and

(C) **HAZARDOUS MATERIALS**

When personnel respond to a report of a hazardous material situation, the following steps should be taken whenever possible:
- Notify communications of the type of incident; i.e., chemical spill, traffic accident, other caustic material or fire;
- Attempt to determine the type of substance;
- Provide first aid if needed;
- Protect the scene and begin evacuations if necessary, and
- Notify the fire department.

6.4 CITY OF RIDGECREST EMERGENCY PREPAREDNESS MANUAL

The City of Ridgecrest Emergency Preparedness Manual provides additional information in regard to specific duties and responsibilities relative to the preservation of life and property during natural or man-made disasters, technological/transportation incidents, or hazardous materials accidents. It also provides guidelines for the functions of law enforcement and supporting agencies associated with the evacuation process and the controlled access of vacated areas. Also identified are the implementation procedures for mutual aid and other related support services depending on the magnitude of the occurrence. Therefore, this Manual shall be incorporated into any response plans, policies, or procedures associated with major disasters.
CHAPTER 7: PERSONAL APPEARANCE AND EQUIPMENT

7.0 PERSONAL APPEARANCE AND EQUIPMENT

7.0.1 AUTHORITY OF THE CHIEF OF POLICE

The Chief of Police shall be the final authority on all matters pertaining to official uniforms, equipment and identification items.

7.0.2 OFFICIAL RECORDS: UNIFORM AND EQUIPMENT

The Administrative Secretary shall be responsible for the following:

- All correspondence pertaining to uniforms, weapons and equipment;
- A permanent file of all uniform or equipment exemptions granted by the Chief of Police, and
- Personnel records showing issuance and receipt of Department issued equipment and uniform items.

7.0.4 POSSESSION OF UNIFORMS AND PERSONAL EQUIPMENT

(A) GENERAL

All Police Department personnel shall be responsible for City equipment and supplies issued to them or made available for their use. The Department will hold personnel responsible for the immediate replacement or reimbursement of lost or damaged equipment/supplies as a result of personnel negligence.

(B) REQUIREMENT

All sworn personnel shall maintain a complete uniform and related duty equipment in a clean, serviceable condition ready at all times for immediate use. Uniforms and equipment shall meet the specifications as established and will be tailored to fit the wearer.

(C) SUPPLEMENTAL EQUIPMENT

All sworn personnel and civilians assigned to field duty shall maintain regulation rain apparel and have it available for use.

(D) FIREARMS

Officers who desire to carry, as their primary duty weapon, a weapon other
than that which is issued by the department, shall first submit a written request to the Chief of Police, via chain-of-command, requesting to carry the new weapon of choice. This request will be submitted by Department memorandum.

(E) BULLET RESISTANT VEST/BODY ARMOR

All uniform personnel, while on regular or specialized duty, will wear approved body armor at all times.

7.0.6 WEARING OF THE UNIFORM

All sworn personnel, including Reserve Officers, Community Service Officers, Dispatchers, Explorer Scouts and volunteers shall wear the prescribed uniform for the position and equipment during their tour of duty.

7.0.8 EXCEPTIONS TO WEARING

Exemption from the provisions of this chapter may be granted by the employee’s supervisor.

7.0.10 UNIFORM APPEARANCE

The uniform of the Ridgecrest Police Department is symbolic of the dignity and authority of government and has been adopted as a means by which members of the Department may be readily recognized by the general public.

When the uniform is worn, it shall be neat, clean, properly pressed if appropriate and all leather and metal polished. Jewelry or personal ornaments, other than those authorized by the Chief of Police, shall not be affixed to any part of the uniform or equipment.

Unless authorized by a division commander, the uniform shall not be worn except while on duty. Civilian clothes shall not be worn in combination with any distinguishable part of the uniform while off duty. The exception shall be to and from work, while the uniform is covered.

Police Department personnel shall not duplicate the city seal, Police badge, Police shoulder patch, or any Ridgecrest Police Department logo without the express authorization of the Chief of Police.

It shall be the responsibility of all supervisors, managers, and executives to assure uniformity of authorized dress of Department personnel.
The wearing of non-regulation articles of clothing while on duty is prohibited. In the event of a serious emergency, or extremely adverse weather conditions, garments authorized by supervisors may be utilized for adequate protection. The badge or authorized cloth representation shall be displayed on the outermost garment.

7.0.12 CLASSIFICATION OF UNIFORMS: DEFINITIONS

Authorized uniforms for Department personnel are designated as:

- Class A Uniform;
- Class B Uniform;
- Class C Uniform;
- Specialty Uniform/Polo;

The designated class of uniform shall be worn on the following occasions:

(A) CLASS A

The Class A Uniform shall be worn upon those occasions requiring formal attire or upon administrative directive.

(B) CLASS B

The Class B Uniform will be worn by all police officers assigned to field service duty and by all other non-patrol police officers when they are required to wear the police uniform.

(C) CLASS C

The Class C Uniform may be worn in place of the Class B for daily functions and patrol assignments or as approved or authorized by the employee’s supervisor.

(D) SPECIALTY UNIFORM(S)

Specialty Uniforms, such as the Tactical Response Unit (TRU), Bike Detail, Crime Suppression, Gang Detail or maternity uniforms may be worn as directed by the division commander.

(E) POLO SHIRT

The polo uniform shirt maybe worn during special events, prisoner transports,
emergency call outs and training or otherwise directed by the Division Commander.

7.0.14 IDENTIFICATION OF PERSONNEL

(A) IDENTIFICATION CARD

All personnel shall have in their possession while on duty, the Department identification card issued to them.

(B) DRIVER’S LICENSE

All personnel, required to drive city equipment, shall possess a valid California Driver’s License and have this in possession during vehicle operations.

(C) NAME PLATE

The Department authorized name plate shall be considered part of the uniform and shall be worn at all times. The name plate shall be one half inch white metal with black lettering and shall list the employee’s first initial and last name.

(D) WEARING OF NAME PLATE

All uniform personnel shall wear the nameplate on the uniform shirt. The nameplate shall be centered above the right shirt pocket with the bottom edge one eighth inch above the top seam of the uniform pocket.

(E) STATION SECURITY

All personnel within the Ridgecrest Police Department building are required to wear some form of visible police identification. The display of the Ridgecrest Police Badge or an identification card will meet this requirement. Volunteers, who are not in uniform and temporary personnel, shall also wear their city issued identification. All identification will be worn at or above the waist and on the outside of the outermost garment. The policy will affect all managers, supervisors, officers, and civilian personnel.

7.0.16 UNIFORM REQUIREMENTS AND COMPONENTS

(A) CLASS A UNIFORM

The Class A Uniform shall be dark navy blue of 100% wool cloth or wool polyester blend construction with shoulder epaulets and military creases. The shirt shall be long sleeved and worn with a black clip-on tie. The pants shall
be made of the similar type material as the shirt with slash pockets and belt loops. The uniform belt shall be black basket weave leather with a chrome buckle or Velcro fastener. The footwear shall be of appropriate polished leather, boot, or similar shoes. A white metal, plain tie bar will be attached.

(B) CLASS B UNIFORM

The Class B Uniform shall be a dark navy blue, wool, and poly-wool blend, or polyester cloth construction, shoulder epaulets with military creases. The shirt may be long or short sleeved depending upon time of year. The wearing of a black clip-on tie and tie bar is optional with the long sleeved shirt. The shirt shall be made of the similar type material as the pants. The uniform belt shall be black basket weave leather with a chrome buckle or Velcro fastener. In the event of nylon duty gear, nylon under belt is also approved. The footwear shall be of appropriate polished leather, boots, or shoes.

(C) CLASS C UNIFORM

The Class C uniform shall be dark blue in color, made of cotton or poly cotton blend, rip stop or twill fabric. The authorized vendor is 5.11 Clothing and the model is the TDU, Tactical duty uniform. Additionally a similar type by Transcon is also approved. They may be long or short sleeves with epaulets. These uniforms are to be fitted to the wearer. The footwear for this uniform will be of appropriate polished leather boots.

7.0.18 COMMUNITY SERVICE OFFICER

The Community Service Officer’s Class “A” uniform shall consist of an all grey long sleeve shirt with Department patches and a silver name plate. Name tags, same size, and style, such as those presently worn by Ridgecrest Police Officers are authorized for wear with the uniform. When worn, the name tag should be worn on the outer garment centered and one eight inch over the right breast pocket. Pants will be black trousers with military creases. Shoes will be black boots or dress oxfords and be polished. All Class “A” duty gear will be black basket weave style with chrome buckles. The Community Service Officer’s Class “B” uniform shall consist of a grey polo shirt and black cargo pants. The polo shirt shall be long or short sleeved. The belt shall be black basket weave leather with a chrome buckle or Velcro fastener. Footwear will be black colored tactical style boots. Community Service Officers shall wear a black rounded crew neck tee shirt under the polo shirt. Community Service Officers shall conform to the grooming standards and requirements of full-time sworn members of the Ridgecrest Police Department. “5.11” is the current authorized vender for polo shirts and tactical (cargo) pants for the department.
7.0.20 UNIFORM AND EQUIPMENT: RECORDS/CLERICAL PERSONNEL

(A) POLICE RECORDS CLERKS

Police Records Clerks assigned to the Support Services Division-Records unit will wear a designated uniform while performing their duties. The uniform shall consist of a white shirt and dark blue trousers or skirt. Clerical employees may wear appropriate business attire as directed by a supervisor.

(B) BASIC UNIFORM

The basic uniform shall be a white long or short sleeve shirt. The pants shall be midnight blue wool or polyester.

(C) NAME TAGS

Name tags, same size, and style, such as those presently worn by Ridgecrest Police Officers are authorized for wear with the uniform. When worn, the name tag should be worn on the outer garment centered and one eight inch over the right breast pocket. Wearing of cloth name tags for specialty details will be with the approval of the Division Commander.

(D) STOCKINGS AND FOOTWEAR

Stockings and footwear have not been designated in order to provide individuals some flexibility of choice. Shoes should be black or navy blue in color and of a conservative style so as to match the conservative styling of the uniform.

(E) JEWELRY, PINS, AND OTHER ORNAMENTS

No unauthorized pins or ornaments shall be affixed to the uniform. It is expected that items of personal jewelry worn by personnel will reflect the conservative styling of the uniform.

(F) PART-TIME PERSONNEL

In order to maintain the standards of dress throughout the section, personnel serving as part-time clerical assistants in the Records Unit will be required to wear Police Assistant or Explorer Scout Uniforms, light blue shirts, with dark blue pocket flaps and midnight blue wool or polyester pants, or other dress as approved by the Division Commander while on duty.
7.0.22 UNIFORM AND EQUIPMENT: POLICE OFFICER

(A) UNIFORM CLOTHING

All Department employees, when on duty in uniform, shall wear the uniform in the following manner:

- **Police Department Badge:** The badge currently issued to the wearer or its approved cloth representation shall be worn on the uniform attached to the badge holder on the outermost garment so as to be clearly visible at all times.

- **Shirt:** The uniform shirt shall be worn complete with shoulder patches and appropriate insignia of rank and shall be dark navy in color. All shirt buttons shall be buttoned on the long sleeved shirt except on the Class B and C Uniform. If a tie is not worn, the top button may be unbuttoned. The short sleeve shirt top button will always remain open. All class A and B shirts worn shall have military type creases and flap style pockets. Class C uniforms are not required to have creases, though they must be presentable and without unnecessary wrinkles, and without excessive fading and/or wear.

- **Polo shirt:** Shall be dark blue standard placket short sleeve with authorized Ridgecrest Police cloth badge. The word Police shall be three (3) inch letters center shoulders across the back. The officer’s first initial and last name shall be embroidered on the upper right front of the shirt in silver ½” letters.

- **Undershirt:** The T-Shirt shall be white or black and have a round crew neck when worn with a Class B or C Uniform. Either a crew neck or V-neck type T-Shirt may be worn with a Class A Uniform. Under no circumstances may a T-Shirt extend above the collar of the uniform.

- **Turtle neck, Mock Turtleneck and Dickies:** The garment will be dark blue or black. They may be worn only with the long sleeved Class B or C uniform, and only visible at the neck.

- **Necktie:** The regulation plain black clip-on necktie will be worn. For non-enforcement duties the tie need not be of breakaway design

- **Tie Bar:** The tie bar shall be worn on the tie and secured to the shirt directly in-line with the lower portion of the pocket flaps. It will be of a white metal, smooth surfaced and without decoration, unless authorized by the Chief of Police


- **Jacket:**

  - Eisenhower Dress Jacket: Worn at ceremonies, funerals or other functions designated by the Chief of Police. Blue wool with zipper. It shall have two outside breast patch pockets with buttons. There will be buttoned epaulets on the shoulders and departmental stripes, sewn halfway around each sleeve from seem to seam, three inches above the cuff, commensurate with rank of the Ridgecrest Police Department. Command Officers shall wear solid silver stripes of rank. Sergeants and Officers will wear solid black stripes of rank. Rank order for stripes on this jacket shall be.

    - Chief of Police—Three Solid silver stripes
    - Deputy Chief—Three Solid silver stripes
    - Captain—Two solid silver stripes
    - Lieutenant—One solid silver stripe
    - Sergeant—Three Solid black stripes
    - Master or Senior Officer—Two solid black stripes
    - Officer—One solid black stripe

  The wearing of this jacket is optional for the rank of Sergeant and below.

- **Patrol Duty Jacket:** Dark Blue or Black material, lined, or unlined and with or without fur or synthetic collar. Must have a zippered front, but may also have buttons. If the buttons are exposed, they with be plain Black or silver “P” (police) buttons. Patches on both shoulders appropriate to assignment. The employee’s first initial and last name will be embroidered on the right side in Silver/ grey thread, 3/4" letters. When worn, the department badge or cloth representation will be worn on the outermost garment.

- **Raid Jacket:** As appropriate to assignment. This jacket will remain flexible to accommodate the various assignments and duties within the Ridgecrest Police department. This jacket must be approved by the Chief of Police.

- **Windbreaker:** Same specifications as the Duty jacket above, however of lighter material and usually unlined. It may or may not have a four-inch “Police” patch located centered on the back, between the shoulder blades. The patch will be white with black letters.

- **Trousers:** Trousers, dark navy blue in color and matching the material of the shirt shall be worn. They shall have two slash type side
pockets and two hip pockets. Additional “sap” or “Billy” pockets are permitted.

- **Trouser Belt:** A black leather belt, with basket weave impressions meeting Department specifications shall be worn. In the event nylon duty gear is worn, nylon under belt is also approved.

- **Footwear:** Black leather or synthetic leather of a smooth polished finish. Toes of oxford type shoe to be plain style while boots may be either plain or capped toed. Black nylon style tactical boots may be worn with the class C or load bearing vest attire. Appropriate polished finished shoes or boots shall be worn with class A or B dress.

- **Socks:** Black or navy blue socks shall be worn with shoes. Any color socks may be worn with boots as long as they are not visible.

- **White Gloves:** White gloves may be worn only with the Class A uniform at officially designated ceremonies and special assignments.

- **Bullet Resistant Vest/Body Armor**

  Soft body armor vests that meet or exceed the minimum protective standards as prescribed by the National Institute of Justice (N.I.J. Standards 0101.02 Type II) shall be the only types worn by any sworn employee who is assigned to field duty, including but not limited to patrol officers, motor officers, investigators during medium/high risk entries and/or warrant service and any other Department employee as required by the unit supervisor. All sworn personnel shall have their own vests readily available at all times.

(B) **EQUIPMENT**

- **Ammunition Holder:** Shall be appropriate to the style of duty belt worn.

- **Duty/Equipment Belt - Modified:** The equipment belt shall be 2 ½ inch snug fit to the wearer’s waist so that only the top edge of the trouser belt is visible. This equipment belt shall be kept in place by “keepers” or Velcro straps. The snaps shall be fastened convenient to the wearer.

- **Leather Gear:** All leather gear shall be of the black basket weave type unless otherwise specified. Web gear/nylon may be substituted. All metal hardware on the equipment belt (and accessories) shall be chrome plated (silver).
• **Web Gear:** The nylon duty gear shall be of a type and style standard to the police industry and will be subject to periodic inspection to insure its serviceability. All items shall be black and kept in good condition. The selection of duty belt equipment will be at the discretion of the officer and must meet described items as listed elsewhere in the chapter; however, there shall be no mixing of web and leather gear.

• **Load Bearing Vest:** Officers wearing the Class C uniform may wear a load bearing vest within the following guidelines:
  
  a. The Safariland Escondido TOC is the only authorized load bearing vest.
  
  b. The vest shall be black in color with a 1” Velcro backed black nametape with the officer’s first initial and last name in ½” silver letters affixed to the front upper right side of the vest. The word “POLICE” shall be white and affixed to the rear of the vest. The lettering shall be 3 ¾” tall, with an overall length of 11.”
  
  c. A black and silver American Flag shall be affixed centered and above the nametape.
  
  d. The Department issued metal badge shall be worn on the vest on the upper left front side.
  
  e. All attachments and pouches that are mounted on the load bearing vest shall be black in color and must be approved by the Range Master and Defensive Tactics instructor. Safariland pouches are the preferred equipment. The load bearing vest must contain the officer’s issued body armor.
  
  f. When wearing the load bearing vest, officers shall wear 5.11 Performance Polo long or short sleeve, dark navy in color, with Department patches sewn on the sleeves. The Department badge shall be embroidered on the upper left front of the shirt. The Officer’s first initial and last name shall be embroidered on the upper right front of the shirt in silver ½” letters. In the event the 5.11 Performance Polo is discontinued or no longer available, a new shirt will be selected and
approved by the Chief of Police.

g. When wearing the load bearing vest, the officer shall have on their person a handheld radio, Taser, pepper spray, (2) handcuffs, an impact weapon and magazines for their duty weapon.

h. Prior to wearing the load bearing vest on-duty, the officer will be required to demonstrate their ability to access the equipment on their load bearing vest at department approved training.

i. The load bearing vest must be maintained in a clean, professional and serviceable condition at all times. When the load bearing vest and related equipment becomes faded and/or worn, it shall be replaced.

j. Officers are still required to maintain a fully equipped duty belt in serviceable condition for use with Class A and Class B uniforms, or for use at any other time the Department determines the load bearing vest is not appropriate.

k. The officer shall wear their duty sidearm at all time when on-duty.

l. To facilitate the wearing of the load bearing vest the officer may wear an approved thigh holster. The duty belt and thigh holster shall be the same make and model.

m. Officers may contact the public without wearing the load bearing vest, for example when handling counter traffic. The Officer shall be presentable to the public at all times when not wearing the load bearing vest.

n. An approved jacket may be worn under the load bearing vest when needed.

o. Only officer’s on-duty, and assigned to patrol duties, may wear the load bearing vest to court.

7.0.24 FIREARMS

Firearms shall be of the approved types and carried in the holster fully loaded with Department issued ammunition. The Department issued weapon is the Glock 40
caliber semi-automatic pistol (Model 22 & 23). Also refer to Section 7.0.58 of this chapter.

7.0.26  **AMMUNITION**

**SEMI-AUTOMATICS**

Two fully loaded 40 caliber magazines of Department issued or authorized ammunition minimally shall be carried in the ammunition holders in addition to those carried in the weapon on duty. Officers may be authorized to carry a maximum of four spare ammunition magazines.

7.0.28  **ON-DUTY HOLSTERS**

A holster that is designed for the handgun used, shall be equipped with a safety strap or internal retention device, and shall be worn on the side for which it is designed. No cross draw or clam shell holsters are allowed. Holsters shall not be modified from the manufacturer’s design.

All holsters shall be subject to the approval of the Range Master regarding the holster’s suitability for the weapon carried.

7.0.30  **BATON: AUTHORIZED**

While on duty, a Department authorized baton shall be carried on the officer’s person. Only that style of baton may be carried for which the officer has received appropriate training and has been approved and authorized by the Chief of Police. If an officer carries a collapsible baton on duty he/she must also have immediate access to a side handle baton or straight stick baton.

7.0.32  **HANDCUFFS AND KEY**

Uniformed personnel wearing duty gear shall carry handcuffs in a handcuff case and the key shall be worn on the equipment belt as specified. Non-uniformed personnel shall carry a set of handcuffs on their person appropriate to their need.

7.0.34  **ADDITIONAL FIELD EQUIPMENT**

In addition to the above prescribed articles of uniform and equipment, the following items are required to perform field duty:

(A)  **NOTEBOOK**

Uniformed personnel, while on duty, shall carry a pocket style notebook or suitable note taking paper.
(B) PEN/PENCIL

The pen with black ink and/or a hard lead pencil shall be carried in the pen pocket of the left shirt pocket.

(C) WATCH

A watch or other time device shall be worn or available to employees at all times while on duty and will be kept in good operating condition.

(D) FLASHLIGHT

A flashlight or a rechargeable flashlight with sufficient candle power to assist the officer during darkness shall be carried while on duty.

(E) TRAFFIC CITATION BOOKS

Both personal service citations and parking citation books shall be carried on duty.

(F) AUDIO RECORDERS

The audio recorder may be carried by uniformed line personnel while on duty.

(G) RAIN CLOTHING: UNIFORMED OFFICERS AND NON-SWORN UNIFORMED FIELD PERSONNEL

Uniformed officers and non-sworn field personnel shall possess, during inclement weather, either the two piece top and pants rain clothing or the yellow or dark blue trench coat rain clothing. When wearing rain clothing, the badge will be affixed to the badge holder on the outermost garment.

7.0.36 OPTIONAL FIELD EQUIPMENT

(A) GLOVES

Gloves worn by uniform personnel shall be black in color.

(B) CAMPAIGN STYLE HEADGEAR

The campaign hat will be made of straw and will be navy blue in color. The cord and “acorns” will be silver in color. The hat will have a head strap, but no chin strap. The Ridgecrest Police Department hat piece will be worn centered on the crown, above the acorns.
(C)  SUSPENDERS

Load bearing suspenders are authorized with the Class B and C uniforms. The suspenders will match the duty gear worn by the officer i.e.-nylon suspenders with nylon duty gear. The suspenders must be of the “break-away” style.

(D)  WATCH CAPS

The watch cap will be black in color, without insignia or markings. It shall be worn only in conjunction with the class B or C, long sleeve uniforms during cold or inclement weather.

(E)  COLD WEATHER CAP

Dark blue with overhead snap arrangements for holding the visor to the crown and an over head strap to attach the earflaps. When worn the Cold Weather cap must have a cap piece centered on front.

(F)  BASEBALL CAP

Shall be dark blue fitted pro style with silver lettering with the words “Ridgecrest” in one half inch cursive and “Police” in one quarter inch block. Additionally, the last name of the wearer shall be on the back side band of the cap. This headgear may be worn with any Class C or Class B 5:11 type uniform. It shall be worn appropriate facing forward.

(Cap specifications are available at Alonge’s sports)

7.0.38  RANK: DEPARTMENT AND UNIT INSIGNIA

All officers of the rank of Sergeant or above shall wear the insignia of their rank as provided in this section.

(A)  SERGEANT: RANK INSIGNIA

The regulation three bar cloth chevron, silver in color with black trim, shall be worn on the Class A, B, and C police field uniform shirts and jackets. The chevron shall be worn on each sleeve with the uppermost portion of the chevron one-quarter inch below the lowermost portion of the shoulder patch.

(B)  LIEUTENANT: RANK INSIGNIA/SINGLE BAR (GILT)

The specified white metal single bar shall be affixed to the center of each side of the shirt collar. The front edge of the bar shall be one-half inch from, and parallel to, the front edge of the collar.
The specified single bar shall be affixed to each shoulder of the jacket. It shall be placed with the outer edge five-eights inch above the sleeve seam. The bar shall be centered over the shoulder seam and parallel to the sleeve seam.

(C) **CAPTAIN: RANK INSIGNIA/ TWO BARS**

The specified white metal double bars shall be affixed to the center of each side of the shirt collar. The front edge of the bars shall be one-half inch from, and parallel to, the front edge of the collar.

The specified bars shall be affixed to each shoulder of the jacket. They shall be placed with the outer edge five-eight inch above the sleeve seam. The bars shall be centered over the shoulder seam and parallel to the sleeve seam.

(D) **DEPUTY CHIEF: RANK INSIGNIA/ TWO STARS**

The Deputy Chief rank insignia worn on the shirt shall be two (2) three quarter inch, five pointed, white metal stars. The stars shall be centered between the top and bottom edges of the collar and three-quarter’s inch from the collar flap front.

The specified two stars shall be affixed to each shoulder of the jacket. It shall be place with the outer edge of the stars one half inch above the sleeve seam. The stars shall be centered of the shoulder seam and parallel to the sleeve seam.

(E) **CHIEF OF POLICE: RANK INSIGNIA/FOUR FIVE-POINTED STARS**

The Chief of Police rank insignia worn on the uniform shirt shall be four (4) three-quarters inch, five-pointed, white metal stars. The stars shall be centered between the top and bottom edges of the collar, three-quarters inch from the collar flap front.

The specified five-pointed stars shall be affixed to each shoulder of the jacket with the outer edge one-half inch above the sleeve seam. The insignia shall be centered over the shoulder seam and shall be parallel to the sleeve seam.

7.0.40 **DEPARTMENT INSIGNIA**

(A) **SHOULDER EMBLEM**

All uniformed personnel shall have the official Ridgecrest Police Department shoulder emblem affixed to each shoulder of the uniform shirt and field jacket.
The patch shall be attached with the top of the patch one-half inch below the sleeve head seam of all shirts and blouses and three-quarters inch on all jackets. It shall be affixed in such a manner that a line bisecting the center of the patch shall be perpendicular to the ground when the garment is worn. The patch shall be sewn on the garment with black colorfast thread and shall not be cross-stitched.

(B) MASTER OFFICER

The regulation two-bar cloth chevron with a diamond shall be worn on the Class A, B, and C Uniform along with the police field jacket. The chevron and diamond shall be worn on each sleeve with the uppermost portion of the chevron one-half inch below the lower most portion of the shoulder patch.

(C) SENIOR OFFICER

The regulation two-bar cloth chevron shall be worn on the Class A, B, and C Uniform along with the police field service jacket. The chevron shall be worn as specified in sub-section (B) above.

7.0.42 SERVICE DESIGNATION: YEARS OF SERVICE

(A) SERVICE STRIPE

The service stripe shall be worn after completion of four years of sworn or non-sworn law enforcement service (i.e., Community Service Officers). Each service stripe will be black and silver in color and will represent four years of service and place one quarter inch above cuff.

(B) ANY AGENCY

This provision shall not only include the City of Ridgecrest, but shall recognize service with any law enforcement agency within the United States. Service stripes shall only be worn on the Class A, B and Class C Uniforms, as well as the Eisenhower jacket, and attached in the prescribed manner.

7.0.44 AUTHORIZED MEDALS

Meritorious and other medals, awarded by the department, are the only medals authorized for display on the uniform. The Chief of Police has the discretion of authorizing the wearing of other medal(s) and insignia. The wearing of these medals is previously described in this manual.
7.0.46 PLAINCLOTHES DRESS

(A) REQUIRED CLOTHING

Proper dress for officers working in civilian clothing and “off-duty” officers in attendance in court shall be as follows:

· A business suit or appropriate business attire. These items of clothing shall avoid extremes in material, style, and color. The Class A Uniform may also be worn.

· When court appearance is not required, appropriate casual attire may be worn with the approval of the Division Commander or Supervisor.

· Casual style for male personnel is described as a button type shirt. All shirts will have a collar, either button type or polo and be a solid color or printed pattern. Hawaiian or other type theme shirts are permitted at the discretion of the Division Commander. Casual pants will be secured with a belt and be consistent with business attire. Shoes will be consistent with the attire.

· Business/casual style for female personnel is described as business dress, a knee length to two inch above the knee skirt and top, pants and top, or a pantsuit. Tank tops, halter tops, tube tops, bare midriff tops are not permitted. Shoes will be consistent with the attire.

(B) REQUIRED EQUIPMENT

Officers, while on plainclothes duty, except for special assignments and details approved by the supervisor, shall carry the following equipment:

· Department Badge and Identification Card;

· Firearm - fully loaded: Refer to Manual Section 7.0.58(B) regarding list of approved firearms;

· Handcuffs and keys;

· Watch or other time device;

· Holster

(C) ON-DUTY HOLSTERS

Personnel may use approved types of holsters. They shall be of high quality
commercial construction, shaped to fit the weapon carried and kept in good condition. Holsters for plainclothes personnel must be approved by the Bureau Commander.

(D) EXCEPTION:

Personnel assigned to “undercover” duty wherein it is necessary to conceal their identity as officers may be excused by their Bureau Commander from the provisions of all or part of the above sections.

(E) EQUIPMENT: OFF-DUTY PERSONNEL

Personnel may carry an authorized firearm off-duty but it shall be concealed and the employee’s Department’s I.D. card shall be in the officer’s possession.

(F) ADDITIONAL EQUIPMENT

Officers, while on plainclothes duty, may carry any of the following additional items of equipment but not limited to:

- Flashlight;
- Pepper Spray (upon completion of training), and
- Collapsible baton.

7.0.48 PERSONAL APPEARANCE STANDARDS: ALL POLICE PERSONNEL

The daily close contact of the police employee with the public requires that the individual maintain the highest standards of personal grooming and command presence. So as to encourage the best possible appearance within reasonable bounds of uniformity, the following minimum standards are established for all personnel.

(A) REQUIREMENT

All members of the Ridgecrest Police Department shall conform to the following standards. It is the responsibility of each Bureau Commander and each member of this Department to ensure compliance with the content and spirit of this section.

(B) STANDARD

The apparel of all non-uniform personnel shall be maintained in the same standard of cleanliness and condition as described in the section pertaining to Departmental uniforms.
(C) **CLOTHING: SLOGANS/LOGOS**

No clothing may be worn on duty which has a product endorsement, projects a negative image, represents a conflict of interest, or otherwise is contrary to the best interests of the City of Ridgecrest. Examples include products which are contrary to the City’s Wellness Policy or controversial slogans and products which create an uncomfortable, controversial or offensive image to the public.

(D) **JEWELRY**

Jewelry may be worn which does not conflict with job safety, is not in conflict with the city’s discriminatory Workplace Harassment Policy and is not distracting to others. For specific male/female restrictions, refer to the Personal Grooming Policies.

(E) **TATTOOS**

Personnel with tattoos shall not allow their tattoo(s) to be visible whenever on-duty or while representing the City of Ridgecrest unless specifically approved by the Chief of Police. The employee will have the discretion as to how the tattoo is concealed, providing that no other Departmental policy is violated.

(F) **ORNAMENTATION AND BODY PIERCING**

No ornamentation shall be worn on the person, while on-duty or otherwise representing the City of Ridgecrest, except as provided by policy. Earrings shall not be worn by male officers except as approved by the Chief of Police for specialized assignments. Female uniformed personnel may wear a post earring, or earring of clip design, and conservative in nature. Post earrings shall not exceed two per ear or one per ear for clip earrings. No body piercing, which is visible, is allowed to be worn by on-duty personnel or while representing the City of Ridgecrest.

7.0.50 **PERSONAL GROOMING STANDARDS**

Grooming standards and dress codes are designed to assure proper safety conditions and to provide a positive public image for police department employees. All employees are governed by basic grooming, clothing, neatness, cleanliness and safety standards deemed appropriate with the employee’s assignment and duties.

Department supervisors are responsible for the appearance of all employees under their command and should take steps to correct an employee’s appearance which does not portray a positive image.
(A) HAIR GROOMING STANDARDS

1. Male Personnel: Uniformed Sworn

Hair shall be neat, properly trimmed, and well groomed at all times while on duty.

- **Hair**: Shall be cut in a manner which will present a conservative and professional appearance. Hair may touch the shirt collar, but not extend below it. Hair may not cover any part of the ear. Hairstyles shall not interfere within normal wearing of any regulation headgear.

- **Sideburns**: Shall be trimmed so as not to extend below the bottom of the earlobe and shall end in a clean shaven horizontal line. Flared sideburns shall not be permitted.

- **Moustaches**: Shall be neatly trimmed and groomed of a natural color and shall not extend below the vermilion border of the upper lip or the corners of the mouth. Mustaches shall not extend to the side of the mouth by more than one-half inch beyond the corners of the mouth.

- **Beards/Goatees**: Are not permitted for uniformed personnel, unless authorized by the Chief of Police.

2. Male Personnel: Non-Uniform Sworn

- **Hair**: Shall be cut in a manner which will present a conservative and professional appearance. Hair may touch the shirt collar, but not extend below it. Hair may not cover any part of the ear. Hairstyles shall not interfere within normal wearing of any regulation headgear.

- **Beards/Goatees**: Shall not be worn except by approval of the Chief of Police. The Chief of Police may authorize deviation from these standards for special assignments and special events.

3. Male Personnel: Uniformed Civilian

- **Hair**: Shall be kept clean, neat, well groomed and shall be worn in a manner which presents a conservative and professional appearance.
4. **Male Personnel: Non-Uniformed Civilian**

   - **Hair:** Shall be kept clean, neat, well groomed and shall be worn in a manner which presents a conservative and professional appearance.

5. **Female Personnel: Uniformed Sworn**

   - **Hair:** Shall be kept clean, neat and well groomed at all times while on duty. Hair may touch the shirt collar, but not extend below it.

   Shall be worn in a manner which presents a conservative and professional appearance and will not jeopardize the safety of the employee, cause a hindrance in the performance of her duties or interfere with the use of standard headgear.

6. **Female Personnel: Non-Uniformed Sworn**

   - **Hair:** Shall be kept clean, neat, well groomed and shall be worn in a manner which presents a conservative and professional appearance.

   The Bureau Commander may authorize deviation from these standards for special assignments.

7. **Female Personnel: Uniformed Civilian**

   - **Hair:** Shall be kept clean, neat, well groomed and shall be worn in a manner which presents a conservative and professional appearance.

8. **Female: Non-Uniformed Civilian**

   - **Hair:** Shall be kept clean, neat, well groomed and shall be worn in a manner which presents a conservative and professional appearance.

   **(B) FINGERNAILS: ALL PERSONNEL**

   For female non uniformed employees fingernails shall not exceed one-fourth inch past the fingertips or interfere in any way in the performance of her duties
or with the use of any of the tools relating to the her duties. Fingernails for male and female uniformed employees shall be kept trimmed.

**Note:** Female Uniformed officers may wear fingernail polish however; they shall not wear decals or ornamentation. Members shall wear the appropriate and suitable shades and color of fingernail polish.

### 7.0.52 GENERAL PROVISIONS: ALL PERSONNEL

Personnel assigned to work a “special” duty assignment wherein it is necessary to conceal their identity as police personnel may be excused by their Bureau Commander from the provisions of all or part of these regulations.

### 7.0.56 PATROL EQUIPMENT AND PATROL BAG SIGN-OUT PROCEDURE

The Ridgecrest Police Equipment’s Sign-out Form and Patrol Bag/Box Sign-out Form shall be used for the purpose of logging in and out Police Department equipment. Each officer will sign their own form within the log book(s).

Explanation of form columns:

- **Equipment or Equipment Bag I.D.:** The equipment being removed from the police facility.

- **Date:** Date equipment is being assigned.

- **Time Out:** Time equipment is assigned.

- **Issued By/Watch Commander:** Person who issued equipment.

- **Time In:** Time equipment was returned to the police facility.

- **Signed In By:** Person signing in equipment.

- **Watch Commander Verification:** Watch commander’s verification that all property has been returned in good working condition.

All personnel who use Department assigned equipment will log the equipment out prior to removing it from the station. At the completion of the users shift, the equipment shall be returned to the station where it will be logged in. The user will complete any documentation required to insure that the equipment used is in good working order and/or operational for the next user. There are emergent situations where it would be impractical to complete the logging procedure as described in this section. However, this does not relieve personnel of the responsibility for complying
with this order in a timely fashion. Ultimately, it is the employee’s immediate supervisor that is responsible to ensure that property is properly logged out at the beginning of the employee’s shift. It is the on duty Watch Commander’s responsibility to ensure that the equipment is turned in at the end of an employee’s shift and all items are in good working condition.

7.0.58 AUTHORIZED WEAPONS

(A) REGISTRATION REQUIRED

Any privately owned firearm utilized by an officer on duty shall be properly registered and shall meet the specifications of this chapter, and will be approved by the Range Master.

(B) FIREARM FOR OFFICERS: UNIFORMED/PLAINCLOTHES DUTY

Firearms carried by officers may be issued by the City. Personally owned weapons must be approved by the Range Master and the Chief of Police before being carried on duty as described in other areas of this Policy.

(C) BACK-UP WEAPON

· The use of a “back up” firearm is permissible.

· Officers who want to carry a back-up weapon must have that weapon approved & recorded by Range Staff.

· A back-up firearm must be carried concealed upon the person.

· If a back-up firearm is carried, officers are required to participate in an approved firearms training program and meet minimum qualifications as prescribed by the Range Staff.

(D) FIREARMS QUALIFICATION

Officers are required to participate in an approved firearms training program and meet minimum qualifications as prescribed by the Range Staff.

7.0.60 CARE AND MAINTENANCE OF PROPERTY

All items supplied by the Department will remain the property of the Ridgecrest Police Department. All items of equipment and clothing shall be maintained in serviceable condition. Damaged or worn out items must be replaced.
3.1.1 SEXUAL HARASSMENT POLICY

3.1.2 PURPOSE

Sexual harassment will not be tolerated in this agency and in an effort to prevent such behavior and/or address acts of misconduct in this area; the following procedure has been established.

3.1.4 DEFINED

Unwelcome sexual advances, request for sexual favors, and/or other verbal or physical conduct of a sexual nature constitute sexual harassment when:

(A) Submission of such conduct is made either explicitly or implicitly a term of condition of an individual’s employment.

(B) Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or;

(C) Submission to such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.

3.1.6 SEXUAL HARASSMENT INCLUDES:

(A) VERBAL HARASSMENT: Repeated, unsolicited, derogatory comments or slurs, or continued request for social or sexual contact after being advised such is unwelcome.

(B) PHYSICAL HARASSMENT: Physical Interference or contact which impedes normal work movement when directed at an individual.

(C) VISUAL HARASSMENT: Derogatory posters, cartoons, or drawings, staring or leering.

(D) SEXUAL FAVORS: Sexual advances which condition an employment benefit in exchange for sexual favors, or which may be perceived as such.

3.1.8 EMPLOYEE’S ROLE

(A) There is no intent by this department to regulate or control any relationship or social interactions of employees which are freely entered into by both parties.
The following are suggestions for all employees to help establish and maintain a professional and healthy working environment, while at the same time preventing sexual harassment from occurring.

It is this department’s philosophy that employees must set an example of acceptable conduct by not participating in or provoking behavior that they feel is offensive.

When appropriate, and possible, the employee should warn the harasser that the particular behavior is offensive and unwelcome. Make it absolutely clear that you are not interested in, or flattered by, uninvited sexual advances. Be specific in advising that person about what conduct is offensive and unwelcome. Make it clear that you will take official action if it continues. If you foresee a problem, document the incident thoroughly.

If the harassing behavior continues, or if you were unable or unwilling to confront the harasser directly, notify your immediate supervisor or any supervisor, including the Chief’s office, documenting the notification. It is the employee’s responsibility to bring sexual harassment behavior to the attention of a supervisor to ensure proper follow-up action.

Note: You need not follow the chain of command.

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

3.1.10 SUPERVISOR’S ROLE

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

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

The supervisor, as well as the department may be held civilly liable if swift corrective action is not taken. Any supervisor who fails to take corrective action will be disciplined by this department.

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

(A) As indicated above, it is the supervisor’s obligation to document all incidents, and action taken thereafter, involving allegations of sexual harassment. All such incidents must be reported to the Chief of Police by the supervisor at which time the Chief will determine whether an internal affairs investigation is required. An investigation may be conducted whether or not an involved party elects to pursue a complaint.

(B) If, based on the facts and circumstances presented, a decision is made to proceed a full and complete investigation will be conducted by an individual selected by the Chief of Police. The investigation will be conducted as quickly as possible and, based upon that report; a decision will be made regarding whether disciplinary action is necessary.

(C) Any and all rights which exist regarding confidentiality and/or privacy in these matters will be fully protected. The complainant’s identity, however, will be disclosed if the investigation reveals the potential for formal disciplinary action or criminal prosecution.

3.1.14 DISCIPLINE UP TO AND INCLUDING TERMINATION MAY RESULT FROM BEHAVIOR FOUND TO CONSTITUTE A VIOLATION OF THIS DIRECTIVE.

Although it is the goal of this policy to identify and prevent sexually harassing behavior, if the problems and/or concerns arise, the affected employee is urged to make use of this process set forth above. However, any employee has an absolute right to go directly to the California Department of Fair Employment and Housing or the Federal Equal Employment Opportunity Commission for assistance.

3.1.16 HARASSMENT PREVENTION POLICY

3.1.18 PURPOSE

To define and issue to all employees the City's policy on the prohibition of harassment in employment.

3.1.20 POLICY

Harassment of an applicant or employee by a supervisor, management employee, or co-worker on the basis of race, religious creed, color, national origin, ancestry, handicap, medical condition, marital status, sex, pregnancy, or age will not be tolerated.

Disciplinary action up to and including termination will be instituted for behavior described in the following definition of harassment.
Harassment includes, but is not limited to:

1. **Verbal Harassment**: For example, epithets, derogatory comments or slurs on the basis of race, religious creed, color, national origin, ancestry, handicap, medical condition, marital status, sex, pregnancy or age.

2. **Physical Harassment**: For example, assault, impeding or blocking movement, or any physical interference with normal work or movement when directed at an individual on the basis of race, religious creed, color, national origin, ancestry, handicap, medical condition, marital status, sex, pregnancy or age.

3. **Visual Forms of Harassment**: For example, derogatory posters, notices, bulletins, cartoons, or drawings on the basis of race, religious creed, color, national origin, ancestry, handicap, medical conditions, marital status, sex, pregnancy or age.

4. **Sexual Favors**: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature which is conditioned upon an employment benefit unreasonable interference with an individual's work performance or create an offensive work environment.

**COMPLAINT PROCEDURE**

**(A) Filing**: An employee or job applicant who believes he or she has been harassed should inform any of the following, preferably in writing:

1. Immediate supervisor
2. Any supervisor or manager within or outside of the department
3. Department Head
4. Director of Personnel (or Affirmative Action Officer)

Any supervisor or department head who receives a harassment complaint should notify the Personnel Director (or Affirmative Action Officer) immediately.

**(B) Upon notification of a harassment complaint, the Director of Personnel (or Affirmative Action Officer) shall:**

1. Authorize the investigation of the complaint and supervise and/or investigate the complaint. The investigation will include interviews with: a) the complainant; b) the accused harasser; and c) any other persons the Director of Personnel (or Affirmative Action Officer) has reason to believe has
relevant knowledge concerning the complaint. This may include victims of similar conduct;

2. Review factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment; giving consideration to all factual information, the totality of the circumstances, including the nature of the verbal, physical, visual or sexual conduct and the context in which the alleged incidents occurred;

3. Report the results of the investigation and the determination as to whether harassment occurred to appropriate persons including to the complainant, the alleged harasser, the supervisor, and the department head. If discipline is imposed, the discipline will not be communicated to the complainant;

4. If harassment occurred, take and/or recommend to the appointing authority prompt and effective remedial action against the harasser. The action will be commensurate with the severity of the offense;

5. Take reasonable steps to protect the victim and other potential victims from further harassment.

6. Every effort will be made to protect the privacy of parties involved in the complaint. Files pertaining to complaints will not be made available to the general public.

7. Take reasonable steps to protect the victim from any retaliation as a result of communicating the complaint.

8. If appropriate, take action to remedy the victim's loss, if any, which resulted from the harassment.

It should be reemphasized that the City wishes to know of any complaint alleging harassment as soon as possible after it occurs.
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