CITY OF HERMOSA BEACH POLICE DEPARTMENT

POLICY AND PROCEDURES MANUAL

Greg Savelli
Chief of Police

Issued 10/27/2009
Statement by the Chief of Police

The Hermosa Beach Police Department is committed to providing the highest quality police service to its residents, the business community and the thousands of tourists who visit our beautiful beach city.

To ensure this high level of services, the members of the Hermosa Beach Police Department have drafted policies, procedures and general orders to help guide existing and new employees to the best methods necessary in protecting and serving the community, and this department, in a consistent manner.

The policies and procedures contained in this Manual were devised or improved upon to not only reflect the history and culture of the Hermosa Beach Police Department, but to also meet a stringent and internationally recognized set of standards developed by the Commission on Accreditation for Law Enforcement Agencies (CALEA). All additions, modifications, or deletions from this Manual shall occur only upon the approval of the Chief of Police.

These documents not only serve as tools to guide our operations and conduct, but serve to inform the community of what they can expect from their police department. Although no policy manual can address all situations in which we will be confronted, it does serve as a guide and helps establish decision making tools to address both the spirit of the law and the letter of the law and when each application should apply. Any violation of the policies and procedures in this manual may be subject to disciplinary action in accordance with established disciplinary procedures as outlined in the MOU's of each employee group.

Most importantly, these policies and procedures are now subjected to annual reviews to ensure the police department remains on top of changing laws, tactics and technology as well as making certain the policy reflects the true manner in which we conduct our business. Another strength of this process, and this new manual, is the involvement of employees from all organizational components who have been, and will continue to be, included through feedback and consultation when new policies are drafted.

I take the responsibility as the Hermosa Beach Chief of Police seriously and with the utmost respect for the community. As your Chief, I reserve the right to either temporarily or permanently amend, revoke or make additional policies or procedures as circumstances dictate and/or when such actions are in the best interests of the City of Hermosa Beach Police Department and the community it proudly serves.

Gregory J. Savelli
Chief of Police
Hermosa Beach Police Department
Mission Statement

We the members of the Hermosa Beach Police Department are proud to serve our Community.

We have been entrusted to defend the public’s safety and we are committed to providing this community the highest caliber of professional service.

We believe in maintaining public peace and in promoting order through fair and impartial decisions and respectful enforcement of the law.

We believe in productively removing criminal offenders from this community and in protecting all people from any harm.

We are determined to keep this community safe and a friendly environment for everyone.

We believe in prompt and efficient service and in the core values of honesty, integrity, and compassion in the performance of our duties.

We believe in prioritizing the needs of our community and we are committed to achieve these goals through our continuous efforts.
LAW ENFORCEMENT CODE OF ETHICS

AS A LAW ENFORCEMENT OFFICER, MY FUNDAMENTAL DUTY IS TO SERVE MANKIND, TO SAFEGUARD LIVES AND PROPERTY, TO PROTECT THE INNOCENT AGAINST DECEPTION, THE WEAK AGAINST OPPRESSION OR INTIMIDATION, AND THE PEACEFUL AGAINST VIOLENCE OR DISORDER, AND TO RESPECT THE CONSTITUTIONAL RIGHTS OF ALL MEN TO LIFE, 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 IN ME IN MY OFFICIAL CAPACITY WILL BE KEPT EVER SECRET UNLESS REVELATION IS NECESSARY IN THE PERFORMANCE OF MY DUTY.

I WILL NEVER ACT OFFICIOUSLY OR PERMIT PERSONAL FEELINGS, PREJUDICES, ANIMOSITIES, OR FRIENDSHIPS TO INFLUENCE MY DECISIONS. WITH NO COMPROMISE FOR CRIME AND WITH RELENTLESS PROSECUTION OF CRIMINALS, I WILL ENFORCE THE LAW COURTEOUSLY AND APPROPRIATELY WITHOUT FEAR OR FAVOR, MALICE OR 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.
Policy and Procedures Manual Overview

The Policies in this manual are numbered and grouped by chapters which represent four organizational components, as well as the Police Officer’s Rules and Regulations:

   Chapter 1, Administration
   Chapter 2, Support Services
   Chapter 3, Operations
   Chapter 4, Community Services
   Chapter 5, Police Officers Rules and Regulations

Each Policy within a chapter is identified by a letter and three number decimal system. For example, Policy A1.01 refers to Administration, Chapter 1, Policy 01.

Each Policy in this manual contains a date the Policy became effective and the date it was updated, if applicable. Policies in this Manual will remain in effect until rescinded by the Chief of Police. General Orders, which are directives concerned with policy, rules and procedures that are temporary in nature, are maintained in a separate Manual and are self-canceling.

Locating a Policy

The Table of Contents lists all Policies by chapter and title. Located at the end of the manual are two indices; one Index for Policies by title, and one Index by subject. In the electronic format on the Department’s shared drive, Policy titles and subjects in the Table of Contents and Indices are linked to the first page of each Policy. Clicking on a Policy title or subject will take you directly to a particular Policy within the manual.
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ADMINISTRATION
PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Hermosa Beach Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member’s supervisors.

POLICY

The continued employment or appointment of every member of the Hermosa Beach Police Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action. Peace officers and public employees are vested with a public trust which requires that they consistently demonstrate the highest degree of integrity and good moral character. Because society holds public employees to a high standard, it is the policy of this Department to have its employees abide by the following Code of Ethics and Manual of Rules. Additionally, all personnel will receive ethics training at least biennially.

(CALEA 1.1.2)

DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

(CALEA 12.1.3)

I. UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The
responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.

The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

II. SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

a. Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.

b. Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.

c. Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.

d. The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

GENERAL STANDARDS

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and California Constitutions and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

Employees shall perform their duties with professionalism, integrity, and courtesy and avoid any conduct that violates the public’s trust.
Employees shall give a full day’s labor for a full day’s pay; giving to the performance of their duties an earnest effort. Employees shall put loyalty to the highest moral principles and the Department above loyalty to coworkers and friends.  
(CALEA 26.1.1)

On-duty officers and off-duty officers in uniform shall at all times take appropriate action to:

a) Protect life and property;
b) Preserve the peace;
c) Prevent crime;
d) Arrest violators of the law; and
e) Enforce federal and state laws and sections of the Municipal code coming within departmental jurisdiction.

CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service:

I. LAWS, RULES AND ORDERS

a. Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or City manuals.
b. Disobedience of any legal directive or order issued by any department member of a higher rank.
c. Violation of federal, state, local or administrative laws, rules or regulations.

II. ETHICS

a. Using or disclosing one’s status as a member of the Hermosa Beach Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
b. The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.
c. The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
d. Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.
e. Offer or acceptance of a bribe or gratuity.

f. Misappropriation or misuse of public funds, property, personnel or services.

g. Any other failure to abide by the standards of ethical conduct.

h. Members must not allow personal motives to govern their decisions and conduct.

III. DISCRIMINATION, OPPRESSION OR FAVORITISM

Discriminating against, oppressing or providing favoritism to any person because of age, race, color, creed, religion, sex, sexual orientation, gender identity or expression, national origin, ancestry, marital status, physical or mental disability, medical condition or other classification protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power or immunity, knowing the conduct is unlawful.

IV. RELATIONSHIPS

a. Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one’s official capacity.

b. Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.

c. Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.

d. Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.

e. Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.

V. ATTENDANCE

a. Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.

b. Unexcused or unauthorized absence or tardiness.

c. Excessive absenteeism or abuse of leave privileges.

d. Failure to report to work or to place of assignment at time specified and fully
prepared to perform duties without reasonable excuse.

e. Officers and employees shall not feign illness or injury, falsely report themselves ill or otherwise attempt to deceive the Department as to the condition of their health.

VI. UNAUTHORIZED ACCESS, DISCLOSURE OR USE

a. Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms or reports obtained as a result of the member’s position with this department.

   i. Members of this department shall not disclose the name, address or image of any victim of human trafficking except as authorized by law (Penal Code § 293).

b. Disclosing to any unauthorized person any active investigation information.

c. The use of any information, photograph, video or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain (whether direct or indirect) or without the express authorization of the Chief of Police or the authorized designee.

d. Loaning, selling, allowing unauthorized use, giving away or appropriating any Hermosa Beach Police Department badge, uniform, identification card or department property for personal use, personal gain or any other improper or unauthorized use or purpose.

e. Using department resources in association with any portion of an independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment and non-subpoenaed records.

VII. EFFICIENCY

a. Neglect of duty. Officers and employees shall not engage in any activities or personal business, which would cause them to neglect or be inattentive to duty.

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

c. Concealing, attempting to conceal, removing or destroying defective or incompetent work.

d. Unauthorized sleeping during on-duty time or assignments.

e. Failure to notify the Department within 72 hours of any change in residence address, contact telephone numbers or marital status.
VIII. PERFORMANCE

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

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

c. Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.

d. Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.

e. Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.

f. Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:

   i. While on department premises.

   ii. At any work site, while on-duty or while in uniform, or while using any department equipment or system.

   iii. Gambling activity undertaken as part of an officer official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.

   iv. Excludes the purchase of State sanctioned Lottery tickets.

g. Improper political activity including:

   i. Unauthorized attendance while on-duty at official legislative or political sessions.

   ii. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or, on department property except as expressly authorized by City policy, the memorandum of understanding, or the Chief of Police.

h. Engaging in political activities during assigned working hours except as expressly authorized by City policy, the memorandum of understanding, or the Chief of
Police.

i. Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. They shall perform their duties in a manner that will maintain the highest standards of efficiency in carrying out the functions and objectives of the Department.

j. Any act on- or off-duty that brings discredit to this department.

IX. CONDUCT

a. Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.

b. Unreasonable and unwarranted force to a person encountered or a person under arrest.

c. Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.

d. Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.

e. Engaging in horseplay that reasonably could result in injury or property damage.

f. Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the City.

g. Use of obscene, indecent, profane or derogatory language while on-duty or in uniform.

h. Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member’s relationship with this department.

i. Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.

j. Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property or the property of another person.

k. Activity that is incompatible with a member’s conditions of employment or appointment as established by law or that violates a provision of any memorandum of understanding or contract to include fraud in securing the appointment or hire.

l. Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief of Police of such action.
m. Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.

X. SAFETY

a. Failure to observe or violating department safety standards or safe working practices.

b. Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver license, first aid).

c. Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.

d. Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on- or off-duty.

e. Carrying, while on the premises of the work place, any firearm or other lethal weapon that is not authorized by the member’s appointing authority.

f. Unsafe or improper driving habits or actions in the course of employment or appointment.

g. Any personal action contributing to a preventable traffic collision.

h. Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but no later than the end of the member’s shift.

XI. INTOXICANTS

a. Reporting for work or being at work while intoxicated or when the member’s ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.

b. Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.

c. Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.

APPROVED:

Milton McKinnon
Acting Chief of Police
PURPOSE

To establish procedures for an effective disciplinary system.

POLICY

The Police Department has a responsibility to the community and its members to institute policies and procedures establishing an effective and fair system of discipline for all department personnel. All disciplinary action shall be administered for the purpose of insuring that the offense will not recur, and that the best interests of the community and the police department will be paramount. Discipline may be imposed by the Department to assist an employee in meeting the standards set by the department. As an alternative to discipline, the Department may also assist an employee through educational training or counseling in order to ensure all personnel are in compliance with Department and City standards. Each situation will be evaluated on a case-by-case basis to determine the appropriate Department response.

PROCEDURES

I. Nature of Discipline

A. A well-disciplined public safety agency is a department whose members voluntarily conform to all department policies, procedures and rules. It follows that the best-disciplined department is the least in need of corrective action. Nevertheless, a violation of the department’s policies, procedures, rules or the law, may require disciplinary action.

B. Discipline may be utilized by the Department to either ensure compliance with Department and City standards and expectations, or for punitive measure. The nature of disciplinary action depends upon the circumstances of each particular situation. While the Department strives to allow employees reasonable opportunities to positively conform their behavior and/or performance, the Department also realizes that progressive discipline cannot be followed in all cases due to the gravity of the offense, the impact of conduct on the public and/or the Department, or for other related reasons.

II. General conduct subject to disciplinary action by any member or employee of the Hermosa Beach Police Department includes:

A. Personal actions that are adverse or contrary to the reputation or mission of the Department.
B. Any offense punishable under the laws or statutes of the United States, the State or local Municipal Code regulations,

C. Violations of any provision of the rules and regulations of the Department;

D. Disobedience of any lawful order; or

E. Incompetent performance of assigned duties.

III. Specific conduct subject to disciplinary action

A. A member of the Department may be made the subject of disciplinary action whenever a member’s conduct so warrants.

B. Examples of conduct which may result in disciplinary action include, but are not limited to, the following:

1. The commission of a crime.
2. Use of intoxicants in violation of this Policy Manual.
3. Illegal use of narcotics or drugs.
4. Willful neglect of duty.
5. Willful disobedience of orders.
6. Absence from duty without leave.
7. Conduct unbecoming an officer.
8. Use of unreasonable or unnecessary force.
9. Sleeping on duty.
10. Accepting or soliciting a bribe.
11. Soliciting gratuities.
12. Use of police badge, uniform, business card or identification card for personal gain.
13. Aiding and abetting a prisoner to escape.
14. Appropriating for one’s own use property, evidence, or items received in the course of duty.
15. Falsification of reports, official records, or communications.
16. Divulging information that may be detrimental to an investigation or another person without first obtaining consent from a supervisor.
17. Feigning sickness or injury to escape duty.
18. Willful rough and careless handling of Department property.
19. Any other conduct that reflects adversely on the Department, City, and/or its members.

(CALEA 26.1.1)

IV. Identifying acts of misconduct - Acts of misconduct by Department members are brought forward through the following means:

A. Complaints by citizens.
B. Complaints by other Department members.
C. Observations by supervisory members of the Department.
D. Findings arising from audits or investigations.
E. Complaints and/or information received from other law enforcement or criminal justice agencies.
F. Complaints against Department members will be handled in accordance with the policy for “Internal Affairs Investigations”.

V. Disciplinary actions available – When corrective action is indicated by the finding, one or more of the following actions may be taken by the Chief of Police.

A. Verbal Reprimand
B. Written reprimand
C. Suspension
D. Demotion
E. Dismissal from the Department

VI. Departmental authority for disciplinary action.

A. Final department disciplinary authority and responsibility rests with the Chief of Police. Punitive actions that may be taken against an employee in the interest of discipline are specified in Rules and Regulations Sections 10.00 through 190.25.

(CALEA 26.1.4 c)

B. Supervisory personnel, including Acting Watch Commanders, may administer a verbal reprimand.

1. Observed infractions committed by an employee of equal or higher rank or classification shall be directed to the reporting employee’s supervisor.

(CALEA 26.1.5)

VII. Relief from Duty

A. In case of a situation in which the possibility of proposing termination, suspension, or demotion of a permanent employee is indicated, but where the Department needs time to conduct an investigation before proposing such action, or in a situation where immediate removal of an employee from the job is needed to avoid disruption of work for the protection of persons or property, or for similar reasons, the employee may be relieved of duty with pay.

B. Normally, the highest-ranking supervisor on duty shall have the authority to invoke this regulation in situations of disruption, although it is recommended that administrative review be sought in advance when time permits. Supervisors invoking this regulation should be prepared to justify fully their actions and shall notify the Chief or the Lieutenant in the individual’s chain of
command at the earliest opportunity. If the Captain relieves a Lieutenant from duty he shall notify the Chief at the earliest opportunity.

1. The Chief shall determine if this regulation is to be invoked in situations where an investigation is to occur.

2. Nothing in this regulation shall give supervisors of this Department the authority to relieve from duty or escort from city property employees of other departments. Department employees may assist in removing City employees from other departments off of City premises if circumstances warrant.

VIII. Notification

The member or employee being disciplined will be informed of the charges and penalties assigned at the time such action is taken.

IX. Appeals from Penalties

Appeals from penalties imposed as disciplinary measures may be taken as provided in the applicable portion of Rules and Regulations Section 10.20, or current MOU. Specific procedures for appeals are detailed in Exhibit A of the Police Officer and Sergeants MOU.

(CALEA 26.1.6)

X. Dismissal

If a non-probationary employee’s misconduct results in dismissal, the following information will be provided to the employee:

A. A written statement citing the reason for dismissal;
B. The effective date of the dismissal;
C. A statement of the status of fringe and retirement benefits after dismissal.

(CALEA 26.1.7)

XI. Maintenance of Records of Disciplinary Actions

A. All disciplinary records will be forwarded to the Personnel Department for inclusion in the employee’s permanent personnel file.

B. Copies of records forwarded to Personnel will be maintained in the employee’s department file, which will be maintained in the Chief’s office.

C. No records of discipline may be placed in an employee’s file that does not have the employee’s signature attached. If the employee refuses to sign acknowledging receipt, the supervisor will note this and sign and date the item.

D. Disciplinary records may not be purged from an employee’s personnel file except as provided for in the department’s destruction of records policy or MOU agreement.

(CALEA 26.1.8)
XII. Supervisor and Command Officer Responsibilities

A. First Line Supervisor Responsibility

1. Monitor performance of all assigned personnel for changes in work habits or personality changes, such as reporting late to work, excessive absences or patterns to requests for time off, moodiness, aloofness, aggressiveness, and/or misconduct.

2. Address concerns with the affected employee and attempt to determine cause of change in behavior.

3. Initiate a review by the Lieutenant in the individual’s chain of command by notifying him/her of any concerns and/or documenting any situations involving misconduct.

B. Lieutenant’s Responsibility

1. Monitor performance of employees through reviews of use of force reports, counseling forms and other discipline, citizen complaints, performance evaluations and traffic accidents to determine if there are any patterns of concern involving individual employees.

2. Review all incidents of misconduct or concerns forwarded by first line Supervisors.

3. In consultation with the Chief, determine the appropriate intervention such as remedial training, peer counseling or referral to professional counseling, in an attempt to identify and abate patterns of misconduct before they reach a serious level. (Participation in EAP is voluntary and cannot be compelled.)

4. Establish remedial actions such as employee improvement plans which contain specific action plans and goal setting and monitoring.

5. Monitor the progress with follow-up meetings with the affected employee and supervisor.

(CALEA 26.1.5)

C. The Chief of Police will perform an annual evaluation of the system to determine its effectiveness and make recommendations for improvements.

APPROVED:

Greg Savelli
Chief of Police
A1.03 GRIEVANCE PROCEDURES

PURPOSE

a. To promote improved employee-employer relations by establishing grievance procedures on matters.

b. To provide that grievances shall be heard and settled as informally as possible.

c. To enable grievances to be settled promptly and/or as near to the point of origin as possible.

Definition

A grievance is defined as any dispute concerning the interpretation, intent or application of the written Memorandum of Understanding or departmental rules and regulations governing personnel practices or working conditions applicable to employees covered by the Memorandum of Understanding. An impasse in meeting and conferring upon the terms of a proposed Memorandum of Understanding is not a grievance.

PROCEDURE

Contract language currently exists for each employee of this Department. Grievance procedures must be followed by each member of the Hermosa Beach Police Department as outlined in each Memorandum of Understanding:

- Police Management: Article 9
- Police Officers and Sergeants: Article 10
- General and Supervisory Employees/Teamsters: Article 57
- Professional and Administrative Employees: Article 25

APPROVED:

Greg Savelli
Chief of Police
PURPOSE AND SCOPE

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

DIVISIONS

The Chief of Police is the chief executive officer of the Department and the final departmental authority in all matters of policy, operations and discipline. The Chief of Police exercises all lawful powers of the office and issues such orders as are necessary to assure the effective performance of the Department. Through the Chief of Police, the Department is responsible for the enforcement of all laws and directives coming within its jurisdiction. (CALEA 12.1.1)

The Chief of Police is responsible for administering and managing the Hermosa Beach Police Department.

There are three divisions in the Police Department as follows:

- Operations Division
- Investigative/Administrative Services Division
- Community Services Division
  (CALEA 11.1.1)

I. Operations Division

The Operations Division is commanded by a Lieutenant, whose primary responsibility is to provide general management direction and control for the Operations Division. The Operations Division consists of Uniformed Patrol and Special Operations, which includes Traffic, the Reserve Officer Program and the Downtown Enforcement Unit.

II. Investigative/Administrative Services Division

The Investigative/Administrative Services Division is commanded by a Lieutenant, whose primary responsibility is to provide general management direction and control for the Investigations/Administrative Services Division. The Investigative/Administrative Services Division consists of the Investigations Bureau, Crime Analysis Unit, Property and Evidence Unit, Jail Operations, Court Liaison, Records Bureau and the Professional Standards Unit.
III. Community Services Division

Community Services Division is commanded by the Community Services Division Manager, whose primary responsibility is to provide general management direction and control for the Community Services Division. The Community Services Division consists of the uniformed Community Services Officers (Parking and Animal Control), Administrative Services Coordinator, Community Outreach, and Volunteers in Policing (VIP).

**COMMAND PROTOCOL**

In the absence of the Chief of Police, the Captain shall act as the Department Executive Officer. If the Captain is also absent the Chief shall designate a Lieutenant to act as the Department Executive Officer.

In normal day-to-day Department operations, the chain of command established by the Department organizational chart will be adhered to.

In Department situations involving personnel of different functions engaged in a single operation where prior command authority has not been assigned, the highest-ranking officer shall assume command. However, supervisors are cautioned not to arbitrarily assume command in normal situations from junior ranking members without sound justification.

In exceptional situations where two officers of equal rank are the senior officials present and where functional assignment is not a determining factor, then seniority shall be used to determine who is in charge.

For all pre-planned and special events, an Officer-in-Charge will be assigned as part of the event-planning phase.

(CALEA 12.1.2a-d)

**AUTHORITY AND RESPONSIBILITY**

A. At every level within this Department, responsibility is accompanied by commensurate authority.

B. Each employee is given the authority to make decisions necessary for the effective execution of their responsibilities.

C. Each employee is accountable for the use of delegated authority. The delegation of authority should be consistent with this Department’s values and mission statement.

D. Every supervisor will be held accountable for the activities of employees under their immediate control.
   a. Supervisors
   b. Watch Commanders
SUCCESSION OF COMMAND

The Chief of Police exercises command over all personnel in the Department. During planned absences, the Chief of Police will designate a Captain or the Division Commander to serve as the acting Chief of Police.

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

(a) Captain  
(b) Operations Division Commander  
(c) Investigative/Administrative Services Division Commander  
(d) Sergeant/Watch Commander  
(e) Police Officer

UNITY OF COMMAND

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

ORDERS

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

GOALS AND OBJECTIVES

The Chief of Police and Captain will formulate, annually update, and distribute to all personnel, written goals and objectives for the Department and for each organizational component. (CALEA 15.2.1)

APPROVED:

[Signature]
Sharon Papa  
Chief of Police

Attachment A: Organizational Chart
Organizational Structure and Responsibility

I. DIVISIONS

The Department is organized as follows:

- Reporting directly to the Chief of Police are the Captain and the Chief’s Secretary
- Reporting directly to the Captain are the Operations Lieutenant, the Investigative/Administrative Services Lieutenant, Community Services Division Manager and the Administrative Assistant/Accreditation Manager
- Reporting directly to the Operations Lieutenant in the Operations Division are the Patrol Sergeants, the Community Lead Sergeant, the Traffic Sergeant (if assigned)
- Reporting directly to the Investigative/Administrative Services Lieutenant are the Detective Sergeant, the Administrative Sergeant, the Crime Analyst and the Police Services Officer Supervisors
- Reporting directly to the Community Services Division Manager are the Community Services Supervisors and Administrative Services Coordinator

A. OPERATIONS DIVISION

The major responsibilities of each area in the Operations Division include:

- The Operations Lieutenant is responsible for managing the Patrol, Traffic, and Community Lead units of the police department.
- The Patrol Bureau responds to calls for service; provides proactive patrols of the city in vehicles, on bicycles, and on foot; and documents incidents and crimes in department reports. Traffic officers have the primary responsibility of traffic enforcement and collision investigation. They may patrol on motors or in vehicles and they report to the Traffic Sergeant or on duty Watch Commander.
- The Community Lead unit is primarily responsible for enforcement in the Downtown area with emphasis on alcohol and disturbance violations and problem oriented policing projects. Officers assigned to this unit may report to the Community Lead Sergeant or the on duty Watch Commander

B. INVESTIGATIVE/ADMINISTRATIVE SERVICES DIVISION

The major responsibilities of each area in the Investigative/Administrative Services Division include:

- The Investigative/Administrative Services Lieutenant is responsible for managing the Detective Bureau, Crime Analysis, Internal Affairs, Hiring/Training, Jail, Records, and Property/Evidence elements of the police department.
- The Detective Bureau, supervised by the Detective Sergeant, is responsible for investigating crime, filing cases with the District attorney or City Prosecutor, and serving on task forces.
Organizational Structure and Responsibility

- The Administrative Sergeant is responsible for conducting Internal Affairs investigations, Hiring / Training, other duties as assigned, and assisting the Accreditation Manager as needed.
- The Jail Facility is used to temporarily house arrestees. The Records Bureau maintains all records held by the agency, enters information in the records management system, releases information per state law, performs records checks, and prepares statistical reports. The Property and Evidence unit stores evidence / property, assists with CSI, sends evidence to the lab for testing, and arranges for the disposition / destruction of property as required. The Jail, Records Bureau, and Property and Evidence units are staffed by Police Service Officers (PSO) who report to PSO Supervisors.

C. COMMUNITY SERVICES DIVISION

The Community Services Division is primarily responsible for parking enforcement, parking meter collection and maintenance, administrative review, taxi cab permits, animal control and community outreach to include: Coffee with a Cop, Pets in the Park, Safety Fair, and National Night Out.

Community Services Supervisors are responsible for supervising parking enforcement and animal control. The Administrative Services Coordinator is responsible for supervising meter collections and maintenance, taxi cab permits, and Administrative reviews.

II. AUTHORITY AND RESPONSIBILITY

I. Captain

1. The Captain is responsible for running day to day operations of the three divisions of the Police Department. The Captain will also assist the Chief of Police in developing policy and procedure, overseeing and preparing the budget, purchasing, maintenance of the physical plant, liaison with other agencies and the community, IA investigations as needed, other duties as assigned, and being the Acting Chief of Police during the Chief’s absence.

II. Lieutenant/Division Manager

1. Subject to direction from the Captain or Chief of Police, Lieutenants have indirect control over all officers and employees within the Department. In addition to the general and individual responsibilities of all officers and employees, Lieutenants are responsible for the following:
   (a) Maintenance: Assurance that equipment, supplies and materials assigned to his/her command are correctly used and maintained.
   (b) Reports and Records: Preparation of required correspondence and reports, and maintenance of records relating to the activities of his/her command. Assurance that information is communicated up and down the chain of command as required.
   (c) Organization and Assignment: Proper organization and assignment of duties within the bureaus and units under his/her command to assure proper performance of departmental functions.
(d) Inter-Divisional Action: The promotion of harmony and cooperation within other units of the Department. Initiations of proper actions in cases not regularly assigned to his/her command when delay in action might result in failure to perform a police duty.

(e) Discipline and Morale: The maintenance of discipline and morale within the Department and the investigation of personnel complaints not assigned elsewhere.

(f) Loyalty: The development and maintenance of an esprit de corps and loyalty to the Department.

(g) Command: The inspection, direction and control of personnel under his/her command to assure proper performance of duties and adherence to established rules, regulations, policies and procedures. Providing for continuation of command or supervision in his/her absence.

III. Supervisors

1. A supervisor may be assigned to field or staff duties. During his/her tour of duty, he/she must closely supervise the activities of subordinates, making corrections where necessary and commending where appropriate. Also, each supervisor is specifically responsible for the following:

   (a) Leadership: Effective supervision demands leadership. Provision of leadership shall include on-the-job training as needed for efficient operation and coordination of effort when more than one officer or employee is involved.

   (b) Direction: Supervisors must exercise direct command in a manner that assures the good order, conduct, discipline and efficiency of subordinates. Exercise of command may extend to subordinates outside his/her usual sphere of supervision if the police objective or reputation of the Department so requires, or if no other provision is made for personnel temporarily unsupervised. This authority shall not be exercised unnecessarily. If a supervisor requires a subordinate other than his/her own to leave a regular assignment, the supervisor so directing will inform the subordinate’s supervisor as soon as possible.

   (c) Enforcement of Rules: Supervisors must enforce departmental rules and regulations and ensure compliance with departmental policies and procedures.

   (d) Inspection: Supervisors are responsible for inspection of activities, personnel and equipment under their supervision and initiation of suitable actions in the event of a failure, error, violation, misconduct, or neglect of duty by a subordinate.

   (e) Assisting Subordinates: Supervisors shall have a working knowledge of the duties and responsibilities of their subordinates. They shall observe contacts made with the public by subordinates, be available for assistance or instruction as may be required and take active charge when necessary.
IV. Watch Commanders

1. The Watch Commander is the supervisor over a patrol shift. Patrol Sergeants perform this function. In the absence of a Patrol Sergeant an officer who has been assigned as a designated Watch Commander by the Chief of Police will perform this function. In addition to general and individual responsibilities of all members and employees, the Watch Commander is specifically responsible for the following:

   (a) Good Order: The general and good order of his/her command during tour of duty to include proper discipline, conduct, welfare, field training and efficiency

   (b) Briefing: Conduct of prescribed shift briefing, communication of all orders or other information at briefings and inspection and correction of his/her command, as necessary.

   (c) Reporting: Reporting as required by the Operations Lieutenant. Maintenance of such records as specified by higher authority.

   (d) Personnel Complaints: Inquiry into personnel complaints against officers or employees under his/her command in accordance with the appropriate departmental directive.

2. In the absence of those members of the Department who regularly exercise authority over the Department, the Watch Commander shall be designated as the ranking authority of the Department.

V. Chief’s Administrative Assistant

1. The Chief’s Administrative Assistant is responsible for the payroll, maintenance of Department files and archives including personnel, training files, and purchase requisitions, and preparing reports as needed.

VI. Administrative Assistant/Accreditation Manager

1. The Administrative Assistant/Accreditation Manager is responsible for accreditation files, purchase requisitions, assisting in preparing the budget, and offers backup to the Chief’s Secretary.

RESPONSIBILITIES

I. Police Department:

1. Effectively administer the Rules and Regulations, Policies and Procedures, and General Orders of the Department

2. Ensure that the department remains in compliance with all CALEA accreditation standards, complete all required accreditation reports, and review all proposed changes to department policies and procedures that have an effect upon accreditation

3. Responsibility: Chief of Police and Captain

II. Crime Prevention/Community Service:
Organizational Structure and Responsibility

1. Provide services that assist in the prevention of crime, contribute to a safe environment and are of service to the community

2. Responsibility: Operations Division Lieutenant and Investigative/Administrative Services Division Lieutenant

III. Patrol/Traffic Operations:

1. Work proactively to reduce the incidence of crime, establish effective traffic enforcement programs and foster confidence through visible patrol strategies.

2. Responsibility: Operations Division Lieutenant

IV. Community Services/Parking Enforcement/Animal Control:

1. Provide services that assist community parking and animal control regulations that foster confidence through visible patrol strategies and prompt service.

2. Responsibility: Community Services Division Manager

V. Parking Meter Maintenance/Administrative Review:

1. Provide services that enable the city to collect parking revenues, maintain equipment, and fairly administer municipal parking enforcement statutes.

2. Responsibility: Community Services Division Manager

VI. Detective/Investigations Bureau:

1. Identify, apprehend, and prosecute individuals involved in criminal behavior.

2. Responsibility: Investigative/Administrative Services Division Lieutenant

VII. Regional Task Force:

1. Provide liaison (Detective/Investigator) to operate within regional multi-jurisdictional task force enforcement units.

2. Responsibility: Investigative/Administrative Services Division Lieutenant

VIII. Court Liaison:

1. Provide liaison to the Los Angeles County District Attorney’s Office and the Office of the City Prosecutor to successfully present and prosecute criminal cases.

2. Responsibility: Investigative/Administrative Services Division Lieutenant

IX. Professional Standards Unit:

1. Conduct internal investigations that are thorough, fair, impartial, and timely, to instill departmental and community faith and trust.

2. Ensure that all employees are provided the opportunities to develop their personal and professional knowledge and skills to not only meet minimums, but to establish goals to exceed requirement.

3. Secure the best qualified candidates for current or future vacant department positions.
Organizational Structure and Responsibility

4. Responsibility: Investigative/Administrative Services Division Lieutenant

X. Jail/Records/Property and Evidence:
1. Provide effective processing and supervision of detainees/arrestees and assist patrol officers, investigators, and the department.
2. Provide services in Records that enhance the efficiency of the department and assist patrol officers, investigators, and the department.
3. Provide effective and secure management of property and evidence.

4. Responsibility: Investigative/Administrative Services Division Lieutenant

XI. Multi-hazard Emergency Preparedness:
1. Maintain a coordinated, comprehensive and operational emergency response program and planning process.

2. Responsibility: Operations Division Lieutenant and Investigative/Administrative Services Division Lieutenant

III. GOALS AND OBJECTIVES

I. Definitions
1. Goals: Stated in broad, almost immeasurable terms, and are based on the duties assigned to the Department. Goals are long-term guides that provide solid direction, provide guidance and stability for planning future activities of the Department. Goals are statements of the end result that the Department intends ultimately to achieve.

2. Objectives: Specific, measurable, obtainable statements of actions to be accomplished. One or more objectives, if satisfactorily attained during a year, should effectively contribute toward attainment of a departmental goal.

II. Establishment of Departmental Goals and Objectives:
1. Input will be sought from individual employees for proposed revisions.

2. Annually, the supervisor of each component will evaluate their areas progress toward attainment of the goals and objectives that pertain to them.

3. Evaluation of the achievement of goals & objectives is essential to determine the extent to which objectives were achieved and to identify reasons for successes and failures.

4. Evaluating should include an assessment of the:
   (a) Amount of activity that takes place
   (b) Extent to which the performance is adequate to the total amount of need
   (c) Ratio between effort and performance
   (d) Results of effort

5. A multi-year plan should include the following information:
Organizational Structure and Responsibility

(a) Goals and Objectives of the Organization
(b) Anticipated Workload and Population Trends
(c) Anticipated Personnel Requirements
(d) Anticipated Capital Improvements and Equipment Needs
(e) Provisions for Review and Revision as Needed
Hermosa Beach Police Department Organizational Chart  
2018-2019  
Positions Filled / Authorized Personnel

### Positions Filled / Authorized Personnel

**Chief of Police**  
(1/1)

- **Administrative Assistant**  
(1/1)

- **Administrative Services Captain**  
(1/1)

- **Administrative Assistant / Accreditation Manager**  
(1/1)

- **Traffic Officers**  
(1/2)

- **Traffic Sergeant**  
(1/1)

- **Lieutenant Field Operations Division Commander**  
(1/1)

- **Community Services Division Manager**  
(1/1)

- **Detectives**  
(4/4)

- **Detective Sergeant**  
(1/1)

- **Detective Reserves**  
(0/1)

- **P/T Seasonal Community Services Officers**  
(1/2)

- **CSO/Meter Maintenance**  
(1/1)

- **Volunteers in Policing**  
(7)

- **Regional Taskforce**  
(0/1)

- **Court Liaison**  
(5/5)

- **Police Services Officer Supervisors**  
(1.5/1.5)

- **Police Services Officers**  
(7/8)

### Total F/T Authorized Personnel:

- **38 Sworn**
- **29 Non-Sworn**
- **2 P/T Temporary**
- **1 Reserve Officer**
A1.05 JOB DUTIES AND RESPONSIBILITIES           Effective 10/27/2009

PURPOSE

The purpose of this policy is to provide all employees with a clear and readily accessible statement of duties and responsibilities for each position classification and job assignment, both sworn and non-sworn, within this Department.

JOB CLASS SPECIFICATIONS

The City of Hermosa Beach Personnel Department is responsible for developing and maintaining the specifications for each job class within the Police Department. A description of each job class specification is available to Police Department personnel via the Department intranet. Employees may access this information by logging onto the Department’s computer system and opening the “Job Classifications” folder located on the system’s shared drive.

The Chief of Police, or his/her designee, will conduct an annual review of job classifications. The City’s Personnel Department will be advised, via memorandum, that the review has been completed. The Personnel Department will be advised of any recommend revision(s) to the job classifications at this time.

JOB ASSIGNMENT RESPONSIBILITIES

A description of each job assignment’s duties and responsibilities is available to Police Department personnel via the Department intranet. This information may be accessed by any employee by logging onto the Department’s computer system and opening the “Job Assignment Responsibilities” folder located on the system’s shared drive.

The appropriate Division Commander, or his/her designee, will conduct an annual review of the job duties and responsibilities. Any necessary revisions will be completed at this time.

(CALEA 21.2.2)

APPROVED:

Greg Savelli
Chief of Police
PURPOSE AND SCOPE

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

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

POLICY

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

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

AUTHORITY

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

**DEFINITIONS**

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

**Adult** - Any person 18 years of age or older.

**Beat**: A geographical area of variable size to which one or more officers are specifically assigned to accomplish policing responsibilities.

**Bureau**: A functional unit, which may be a sub-unit of a division or under the immediate direction of the Chief of Police. It may be commanded by any rank, depending on its size and the nature and importance of its function.

**CCR** - California Code of Regulations (Example: 15 CCR 1151).

**Chain of Command**: The vertical Chain of Command shall be adhered to in the transmittal of commands of communications between the Chief of Police and all subordinate officers and employees.

**CHP** - The California Highway Patrol.


**City** - The City of Hermosa Beach.

**Command Staff**: Members of the Department having the equivalent rank of Lieutenant or higher.

**Department/HBPD** - The Hermosa Beach Police Department.

**Division**: The first subordinate organizational unit within the Department.

**DMV** - The Department of Motor Vehicles.

**Employee** - Any person employed by the Department.

**General Orders**: Temporary directives concerned with policy, rules, and procedures affecting more than one organizational component and are of a temporary or self-canceling nature. Issued by the Chief of Police.

**Juvenile** - Any person under the age of 18 years.

**Lawful Order**: Any written or oral directive issued by a superior officer to any subordinate or group of subordinates in the course of police duty which is not a violation of any law, or any departmental rule or regulation.

May - Indicates a permissive, discretionary or conditional action.

Member - Any person employed or appointed by the Hermosa Beach Police Department, including:

- Full- and part-time employees
- Sworn peace officers
- Police Service Officers
- Community Service Officers
- Reserve, auxiliary officers
- Professional Staff employees
- Volunteers.

Memoranda: Transmitters of information of interest, not necessarily directives, or documentation to provide written direction at levels of command not authorized to issue general or special orders. Issued by Supervisors or Command personnel.

M.O.U – The Memorandum of Understanding for each bargaining unit within the Police Department

Officer - Those employees, regardless of rank, who are sworn peace officers of the Hermosa Beach Police Department.

Officer in Charge: Any member below the rank of Lieutenant in charge of an organizational unit

On-duty - A member’s status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

Personnel Actions: Announcements of change in status of personnel, such as promotions and interdepartmental transfers. Issued by the Chief.

Policy: Designates a governing principle of management and reflects the objectives, philosophy and direction of the Department.

POST - The California Commission on Peace Officer Standards and Training.

Procedure: Designates a step-by-step outline of action to be followed for the accomplishment of a task.

Professional Staff - Employees and volunteers who are not sworn peace officers.

Rank - The title of the classification held by an officer.
**Rules/Regulations**: A set of specific guidelines to which all employees must adhere.

**Seniority**: Status attained by length of continuous service generally based upon the date of appointment to a specific job classification.

- Seniority among officers and employees will be established by date of hire; or if the same, by the Chief of Police.
- Seniority Sergeants will be established by date of appointment/promotion; or if the same, seniority will be as announced by the Chief of Police.

**Shall or will** - Indicates a mandatory action.

**Shift**: A designated span of time within a 24-hour period during which personnel are actually engaged in the performance of their duties.

**Should** - Indicates a generally required or expected action, absent a rational basis for failing to conform.

**Special Orders**: Directives affecting only a specific segment of the organization or statements of policy or procedure regarding a specific circumstance or that which is of a temporary or self-canceling nature. Issued by Supervisors or Command personnel.

**Supervisor** - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., officer-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

**Unit**: Any number of employees of the Department regularly grouped together under one head to accomplish a police purpose.

**USC** - United States Code.

**ISSUING THE POLICY MANUAL**

The Policy Manual will be maintained electronically.

An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing. The Policy Manual will be maintained and accessible on the Lexipol application via any web accessible device. No changes shall be made to the manual without authorization from the Chief of Police or the authorized designee.

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

**PERIODIC REVIEW OF THE POLICY MANUAL**

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

**REVISIONS TO POLICIES**

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

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

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

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Division Commanders, who will consider the recommendations and forward them to the command staff as appropriate.

Proposed policies and/or revisions will be reviewed to ensure they do not conflict with current practices of the Department or any existing directives or state law. Policies will be distributed to all command staff for comment prior to implementation.

**APPROVED:**

Sharon Papa  
Chief of Police
HERMOSA BEACH POLICE DEPARTMENT

A1.07 LIMITS OF AUTHORITY

PURPOSE

The purpose of this policy is to establish the legal authority that is vested in the sworn police officers employed by the City of Hermosa Beach.

AUTHORITY

California Penal Code Section 830.1 establishes "any police officer of a city" as a peace officer. The authority of any such peace officer extends to any place in the State of California:

1. "As to any public offense committed or which there is probable cause to believe has been committed within the political subdivision which employs him; or

2. Where he has the prior consent of the Chief of Police, or person authorized by him to give such consent, if the place is within a city or of the Sheriff, or person authorized by him to give such consent, if the place is within a county; or

3. As to any public offense committed or which there is probable cause to believe has been committed in his presence, and with respect to which there is immediate danger to person or property, or of the escape of the perpetrator of such offense."
   (CALEA 1.2.1)

California Penal Code Section 12027 establishes that officers, as defined in Penal Code Section 830.1, are authorized to carry weapons to be used in the performance of their duties.
   (CALEA 1.2.2)

APPROVED:

Greg Savelli
Chief of Police
Purpose

The purpose of this policy is to define discretion and to establish a policy for its use by the sworn personnel of the police department.

Discretion Defined

Discretion is defined as the freedom or authority to make decisions and choices.

Policy

It is the policy of this Department that when sworn members are faced with a situation where discretion can be exercised, they must carefully evaluate the circumstances and consider the following areas:

- Federal, state, and local statutes
- Case law
- Training
- Department policies and procedures
- The Mission statement adopted by the Department
- Contemporary public opinion

The use of discretion is sharply limited in felony crime situations. A greater latitude of discretionary judgment is permitted in the investigation of misdemeanor and infraction offenses. Each officer will be held strictly accountable for his actions in these circumstances.

(CALEA 1.2.7)

Approved:

Greg Savelli
Chief of Police
PURPOSE AND SCOPE

The purpose of this policy is to prevent department members from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

The Hermosa Beach Police Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation (Government Code § 12940(k); 2 CCR 11023). The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights it is designed to protect.

The nondiscrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

DEFINITIONS

Definitions related to this policy include:

I. DISCRIMINATION

The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on the actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status and other classifications protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual’s protected class. It has the effect of interfering with an individual’s work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment, can include making derogatory comments, crude and offensive statements or remarks; making slurs or off-color jokes, stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters or material; making inappropriate physical contact; or using written
material or department equipment and/or systems to transmit or receive offensive material, statements or pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.

II. RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because he/she has engaged in protected activity, filed a charge of discrimination, participated in an investigation or opposed a discriminatory practice. Retaliation will not be tolerated.

III. SEXUAL HARASSMENT

The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person’s sex.

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

(a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment, position or compensation.

(b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.

(c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

IV. ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles or standards, including:

(a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission (EEOC) and the California Fair Employment and Housing Council guidelines.

(b) Bona fide requests or demands by a supervisor that a member improve his/her work quality or output, that the member report to the job site on time, that the member comply with City or department rules or regulations, or any other appropriate work related communication between supervisor and member.

RESPONSIBILITIES

This policy applies to all department personnel. All members shall follow the intent of these guidelines in a manner that reflects department policy, professional law enforcement standards and the best interest of the Department and its mission.
Members are encouraged to promptly report any discriminatory, retaliatory or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to his/her immediate supervisor may bypass the chain of command and make the report to a higher-ranking supervisor or manager. Complaints may also be filed with the Chief of Police, the Human Resources Manager or the City Manager.

Any member who believes, in good faith, that he/she has been discriminated against, harassed or subjected to retaliation, or who has observed harassment or discrimination, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with resolution as stated below.

I. QUESTIONS OR CLARIFICATION

Members with questions regarding what constitutes discrimination, sexual harassment or retaliation are encouraged to contact a supervisor, a manager, the Chief of Police, the Human Resources Manager, the City Manager or the California Department of Fair Employment and Housing (DFEH) for further information, direction or clarification (Government Code § 12950).

II. SUPERVISOR RESPONSIBILITIES

The responsibilities of each supervisor and manager shall include, but are not limited to:

(a) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.

(b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment or retaliation.

(c) Ensuring that his/her subordinates understand their responsibilities under this policy.

(d) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.

(e) Making a timely determination regarding the substance of any allegation based upon all available facts.

(f) Notifying the Chief of Police or Human Resources Manager in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment or retaliation no later than the next business day.

III. SUPERVISOR’S ROLE
Because of differences in individual values, supervisors and managers may find it difficult to recognize that their behavior or the behavior of others is discriminatory, harassing or retaliatory.

Supervisors and managers shall be aware of the following considerations:

(a) Behavior of supervisors and managers should represent the values of the Department and professional law enforcement standards.

(b) False or mistaken accusations of discrimination, harassment or retaliation can have negative effects on the careers of innocent members.

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

**INFORMAL RESOLUTION**

Members who believe they are experiencing discrimination, harassment or retaliation should be encouraged to inform the individual that his/her behavior is unwelcome, offensive, unprofessional or inappropriate. However, if the member feels uncomfortable or threatened or has difficulty expressing his/her concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor. All complaints made to a supervisor, regardless of the severity, shall be documented and investigated.

**INVESTIGATION OF COMPLAINTS**

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

I. FORMAL INVESTIGATION

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

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

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

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

II. ALTERNATIVE COMPLAINT PROCESS

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

DOCUMENTATION OF COMPLAINTS

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

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

I. NOTIFICATION OF DISPOSITION

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

TRAINING

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that he/she has been advised of this policy, is aware of and understands its contents and agrees to abide by its provisions during his/her term with the Department.

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents and agree that they will continue to abide by its provisions.
STATE-REQUIRED TRAINING

The Training Sergeant should ensure that employees receive the required state training and education regarding sexual harassment, prevention of abusive conduct, and harassment based on gender identity, gender expression, and sexual orientation as follows (Government Code § 12950.1; 2 CCR 11024):

(a) Supervisory employees shall receive two hours of classroom or other effective interactive training and education within six months of assuming a supervisory position.
(b) All other employees shall receive one hour of classroom or other effective interactive training and education within six months of their employment or sooner for seasonal or temporary employees as described in Government Code § 12950.1.
(c) All employees shall receive refresher training every two years thereafter.
(d) If the required training is to be provided by DFEH online training courses, the Training Sergeant should ensure that employees are provided the link or website address to the training course (Government Code § 12950.1)

I. TRAINING RECORDS

The Training Sergeant shall be responsible for maintaining records of all discriminatory harassment training provided to members. Records shall be retained in accordance with established records retention schedules and for a minimum of two years (2 CCR 11024).

WORKING CONDITIONS

The Administrative Services Division Commander or the authorized designee should be responsible for reviewing facility design and working conditions for discriminatory practices. This person should collaborate with other City employees who are similarly tasked (2 CCR 11034).

REQUIRED POSTERS

The Department shall display the required posters regarding discrimination, harassment and transgender rights in a prominent and accessible location for members (Government Code § 12950).

APPROVED

[Signature]
Acting Chief of Police
ADMINISTRATIVE MEMORANDUM

TO : All Employees

FROM : City Manager

SUBJECT: ANTI-HARASSMENT POLICY

FUNCTION: Personnel

NO.: P-7

PURPOSE:

The City of Hermosa Beach is committed to providing a work environment free of discriminatory harassment. This Policy defines discriminatory harassment, and sets forth a procedure for the investigation and resolution of complaints of such harassment by or against an employee or applicant.

POLICY:

Discriminatory harassment violates this Policy (a violation of this policy may not be a violation of state and/or federal law, although discriminatory harassment is prohibited by both) and will not be tolerated. Discriminatory harassment of an applicant or employee includes harassment based on race, religious creed, sex, national origin, ancestry, disability, medical condition, marital status, age or sexual orientation. It is also improper to retaliate against any individual for making a complaint of discriminatory harassment or for participating in a harassment investigation. Retaliation is a violation of this Policy.

This Policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities and compensation.

Employees who violate this Policy may be subject to disciplinary action up to and including termination.

DEFINITION:

Harassment can consist of virtually any form or combination of verbal, physical, visual or environmental conduct. It need not be explicit, or even specifically directed at the victim. Sexually harassing conduct can occur between people of the same or different genders. Sexual harassment may be quid pro quo or environmental.

Harassment includes, but is not limited to the following misconduct:
1. **Verbal:** Inappropriate or offensive remarks, slurs, jokes or innuendoes based on sex, religious creed, national origin, ancestry, disability, medical condition, marital status, age or sexual orientation. This may include, but is not limited to, inappropriate comments regarding an individual's body, physical appearance, attire, sexual prowess, marital status, pregnancy or sexual orientation; repeated unwelcome flirting or propositions; demands for sexual favors; verbal abuse, threats or intimidation of a sexual nature; or sexist, patronizing or ridiculing statements that convey derogatory attitudes about a particular gender.

2. **Physical:** Inappropriate or offensive touching, assault, or physical interference with free movement when directed at an individual on the basis of sex, religious creed, national origin, ancestry, disability, medical condition, marital status, age or sexual orientation. This may include, but is not limited to, kissing, patting, lingering or intimate touches, grabbing, massaging, pinching, leering, staring, unnecessarily brushing against or blocking another person, whistling or sexual gestures.

3. **Visual or Written:** The display or circulation of offensive or derogatory visual or written material, or the failure to remove it if it is related to sex, religious creed, national origin, ancestry, disability, medical condition, marital status, age or sexual orientation. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics or electronic media transmissions. Display includes placing the material on bulletin boards, chalkboards, or vehicles.

4. **Quid Pro Quo Sexual Harassment:** Quid pro quo occurs when submission to sexual conduct is explicitly or implicitly made a condition of a job, a job benefit or the absence of a job detriment.

5. **Environmental:** A work environment that is permeated with sexually-oriented talk, innuendo, insults or abuse not relevant to the subject matter of the job. A hostile environment can arise from an unwarranted focus on sexual topics or sexually suggestive statements. An environment may be hostile if unwelcome sexual behavior is directed specifically at an individual or if the individual merely witnesses unlawful harassment in his or her immediate surroundings. The determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as the frequency of the conduct, the severity of the conduct, whether the conduct is humiliating or physically threatening, and whether the conduct unreasonably interferes with an individual's work.

Romantic or sexual relationships between supervisors and employees are discouraged. There is an inherent imbalance of power and potential for exploitation in such relationships. The relationship may create an appearance of impropriety and lead to charges of favoritism by other employees. A welcome sexual relationship may change, with the result that sexual conduct that was once welcome becomes unwelcome and harassing.

By definition, sexual harassment is not within the course and scope of an individual's employment with the City.
REPORTING PROCEDURES

A. It is the responsibility of every employee to help eliminate all forms of discriminatory harassment by controlling their conduct and behavior and by reporting occurrences or actions that may lead to a charge of harassment. Employees may report incidents of harassment to any manager or supervisor, or to the Personnel Director.

B. Any employee who believes that he/she has been made the subject of discriminatory harassment shall report the alleged act immediately to his/her supervisor, the Department Director, the Personnel Director or the City Manager.

C. Under no circumstances shall an employee of the City who believes that he or she has been the victim of discriminatory harassment be required to first report that harassment to a supervisor or manager if that person is the individual who has done the harassing.

OBLIGATIONS OF SUPERVISORS/MANAGERS

1. A copy of this policy shall be provided to all employees in the City.

2. All supervisors and managers, shall make available to any new employees a copy of this policy.

3. The City shall periodically notify employees of the procedures for registering a complaint as well as available redress. Such notification shall occur through the normal channels of written or oral communication.

4. The Personnel Department shall make available information from the Department of Fair Employment and Housing and the Equal Employment Opportunity Commission about filing claims of discriminatory harassment upon the request of any employee.

INVESTIGATIVE PROCEDURES

A. Any and all complaints of harassment will be investigated thoroughly, promptly, without prejudice and in as confidential a manner as possible. The results of the investigation shall be promptly forwarded to the Personnel Department. The employee shall be advised of the results of the investigation and that appropriate action was taken, if any.

B. Disciplinary action, if any, shall be taken in accordance with City policy.

C. Employees who are witnesses to or are victims of harassment may be required to provide statements during administrative investigations regarding their observations.
REPRISALS OR RETALIATION

Retaliation, including engaging in direct reprisal or encouraging others to do so, is strictly forbidden. No actions may be taken against any person who:

A. Complies with, or encourages others to comply with, any provision of this policy.

B. Files a complaint concerning any violation of this policy.

C. Testifies, assists or participates in any investigation or hearing resulting from a complaint under this policy; or

D. Exercises or attempts to exercise any right conferred under this policy.

Stephen R. Burrell
City Manager

REVISED : 10/26/98

ADM-7
PURPOSE AND SCOPE

The Hermosa Beach Police Department does not currently maintain a trained, active, operational Planning and Research Unit; however, planning and research is still an operational function of police department personnel. The direction of such activities shall fall under the direct control of the Chief of Police and necessary functions may be delegated as deemed appropriate.

PLANNING AND RESEARCH

Any Planning and Research duties assigned to police department personnel shall be assigned by, and will report directly to, the Chief of Police and Captain. (CALEA 15.1.2)

Current Planning and Research duties assigned to police department personnel shall be assigned as follows:

- **Accreditation:**
  The Accreditation Manager will ensure that the department remains in compliance with all CALEA accreditation standards, verifies completion of all required accreditation reports, and reviews all proposed changes to department policies and procedures that have an effect upon accreditation.

  The Captain is responsible for the maintenance of the Department's Operating Manuals.

- **Grants Administration:**
  Any grant administrative functions shall be assigned by the Chief of Police.

- **Police Planning:**
  Information gathering and dissemination of such information utilizing the police department's automated information system files to produce a variety of management reports as requested or needed by the Chief of Police, department personnel, city staff, and elected officials shall be directed by the Chief of Police.
• **Analytical Studies:**
  Surveys, studies and other detailed analysis in order to make recommendations concerning efficient utilization of existing resources shall be directed by the Chief of Police.
  *(CALEA 15.1.1)*

**DEPARTMENT MULTI-YEAR PLAN**

The Chief of Police and Captain shall annually prepare a multi-year plan which will include the following information:
  • Goals and Objectives of the Organization
  • Anticipated Workload and Population Trends
  • Anticipated Personnel Requirements
  • Anticipated Capital Improvements and Equipment Needs
  • Provisions for Review and Revision as Needed
  *(CALEA 15.1.3)*

**APPROVED:**

![Signature]

Greg Savelli
Chief of Police
SUBJECT

Fiscal management of the Hermosa Beach Police Department and Department procedures for adding, replacing, and inventorying agency-owned property.

PURPOSE

To outline the authority and responsibility for managing the fiscal operations of the Hermosa Beach Police Department and to establish the procedures for the inventory and control of agency-owned property.

POLICY

It is the policy of this Department to ensure the appropriate and necessary procedures are delineated for the management of fiscal operations and capital assets and equipment.

I. Fiscal Management Functions

A. The Chief of Police has the overall final authority and responsibility to plan, manage, and approve all expenditures of the funds allocated to the Hermosa Beach Police Department. (CALEA 17.1.1)

B. The Department’s internal fiscal management involves planning, budgeting, purchasing, and reconciling all budgets and budget reports.

1. The Chief’s Administrative Assistant is responsible for the following daily fiscal management activities:
   a. Conducting all fiscal transactions, processing purchase orders, and expenditures and submitting invoices.
   b. Processing travel requests, petty cash and reconciling credit card statements.
   c. Processing deposits for front counter fees.

2. The Accreditation Manager is responsible for the following fiscal management activities:
   a. Monitoring revenues and expenses, and reconciling budget reports.
   b. Providing the Chief of Police with monthly budget reports, analyzing Department personnel and funding requirements for preparation of
the annual budget to be submitted by the Chief for City Manager approval.

c. Providing historical information on the Department’s expenditures, requirements and current Grant provisions. (CALEA 17.2.1)

3. Police Services Officers and Community Services Officers are authorized to accept cash at the Police Department counter in Records for the following services/permits:

a. Alarm Permits
b. Daily Parking Passes
c. Trustee Bookings
d. Bail
e. Repossession Fees
f. Police Photography Fees
g. Unpaid Notice of Parking Violation

Receipt records for cash received will be maintained in the Police Department Records Bureau and will be reconciled each month in accordance with Administrative Memorandum F-12.

4. Monthly Revenue Status Reports and Expenditure Detail Reports are distributed by the Finance Department each month.

C. Prior to committing Department funds, Department personnel must submit all funding requests, including purchase requisitions, petty cash, travel requests, credit card expenditures, and work orders to the Chief’s Administrative Assistant or the Accreditation Manager along with any associated costs, estimates, and item information. The Chief of Police, or his/her designee, will authorize all cash disbursements, regardless of amount.

1. The following procedures will be used when requesting funds to purchase items not budgeted in the current fiscal year.

a. The request must include a quote or supporting documentation that includes the total amount of the requested purchase, including tax, shipping, and any additional fees, such as maintenance agreements or annual support.

b. The request must include a justification for the unanticipated purchase, as well as an indication of what currently budgeted item will not be purchased, or the cost of which was less than anticipated, that makes the funds available for the unanticipated purchase.

c. The request must be preapproved by the Chief of Police, or his/her designee, prior to a purchase order or material requisition being
obtained by the Chief’s Administrative Assistant or the Accreditation Manager.
Whenever possible, unanticipated purchases that are not of immediate need should be delayed and considered during the mid-year budget review process which takes place in January of each year.

D. Custodian duties for petty cash funds are performed by the Chief’s Secretary on a monthly basis in accordance with the Finance Department’s Administrative Memorandum F-1.  
(CALEA 17.4.2 a-f)

(CALEA 17.3.1 a-e)

F. The Finance Department, on an annual basis, will arrange for an independent audit of the agency’s fiscal activities and internal controls in accordance with the auditing standards specified in the City of Hermosa Beach Request for Proposal Annual Audit Services.  
(CALEA 17.4.3)

II. Annual Budget Process

A. The Captain, Operations Lieutenant, and Support Services Lieutenant submit written budget requests to the Chief of Police for inclusion in the final budget. All requests and recommendations are evaluated based on Department goals and objectives. The Police Chief annually submits budget proposals to the Finance Department, for submission with the Police Department Budget.  
(CALEA 17.2.2)

B. After approval, Finance appropriates the approved budget into the Department accounts and handles all subsequent postings. The City maintains an internal service fund for equipment related purchases and repairs. Other Department accounts include:

1. General Fund Police  
2. Grants Fund - Bulletproof Vest Partnership  
3. Supplemental Law Enforcement Service Fund (SLESF)  
4. General Fund Community Services  
5. Proposition A Fund  
6. Asset Seizure/Forfeiture Fund

C. The Department may access monthly online computer activity reports to identify and review expenditures by account which will be reconciled by the Finance Department. These reports include:

1. The initial budget appropriation for accounts.
2. Monthly postings of all expenditures and authorized encumbered funds for payment.
3. Current balances on all accounts reflecting all unencumbered funds.
4. All Budget Revisions and postings of any deposits of monies allocated and/or due the Department.

Monthly reports include the beginning and ending balances on all accounts. Hard copies of the Revenue Status Report and Expenditure Detail Report are provided by the Finance Department each month.

(CALEA 17.4.1 a-d)

III. Agency-Owned Property

A. All property/equipment that has been purchased with department resources or assigned to the Department by the City, is considered department-owned. Once equipment is issued to an individual officer, non-sworn employee or department unit, the proper care and maintenance of the property is expected of the assignee(s). The operational readiness of this equipment will be insured through the use of line inspections by the employee’s supervisor.

B. Maintaining stored agency property in a state of operational readiness is the responsibility of the supervisor of the unit where it is assigned. This equipment will be inspected at least quarterly.

1. The Operations Lieutenant is responsible to control and maintain all non-issued equipment and property such as radios, batons, cameras, PAS devices, handcuffs, leather gear, department bicycles and their accompanying equipment, and equipment to be issued to future employees as well as all radio equipment.

2. The Investigations Sergeant is responsible to control and maintain all specialized crime scene processing equipment and kits, all surveillance and recording equipment, and photography and video equipment.

3. The Community Services Supervisor is responsible to control and maintain all equipment associated with Community Services operations.

4. The Department Range Master is responsible to control and maintain all weapons and ammunition stored at the department and all less-lethal equipment. The Department Range Master shall complete an inventory of all weapons and ammunition annually.

(CALEA 17.5.3)

C. The Support Services Lieutenant will serve as the department’s Property Steward and will verify IT equipment and business machines maintained by IT Support and insure that items are removed or added to the list as required by the Equipment Replacement Schedule, and in accordance with the policies and procedures in the City of Hermosa Beach Administrative Memorandum F-8 and F-11.

1. Finance will record and assign a unique property identification number to all IT equipment and business machines with a life expectancy of at least one year.

2. Exceptions to this include:
a. Cell phones / Smartphones  
(CALEA 17.5.1)

3. Each employee will be issued equipment as required by their job classification, and noted on the Department’s individual equipment receipt.

   a. Employees will sign noting receipt of equipment.
   
   b. It shall be the responsibility of each employee that receives equipment from the department to safeguard and maintain these items. Property lost or damaged due to negligence on the part of the employee shall be replaced by the employee at their expense. In the event a piece of equipment is stolen, damaged, or lost, the circumstances regarding the loss shall be prepared in writing by the employee and forwarded to the employee’s supervisor who will forward the report to the Chief of Police for review. In the event that the loss occurred through no fault of the employee, the department may replace the item.
   
   c. Generally, department owned equipment that becomes worn or defective through normal use may be replaced by the department subject to the approval of the Chief of Police.
   
   d. At the time of separation from the Department, all issued equipment will be returned.

4. Administrative review of care and use of Department property:

   a. All reported abuse or damage of Department equipment, including vehicles, will be reviewed by the Operations Lieutenant to determine whether;
      
      1) Department rules, policy or procedures were violated.
      
      2) Any relevant policy was clearly understandable and effective to cover the care or use.
      
      3) Department training is currently adequate.

   b. All findings of policy violations or training will be reported to the Chief of Police for resolution and/or discipline.

5. The Operations Lieutenant may reissue equipment as appropriate or arrange for the disposal of damaged equipment.  
(CALEA 17.5.2)

APPROVED:

Michael McCrary  
Interim Chief of Police

5/28/2013
PURPOSE

To establish procedures for collective bargaining between City of Hermosa Beach and the employee groups representing members of the Hermosa Beach Police Department.

POLICY

The City of Hermosa Beach recognizes the rights of its employees to form an organized group or groups, which among other functions, negotiates labor agreements with the City of Hermosa Beach. The City of Hermosa Beach will abide by all legally applicable laws and rules governing the collective bargaining process.

The City of Hermosa Beach and the Police Department recognize that collective bargaining rights mandate a defined relationship for negotiations, grievance examination, and other related Memorandum of Understanding (labor agreement) which specifies management rights and certain rights of designated bargaining unit personnel to utilize duty time for certain labor unit functions, file grievances, and negotiate contracts.

PROCEDURE

I. Collective Bargaining Units

A. All of the Department’s employees (except volunteer and “at-will” positions) are represented by one of four labor unions recognized by the City of Hermosa Beach. Each labor union maintains a specific Memorandum of Understanding (MOU) with the City of Hermosa Beach. The four agreements are as follows:

MOU between: City of Hermosa Beach and Police Officers and Sergeants Bargaining Group (POA). This contract represents all sworn police officers below the rank of Lieutenant.

MOU between: City of Hermosa Beach and Police Management Bargaining Group (Management). This contract represents all sworn police officers at the rank of Lieutenant or Captain.

MOU between: City of Hermosa Beach and Professional and Administrative Employees (P&AE). This contract represents the Administrative Assistant/Accreditation Manager and Chief’s Secretary.
MOU between: City of Hermosa Beach and General and Supervisory Employees Bargaining Group (Local 911). This contract represents all other non-sworn employees with the Department.

II. Bargaining Process

A. The City Manager for the City of Hermosa Beach may designate a representative as the entity to conduct negotiations and bargaining with the labor unions pursuant to California Government Code Section 3500-3510 as amended, which is generally referred to as the Meyers-Milias-Brown Act.

1. The management of the Hermosa Beach Police Department does not normally participate in the negotiation process; however, it may provide input and recommendations to the labor negotiation team.

2. The principle negotiator is a designated representative from the City Manager’s Office. The remainder of the negotiation team is also comprised by individuals appointed by the City Manager’s Office.

B. The City of Hermosa Beach, City Manager and his/her designated representative are committed to participate in good faith in the bargaining process with the recognized bargaining units representing its employees.

C. The City of Hermosa Beach, City Manager and his/her designated representative are committed to abide by the ground rules that arise out of the collective bargaining process.

D. The City Manager’s Office, the City of Hermosa Beach, the Hermosa Beach Police Department and its employees are committed to abide, in both letter and spirit, by the negotiated Memorandum of Understanding that has been ratified by the City and each of the bargaining units representing its employees.

(CALEA 24.1.1)

III. Agreement Distribution

A. When all parties ratify a negotiated labor agreement, the Chief of Police or his/her designee will obtain a written, signed copy of the agreement from the City Manager’s Office.

B. The Chief of Police or his/her designee will disseminate information relative to a new labor agreement, including modifications to existing agreements to managers and supervisors of bargaining unit employees.

C. The Chief of Police or his/her designee will review and amend, if necessary, all written directives and procedures to coincide with the terms of the labor agreement.

(CALEA 24.1.2)
APPROVED:

[Signature]

Greg Savelli
Chief of Police
A Personnel Early Warning System is designed to assist supervisors in identifying police employees whose performance and/or behavior indicates that intervention may be necessary to prevent negative consequences for the employee and the Department. Involvement in multiple citizen complaints/administrative investigations, multiple on-duty traffic collisions, multiple vehicular pursuits, and multiple use of force incidents may be indicative of an employee who is in need of intervention.

The system will:

A. Compile accurate statistical information regarding citizen complaints, administrative investigations, on-duty traffic collisions, vehicular pursuits, and use of force incidents.

B. Provide a means to identify patterns of behavior to enable supervisors to address training or other needs at an early stage and improve employee performance.

The Personnel Early Warning System does not relieve the supervisor of their normal responsibility to monitor and initiate a review and remedial action, as warranted, of their assigned employees’ performance related issues.

The Support Services Lieutenant will maintain a computerized database that is designed to keep an accurate record of citizen complaints/administrative investigations, on-duty traffic collisions, vehicular pursuits, and use of force incidents. Only those citizen complaints/administrative investigations with a disposition of sustained or not sustained, and those on-duty traffic collisions that are found by the Department’s Safety Committee or the employee’s chain-of-command to be preventable, will be used to activate the Personnel Early Warning System.

The Personnel Early Warning System shall activate when an employee has:

a. Three or more citizen complaints/administrative investigations within a twelve-month period.
b. Three or more on-duty traffic collisions within a twelve-month period.
c. Three or more vehicular pursuits, which were initiated by the employee, in a twelve-month period.
d. Four or more use of force incidents in a twelve-month period that required examination by the Use of Force Review Board.

e. A combination of five or more of any of the above incidents in a twelve-month period.  

(CALEA 35.1.9 a, b)

The Support Services Lieutenant shall notify, in writing, the Division Commander of the involved employee that the Personnel Early Warning System has been activated, with a copy to the Chief of Police. The notification should include:

a. A synopsis of the incident(s) that caused the activation, including the disposition(s).

b. A synopsis of all the applicable incidents maintained by Internal Affairs (sustained or not sustained citizen complaints/administrative investigations, on-duty traffic collisions, vehicular pursuits, and/or use of force incidents).

The Support Services Lieutenant shall notify the employee’s immediate supervisor that the Personnel Early Warning System has been activated. The employee’s supervisor will then notify the employee of the review. The appropriate division commander shall then conduct a review of the employee’s performance consisting of, but not limited to:

a. Training File
b. Personnel File (evaluations, discipline, and commendations/awards)
c. Evaluation Log
d. Attendance Records
e. Penal Code 148/241-243 Reports

The Division Commander shall submit a written response to the Chief of Police with his/her findings, and a Personal Improvement Plan, if applicable. Possible corrective measures may include, but are not limited to:

a. Counseling by peers, supervisors or commanders.
b. Referral to the Employee Assistance Program (EAP).
c. Remedial training to address identifiable problems.
d. Fitness for Duty evaluation, if authorized by the Chief of Police and the City’s Director of Personnel.

The Division Commander may determine that based on their review, no corrective action is necessary.  

(CALEA 35.1.9 e)

The Chief of Police shall review the written response and must approve any corrective measures. The Division Commander shall insure that any corrective measures are accomplished, and forward a report to the Chief of Police with the final results. After being reviewed by the Chief of Police, the final report will be maintained in the employee’s Evaluation Log for one year.  

(CALEA 35.1.9 d)
The Personnel Early Warning System shall be reviewed annually to evaluate the system’s effectiveness and changes made, as required.

(CALEA 35.1.9 c)

EMPLOYEE ASSISTANCE PROGRAM (EAP)

The City of Hermosa Beach makes an Employee Assistance Program (EAP) available to all of its employees, through the Holman Group, to address a full array of personal and professional problems that may affect an employee’s day-to-day life. Participation in the EAP is voluntary and benefits vary by specific bargaining groups. Information regarding individual benefits can be found in the various MOU’s representing Police Department personnel.

During P.O.S.T. certified Supervisory Training Class, supervisors are trained in the identification of employee behavior indicative of the existence of employee concerns; problems or issues that could impact an employee’s job performance. It is the responsibility of the employee’s supervisor to provide the employee with contact and benefits information necessary for obtaining services as may be needed.

Employees and their immediate family members may also self-refer to any of the programs offered by the Holman Group as needed. Additional benefit and enrollment information is available in the Personnel Department, or online at www.holmangroup.com.

An employee’s voluntary use of the EAP is confidential. Absent a legally defined, compelling reason, information can only be released to the City upon written approval of the involved employee.

(CALEA 22.2.6 a-f; 35.1.9 f)

APPROVED:

Greg Savelli
Chief of Police
PURPOSE

To provide an effective process to document performance and facilitate continuing communication between supervisors and subordinates, and to establish a process and supervisory responsibilities for the completion of police officer performance evaluations.

POLICY

Employee performance evaluations will be written based on job related factors specific to the position occupied by the employee without regard to sex, race, color, or creed. Each evaluation will be based upon the employee’s performance during the applicable evaluation period. However, prior and recurring issues from previous evaluations may be referenced where appropriate. The employee’s immediate supervisor will complete each evaluation. The immediate supervisor should seek the input of other supervisors directly familiar with the employee's performance during the rating period. Contents of the employee’s Evaluation Log, where applicable, will also be used to assist the supervisor(s) in creating an accurate evaluation. (CALEA 35.1.4)

EVALUATION PROCESS

I. Supervisory Interaction

The evaluation process does not occur once a year with the completion of the Performance Evaluation Rating Sheet. The process should occur daily through personal observations and interaction with the subject employees. Recognition or recommendation for improvement should occur at the same time as the events that demonstrate exceptional or deficient performance. An Evaluation Log is kept for all sworn and non-sworn uniformed officers where supervisors keep track of performance issues that arise during the year. Any notations made in the employees Evaluation Log for the current rating period may be included in the officer’s evaluation.

The written performance evaluation is the formal documentation of observations made and guidance given to the employee during the prior year. Ideally, the written evaluation will not include any issues which had not previously been brought to the employee’s attention.
EVALUATION LOG

I. Evaluation Log Design

The Evaluation Log shall be contained in a standard two-hole pressboard binder, red in color, with the employee’s name and rank on a file tab inside the folder and affixed to the front of the binder on a white label. A standard log type form shall be permanently attached to the inside left cover with four (4) columns marked; Date, Page Number, Employee’s Signature and Supervisor’s Signature. Under the column heading employee’s signature will be the words “employee acknowledgement”.

II. Entries into the Evaluation Log

Only supervising employees at least one civil service rank above the subject employee may make entries in the Evaluation Log. This shall include employees in acting positions (i.e., acting sergeant, acting lieutenant) excluding acting watch commander. In the event an employee working as the acting watch commander becomes aware of an action worthy an entry into an employee’s Evaluation Log the acting watch commander will contact any of the employees authorized to make entries into the Evaluation Log and make notification to them of the event in writing. Any additional paperwork placed into the Evaluation Log will have a page number marked on the lower right corner. The page number will be recorded on the log in the appropriate column. Entries made in the Evaluation Log shall be reviewed by the employee at the first available opportunity and shall be acknowledged with the employee’s signature. In the event the employee refuses to sign the acknowledgement form, refer to Policy O3.12 in this manual.

III. Positive and Negative Comments from Outside Sources

This area of the Evaluation Log is intended to be used as a temporary repository for any form of communication (card, letter, e-mail, documentation of phone calls, etc.) received by the department concerning an employee. The employee will be made aware of the communication as soon as possible after its inclusion in the Evaluation Log. Based on these outside comments, the Supervisor may write a commendation or note recommendations for improvement.

PERFORMANCE EVALUATIONS

The written performance evaluations used by this department are intended to help motivate department members to work at their highest capacity. Objective job standards have been established to measure each employee’s work product. Documented evaluations provide a means to reward employees for their achievements through recognition and help to plan their future professional development.

Evaluations may play a role in an employee’s promotional opportunities or assignment to specialized details. Evaluations also help to correct marginal or below standard performance and can demonstrate an employee’s failure to correct below standard performances over time.
Supervisors and staff are reminded that the recognition, evaluation, and guidance of employees is a constant and continuing process. Evaluators are responsible for knowing what employees under their control are doing, and how well they are doing it.

I. Performance Evaluation Rating Sheet

A. Sworn Personnel
The Performance Evaluation Rating Sheet for police officers is a departmentally approved document that includes measurement definitions within categories of performance and job standards objectives. The Rating Sheet will be used in conjunction with the Standardized Performance Guidelines to indicate performance levels for each job standard. The form includes narrative sections for specific achievements, recognition of strong points, areas for improvement, and action plans for improvement/career development.

B. Non-Sworn Personnel
The Performance Evaluation Form for non-sworn uniformed and administrative personnel are specific to each classification. These forms have their own set of measurement definitions and performance criteria and will be used to indicate the employee’s performance level within specific categories. Each form also includes narrative sections for specific achievements, as well as areas requiring improvement with suggested remedial steps to be taken, and/or suggestions for career development.

II. Unsatisfactory Performance
Any time a non-probationary employee’s performance is deemed to be unsatisfactory, the supervisor shall notify the employee in writing at least 90 days prior to the end of the employee’s annual rating period. The supervisor will provide actions the employee should take to improve their performance to an acceptable level.

(CALEA 35.1.6)

III. Evaluation Periods

All Hermosa Beach Police Department employees will receive performance evaluations annually. The evaluations cover a one-year period and will be completed as close to the employee’s employment anniversary date as circumstances allow.

Probationary employees will receive performance evaluations in accordance with their MOU. Sworn probationary employees will receive evaluations every three months upon completion of their formal field training, and until the end of their probationary employment period. During formal field training the probationers Daily Observation Reports and monthly Field Training Officers evaluations will serve as the employee’s evaluations.

Reserve officers will receive performance evaluations yearly. Reserve officers under formal field training shall have the Daily Observation Reports and monthly Field Training Officers evaluations serve as their employee evaluations.

(CALEA 35.1.2, 35.1.3, 35.1.5a)
IV. Evaluators/Raters

Sergeants/Supervisors are responsible for evaluating those in the Officer ranks and will give consideration to input from command officers. Sergeants must have attended a POST approved Supervisory course prior to conducting and preparing evaluations.

Officers undergoing the Field Training Program shall be evaluated by the Field Training Officer currently assigned to them.

Division Commanders (Lieutenants) will complete evaluations for Sergeants.

Evaluations for Lieutenants will be completed by Captains or the Chief of Police. These evaluations will be a narrative and may or may not include the departmental evaluation form. This will be determined by the duties and responsibilities of the Lieutenant during the rating period. Evaluations for Captains will be completed by the Chief of Police in a similar fashion.

Because of changing shifts and assignments a department member may be supervised by several people during any given rating period. The Officer’s Divisional Commander will determine which Sergeant will complete the evaluation. Consideration will be given to how much and how recently the Officer has worked with each Sergeant during the rating period.

Prior to completing the evaluation the rating supervisor/Sergeant will discuss the employee’s performance with their other supervisors. The Sergeant will complete the performance evaluation and submit it to the Division Commander who will review and sign it. The performance evaluation will then be forwarded to the Chief of Police for review and signature. It will then be returned to the rating supervisor and presented to the subject employee.

In order to ensure the rater’s apply ratings uniformly, supervisors and managers will be rated on their ability to be fair and impartial when rating employees, their participation in counseling employees, and their ability to carry out the rater’s role in the performance evaluation system.

(CALEA 35.1.8)

V. Performance Evaluation Narrative Comments

The performance evaluation form includes narrative sections which must be effectively used by the rating supervisor. Narratives should include, but not be limited to:

a. Specific areas of performance in need of improvement
b. Action plans for improvement
c. The employees training needs or desires
d. Special assignments worked during the rating period
e. Performance in relation to specific assignments
f. Supervisory or leadership potential
g. Interest and suitability for specialized assignments
h. Individual specialized skills or professional interests
i. Any other issues the rater feels are pertinent
(CALEA 35.1.1a-d; 35.1.5 b)

VI. Acknowledgment/Response by Employee

The rating supervisor will present and discuss the evaluation with the employee after its approval by the Division Commander and Chief of Police. The rating supervisor shall discuss the level of performance expected and goals for the new rating period and career counseling pertaining to advancement, specialized assignments and training appropriate for the employee’s current assignment and the results of their performance evaluation. Any employee who objects to a rating received will have the ability to submit the objection in writing which shall accompany the evaluation. The objection shall be reviewed by the employee’s superiors within the chain-of-command.

The employee must sign the evaluation form as an acknowledgment of receipt only. The signed and completed form will be forwarded to the office of the Chief of Police via the Division Commander for inclusion in the appropriate departmental files with a copy provided to the employee.

VII. Evaluation and Evaluation Log Retention

All information contained in the Evaluation Log will be destroyed each year after completion of the Annual Performance Evaluation.

Employee evaluations shall be maintained in the employees personnel file in accordance with the City of Hermosa Beach Records Retention Schedule.

APPROVED:

Greg Savelli
Chief of Police
PURPOSE AND SCOPE

This procedure provides guidelines for administering each element of the promotion process for sworn personnel.

PROCEDURE

The Hermosa Beach Police Department is committed to promoting personnel who have been deemed to possess the desirable qualifications that are needed to fulfill the agency’s commitment to the community, City Organization, and its staff.

GENERAL REQUIREMENTS

A. The City of Hermosa Beach Personnel Department has primary responsibility for administering promotional examinations.

B. All elements used to evaluate candidates for promotion shall be job related and nondiscriminatory.

C. The Chief of Police or designee may assist the Personnel Director, or designee, with the development of the testing process to be used for promotional examinations.

D. All promotion material shall be maintained in a secure area by the Personnel Department.
   (CALEA 34.1.1, 34.1.4)

POLICE DEPARTMENT RESPONSIBILITIES

A. The Chief of Police has responsibility for the following:
   1. Interviewing eligible candidates for promotion.
   2. Selecting candidates for promotion.
   3. Administration of probationary periods.
   4. Evaluating the promotional potential of candidates.
   (CALEA 34.1.2)
PROMOTIONAL ANNOUNCEMENT

A. The Personnel Department shall publish a written announcement of the promotional process. The announcement shall be posted and mailed to all eligible department employees and shall include the following information:

1. Examples of duties
2. Key skills, abilities, educational and experience requirements
3. Testing to be conducted and study materials testing will be based upon
4. Numerical weight of each phase of testing
5. Salary Range
6. Application procedure and final filing date
7. Tentative testing schedule

PROMOTIONAL TESTING AND SELECTION

A. Sergeant

1. Applicants for the rank of Sergeant must have an AA/AS degree or 60 units from an accredited college or university, or Intermediate P.O.S.T. Certificate at the time of appointment, possession of P.O.S.T. Basic Certificate and completion of P.O.S.T. Supervisory requirements within probationary period, and four years of full-time sworn police experience, the last one with the Hermosa Beach Police Department.

2. Written tests will be administered for the rank of Sergeant and should reflect contemporary police issues and may be, at the Chief’s discretion, obtained or leased from recognized outside sources. The personnel department will administer and grade the tests.

3. Applicants for the rank of Sergeant will complete an in-basket exercise that evaluates the ability to assess, prioritize, and resolve incidents that typically occur on a patrol shift. The Chief of Police will score the in-basket exercise.

4. Applicants for the rank of Sergeant will be interviewed by an oral board panel.

5. Each component of the test will be numerically weighted prior to the promotional announcement.

B. Lieutenant

1. Applicants for the rank of Lieutenant must have an AA degree or 60 units from an accredited college or university in police, public or business administration, political science or closely related field and possession of a P.O.S.T. Advanced Certificate, completion of P.O.S.T.
Supervisory course, and four years of professional police experience with a public agency including one year of experience as a Police Sergeant.

2. Applicants for the rank of Lieutenant will complete a written exercise in which they will identify an issue within the city and formulate a police department response. This exercise will be scored by the Chief of Police.

3. Applicants for the rank of Lieutenant will make an oral presentation to a citizen’s panel regarding a newsworthy incident. Members of the panel will score the presentation.

4. Applicants for the rank of Lieutenant will be interviewed by an oral board panel.

5. The Chief of Police shall determine if lateral entries by qualified candidates will be accepted for any given test.

6. Each component of the test will be numerically weighted prior to the promotional announcement.

C. Captain

1. Applicants for the rank of Captain must have a Bachelors degree in Public Administration, Criminal Justice, or a related field, six years of law enforcement experience, with two years experience at the level of Police Lieutenant, and possess a P.O.S.T. Management Certificate.

2. Applicants for the rank of Captain will be interviewed by an oral board panel.

3. The Chief of Police shall determine if lateral entries by qualified candidates will be accepted for any given test.

D. Oral Board Panel

1. The Personnel Department will establish an oral board panel as part of the promotional process for each rank. The panel will be made up of at least two but not more than three individuals from outside police agencies. The panel members shall be of a rank at least one level higher than that for which the applicants are testing. The panel members shall assign a numerical score for the final rating of the candidates.
E. Chief’s Oral Interview

1. The top three candidates for any rank promotion will be interviewed by the Chief of Police. The Chief will use this interview to determine the promotional potential of the candidates and his/her suitability for the position.

F. Review/Appeal Process.

1. All review and appeals of promotions and promotional testing will be done in compliance with the City of Hermosa Beach Civil Service rules.

G. Eligibility Lists

2. As soon as possible after the conclusion of an examination, the Personnel Director or his/her designee shall prepare an eligibility list consisting of names of persons qualifying, arranged in order of final scores in total.

3. The list must be certified by the City of Hermosa Beach Civil Service Commission to be valid.

4. Eligibility lists will be valid for the periods set by the City of Hermosa Beach Civil Service rules.

5. The Chief of police shall make promotion selections from the top three candidates on the eligibility list in accordance with the City of Hermosa Beach Civil Service rules.

6. Applicants not selected for promotion may reapply each time a promotional announcement is published.

(CALEA 34.1.6; 34.1.5; 34.1.3)

H. Promotional Probation

1. All sworn employees promoted to a higher rank shall serve a 12 month probationary period in accordance with the City of Hermosa Beach Civil Service rules.

(CALEA 34.1.7)

APPROVED:

Greg Savelli
Chief of Police
A1.16 EMPLOYEE RECOGNITION POLICY

Effective 10/27/2009
Updated

PURPOSE
To establish a procedure for recognizing exemplary performance by Department employees.

POLICY
It shall be the policy of this department to recognize and honor the exemplary performance of department personnel.

PROCEDURE

I. Employee Recognition and Awards Program

A. The following awards have been established by the South Bay Chambers of Commerce for sworn officers:

1. Medal of Valor- This award shall be presented to employees who distinguish themselves with conspicuous bravery, heroism, or other outstanding action and where the employee is aware of great personal danger prior to the performance of the act. Presentation of the award is based on the performance of the act, which would be considered in excess of the normal demands of service and under circumstances where the employee was fully aware of the scope of the action and the threat to physical safety.

2. Distinguished Service Award- This award shall be presented to employees who take outstanding action beyond the call of duty to preserve the life of a person. The rescuer need not have been subjected to personal risk.

3. Sustained Superiority Award- this award shall be presented to employees who shall by their act or acts, tangibly and conspicuously further the cause of law enforcement in the community by outstanding or superior conduct. The performance of such act or acts shall be motivated solely by the desire to benefit the community without thought of personal gain.

B. Nomination and Selection Process

1. Any member of the Department may recommend another employee for an award.
2. Employees shall submit their recommendation to their immediate supervisor in writing, detailing the circumstances and reason for the recommendation.

3. The supervisor shall follow up and verify the circumstances described and shall submit all material to the Chief of Police.

4. The Chief of Police will review the material and determine whether or not to nominate the employee for an award.

5. Awards are received at the annual South Bay Medal of Valor Awards Ceremony.

C. City and Departmental awards

1. Department employees, including sworn or non-sworn, who perform an act or series of actions which bring credit to the department or to the employee individually may be recognized as deemed by the Chief of Police and/or the City Council.

2. These awards may be in the form of Letters of Commendation or Council Resolutions.

(CALEA 26.1.2)

APPROVED:

Greg Savelli
Chief of Police
PURPOSE

This written directive establishes an informational resource in relation to the compensation and benefits afforded to Department personnel, and is aligned with the bargaining unit contracts.

POLICY

The Department supports the system-wide bargaining unit process and shall maintain compensation, benefits, and working conditions that are in compliance with existing contractual agreements. Nothing in this policy shall be construed to supersede existing contractual agreements.

CONTRACT AGREEMENTS

All of the Department’s employees (except volunteer and “at-will” positions) are represented by one of four labor unions recognized by the City of Hermosa Beach. Each labor union maintains a specific Memorandum of Understanding (MOU) with the City of Hermosa Beach. The four agreements are as follows:

MOU between: City of Hermosa Beach and Police Officers and Sergeants Bargaining Group (POA). This contract represents all sworn police officers below the rank of Lieutenant.

MOU between: City of Hermosa Beach and Police Management Bargaining Group (Management). This contract represents all sworn police officers at the rank of Lieutenant or Captain.

MOU between: City of Hermosa Beach and Professional and Administrative Employees (P&AE). This contract represents the administrative assistants to the Chief of Police.

MOU between: City of Hermosa Beach and General and Supervisory Employees Bargaining Group (Local 911). This contract represents all other non-sworn employees with the Department.

SALARY COMPENSATION

For sworn personnel, the Department administers its compensation program according to the established POA and Management agreements.

For non-sworn personnel, the Department administers its compensation program according to the established P&AE and Local 911 agreements.
A. Entry-level salary.
   1. The salary schedule that pertains to sworn personnel can be found in Article 12 of the POA MOU and in Article 11 of the Management MOU. The Chief of Police may recommend a higher entry-level salary based on the experience and background of the person hired.
   2. The salary schedule that pertains to non-sworn personnel can be found in Exhibit A of the P&AE and Local 911 MOUs. Upon recommendation of the Chief of Police, an employee shall be assigned a salary rate within the salary range or sub-range appropriate to his/her classification.

B. Salary differential within ranks – sworn and non-sworn.
   1. Salary differential within ranks is set by contract.
   2. The differential between steps within the scales is standardized at a set percentage or amount subject to change via the bargaining process.

C. Salary differential between ranks – sworn and non-sworn.
   1. Both entry and top-end salary levels are determined via the bargaining process.
   2. The salary increases between ranks provide incentive for promotion and are designed to recognize more complex levels of responsibility.

D. Salary levels and augmentation for those with special skills or assignments (sworn positions).
   1. Salary increases are offered to eligible employees based on education and experience, special assignment, and longevity.
      a. Education and experience pay increases can be found in the POA MOU (Article 24) and Management MOU (Article 13).
      b. Special assignment pay increases can be found in the POA MOU (Article 27).
      c. Longevity pay increases can be found in the POA MOU (Article 23) and Management MOU (Article 12).

E. Salary levels and augmentation for those with special skills or assignments (non-sworn positions).
   1. Salary increases are offered to eligible employees based on special assignment, merit, and longevity.
      a. Special assignment pay increases can be found in the P&AE MOU (Article 8-Premium Pay, and Article 27-Out of Class Pay) and Local 911 MOU (Article 36-Higher Classification Pay, and Article 41-Premium Pay).
      b. Merit pay increases can be found in the P&AE MOU (Article 9).
      c. Longevity pay increases can be found in the Local 911 MOU (Article 40).

(CALEA 22.1.1 a,b,c,d,g)
OVERTIME AND COMPENSATORY TIME

Sworn personnel:

Overtime includes time that is directed by an appropriate supervisor and performed at a time outside of, and not continuous with, an employee’s assigned regular work schedule. Overtime for shift coverage to meet minimum staffing levels shall be filled by the supervisor recognizing the need to backfill on overtime. Seniority will not be considered when filling minimums.

Posted overtime assignments will include the date and time for the assignment, location of the assignment and anticipated duties. Once posted, overtime sign-ups may begin. Any officer may sign up. Officers with less seniority may be “bumped” by more senior officers up until the date and time specified on the posting (which will be approximately the midway point between the posting and the assignment). On and after the date specified, any officer regardless of seniority may sign-up and may not be bumped.

Officers who sign up for overtime are then required to appear for that assignment. Should an officer miss such an assignment, without notice to the department, they may be subject to discipline in a manner consistent with Regulation 90-05. Officers who must cancel their overtime assignment due to unforeseen circumstances (which should be rare) must notify the on-duty Sergeant or Watch Commander. It will be that supervisor’s responsibility to locate a replacement. If the assignment is more than three days away, the supervisor shall use the seniority list to call the officers. The supervisor shall document the time of each call and the result, i.e., no answer, message left on machine etc. There is no requirement to wait for each officer to respond to the request. The first officer who accepts will be assigned. If there is less than three days until the posted assignment, the supervisor is not required to use the seniority list. This order should be used to ensure the equal disbursement of available overtime in a fair and equitable manner while ensuring the department’s staffing needs are met.

Officers shall review their information on the seniority list to determine the Department is calling a number that will most likely be capable of reaching them, i.e. cell phone or home phone.

Compensatory time earned is compensation in lieu of overtime pay and is awarded in the same rate as overtime (1.5/1 or as required by contract).

The earning of and paying out of overtime and compensatory time can be found in Article 14 of the POA MOU. Sworn officers governed by the Management MOU are not eligible to earn overtime or compensatory time.

Pre-scheduled overtime is subject to the approval of the Division Commander. Pre-scheduled overtime will be filled on a seniority basis. Unanticipated overtime will be filled on a first-available basis. If no officer elects to fill any overtime assignment, that assignment may be filled by a reserve police officer. If no reserve officer is available to fill the assignment, a regular sworn officer may be ordered to fill the assignment on a reverse-seniority basis.
Non-sworn personnel:

Overtime is authorized time worked in excess of forty (40) hours in a standard, seven-day workweek (commencing at 0001 hours on Sunday and ending at 2400 hours the following Saturday) for employees working a 5/40 or 4/40 schedule.

For employees working a 9/80 schedule, the workweek shall commence at 1101 hours on Friday and terminate at 1100 hours the following Friday.

For the purpose of administering a 3/12 work schedule, overtime shall be defined as time worked in excess of eighty (80) hours within a fourteen (14) day work schedule.

For employees belonging to the Local 911 bargaining group, overtime shall be determined in accordance with Article 27 of the MOU. Overtime for employees in the P&AE group shall be determined in accordance with Article 13 of their MOU.

(CALEA 22.1.1 e, f)

Off-Duty Work/Business Calls, Sworn and Non-Sworn Personnel:

The following procedure for compensation for off-duty phone calls shall be as follows:

When any employee of the Hermosa Beach Police Department is required to speak with attorneys representing the department on criminal or civil matters, the employee will be compensated similar to that of the Court Minimum, that being, two hours minimum at a rate of time and one-half. This would include scheduled DMV Hearings.

For other business related calls, with the exception of calls from supervisors regarding the scheduling of overtime, schedule/shift selections or in response to requests from the employee, the following shall apply;

For off-duty calls initiated by a supervisor, employees will be compensated for one hour at a rate of straight time and rounded to the next hour if the call exceeds the first hour.

**LEAVE PROGRAM**

Administrative Leave

A. Bereavement
   1. Each employee shall receive a maximum of three (3) shifts per calendar year to be utilized because of a death in their immediate family.
   2. If needed, an additional shift may be granted (two additional shifts may be granted for P&AE members).
   3. Immediate family shall be defined as: father; mother; father-in-law; mother-in-law; brother; sister; spouse; or legal dependent.
   4. Employees may predesignate and substitute other members for those members defined as “immediate family.” The intent of this provision is neither to
expand the number of persons included in the definition nor to increase paid leave opportunities, but rather, to recognize variation in family structure.

5. For the purposes of bereavement leave, parents-in-law, step-children, step-parents, and persons living within the same household are to be considered in the definition of “immediate family."

B. Jury Duty

1. Sworn peace officers with this Department are eligible to be exempt from jury service.

2. Employees covered by the P&AE MOU, if called to jury service, shall remain in their regular pay status while in jury service, in accordance with Article 16 of the MOU.

3. Employees covered by the Local 911 MOU, if called to jury service, will not be provided Jury Duty leave pay; however, if the State or Federal jury commissioners rescind their present policy of granting jury service exemptions to persons who do not receive Jury Duty leave pay, the employees will remain in their regular pay status while in jury service, in accordance with Article 45 of the MOU.

C. Leave to Vote

1. An employee who would otherwise be unable to vote outside of his/her regular working hours may be granted up to two (2) hours of work time, without loss of pay, to vote at a general, direct primary, or presidential primary election.

2. An employee shall be required to request such leave time from the appropriate supervisor at least two (2) working days prior to the election.

D. Military Leave

The Department supports members who are also members of the armed forces Reserve Component or National Guard through pre-deployment, deployment, and post deployment phases and will assist the member with reintegration after the military activation concludes.

1. Emergency military leave, temporary military leave, and indefinite military leave shall be granted to eligible employees in accordance with Military and Veterans Code Section 395.01.

2. Employees shall receive a salary from the City while on military leave.

3. The Department’s Administrative Sergeant is the designated agency point of contact for questions related to military leave policy and related paperwork.

4. The officer’s Division Commander or designee, such as Officer in Charge will serve as the department’s direct liaison with the deployed member and their family during pre-deployment, deployment, and post deployment periods.

5. All department personnel involved in a military activation exceeding 90 days will be scheduled for an interview with their Division Commander or designee to review City and Department directives, the employee’s obligations, and address
any questions at the that time.

6. Officers will return their agency owned equipment to the Administrative Sergeant for storage during deployment.

7. Officers returning from a military activation exceeding 90 days will be scheduled for an interview with their Division Commander or designee to review City and Department policies, the officer’s obligation upon returning to work, and address any questions the officer may have at that time. The Division Commander or designee is responsible for inquiring and determining if the officer from military deployment has any special needs, particularly those involved in combat operations, and offer the City’s Employee Assistance Program (EAP) or other local available and feasible resources for returning military personnel.

8. Returning sworn officers who missed a regular firearms and less-lethal weapons qualification are required to complete refresher training and requalify before resuming normal duty.

9. All returning officers are required to complete initial and/or refresher training for mandatory training topics that were not completed during military deployment before resuming normal duty.

(CALEA 22.2.8)

E. Long Term Disability (LTD)

1. For the purpose of this section, LTD includes provisions for both extended personal medical leave and family medical leave, including maternity/paternity/adoption leave and pregnancy disability leave.

2. Long Term Disability benefits for sworn personnel are funded and governed by the Hermosa Beach Police Officers’ Association (HBPOA). Information regarding these benefits can be found in the HBPOA Rules and By-laws.

3. Long Term Disability benefits for non-sworn personnel are provided by the City. LTD benefits for employees of the P&AE bargaining are found in Article 21 of their MOU. LTD benefits for employees of the Local 911 bargaining group are found in Article 51 of their MOU.

F. Leave of Absence (LOA)

1. Non-sworn employees may be granted LOA, subject to the approval of the employee’s department head. Any employee requesting LOA must make the request in writing. The request must include the dates the LOA commences and ends, an acknowledgement that the employee will receive no compensation from the City during the LOA, and that the City may hire a permanent replacement for the employee, causing the employee to be permanently terminated from employment with the City.

2. Sworn employees are allowed LOA, not to exceed sixty (60) days. LOA may only be granted once every other year and may be taken in conjunction with, or in addition to, regular vacation time. LOA is subject to approval by the Chief of Police. Requests for LOA must be submitted, in writing, no less than thirty (30) days prior to the commencement of the LOA. Employees on LOA will
not be compensated by the City in any way and will be responsible for the continuation of their benefits during their LOA.

G. Management Leave
   1. Sworn officers covered by the Management MOU are allowed one hundred (100) hours of additional leave per calendar year.
   2. Management Leave does not accumulate or carry over; it must be used each year and may not be “cashed out.”

Holiday Leave

A. Sworn officers covered by the POA MOU are scheduled without regard to holidays and receive holiday compensatory time in lieu of paid holidays off. These officers shall accrue 9.33 hours of “Holiday Comp” time per month. Holiday compensatory time may be accrued and utilized in accordance with Article 20 of the MOU.

B. For sworn officers covered by the Management MOU, the following holidays are considered as paid: New Year’s Day; Martin Luther King, Jr.’s Birthday; Presidents’ Day; Memorial Day; Independence Day; Labor Day; Veterans’ Day; Thanksgiving Day; Day after Thanksgiving (for those employees working a 5/40 schedule); and Christmas Day.

C. Non-sworn employees covered by the P&AE MOU shall receive ninety (90) hours per year for the following holidays off with pay: New Year’s Day; Martin Luther King, Jr.’s Birthday; Presidents’ Day; Memorial Day; Independence Day; Labor Day; Veterans’ Day; Thanksgiving Day; and Christmas Day. If a holiday falls on a normal day off, the employee shall receive holiday compensation time. Holiday compensatory time will be accrued in accordance with Article 18 of the MOU.

D. Holiday time for non-sworn employees covered by the Local 911 bargaining group is detailed in Article 47 of the MOU.
   1. Employees who work a 5/40 schedule shall receive the following holidays off with pay: New Year’s Day; Martin Luther King, Jr.’s Birthday; Presidents’ Day; Memorial Day; Independence Day; Labor Day; Veterans’ Day; Thanksgiving Day; Day after Thanksgiving; Christmas Eve (5 hours); Christmas Day; and New Year’s Eve (5 hours).
   2. Employees who work a 4/40 schedule shall receive the following holidays off with pay: New Year’s Day; Martin Luther King, Jr.’s Birthday; Presidents’ Day; Memorial Day; Independence Day; Labor Day; Veterans’ Day; Thanksgiving Day; and Christmas Day.
   3. Employees who work a 9/80 schedule shall receive ninety (90) hours of “Holiday Comp” time per calendar year.

Sick Leave

Compensatory time and vacation time are considered approved time off. The Watch Commander, PSO Supervisor, or CSO Supervisor may approve the use of compensatory or vacation time by their respective subordinates if it does not adversely affect the manpower
needs of the department and/or is requested far enough in advance to arrange for coverage (no less than 24 hours.) If an employee calls in sick, then a sick slip shall be submitted for the hours or day(s) missed. Supervisors shall not approve compensatory or vacation time in lieu of sick time.

A. Sworn employees covered by the POA MOU accrue eight (8) hours of sick time per month, up to a maximum of six hundred (600) hours. Any additional accrued sick time over 600 hours will be “cashed out” by the City as part of the February 20th payroll. The utilization of sick time shall be in accordance with Article 21 of the MOU.

B. Sworn employees covered by the Management MOU accrue six (6) hours of sick time per month until they have accrued a minimum of one hundred, seventy-six hours, at that time the accrual rate will change to eight (8) hours per month, up to a maximum of three hundred, fifty (350) hours. Any additional accrued sick time in excess of 350 hours will be “cashed out” on the next pay period. The utilization of sick time shall be in accordance with Article 21 of the MOU.

C. Non-sworn employees covered by the P&AE MOU shall accrue eight (8) hours of sick time per month, up to a maximum of two hundred, forty (240) hours. Any additional accrued time over 240 hours will be “cashed out” on the December 5th payroll. The utilization of sick time shall be in accordance with Article 14 of the MOU.

D. Non-sworn employees covered by the Local 911 MOU shall accrue seven (7) hours of sick time per month until they have accrued a minimum of one hundred, seventy-six (176) hours, at that time the accrual rate will change to eight (8) hours per month. The utilization of sick time will be in accordance with Article 43 of the MOU.

**Vacation Leave**

A. Sworn employees accrue vacation time at the following rates (270 hour cap):
   1. Upon hire, at the rate of ninety-six (96) hours per year.
   2. Commencing with the 7th year, at the rate of 112 hours per year.
   3. Commencing with the 8th year, at the rate of 136 hours per year.
   4. Commencing with the 15th year, at the rate of 160 hours per year.
   5. Commencing with the 16th year, at the rate of 168 hours per year.

B. Commencing with the 17th year, at the rate of 176 hours per year. Non-sworn employees accrue vacation time at the following rates (capped at the 30 month accrual level):
   1. Upon hire, at the rate of 80 hours per year.
   2. Commencing with the 4th year, at the rate of 96 hours per year.
   3. Commencing with the 6th year, at the rate of 112 hours per year.
   4. Commencing with the 10th year, at the rate of 128 hours per year.
   5. Commencing with the 14th year, at the rate of 144 hours per year.
   6. Commencing with the 18th year, at the rate of 160 hours per year.

(CALEA 22.2.1)
BENEFITS PROGRAM

Education Benefits

A. Sworn employees belonging to the POA bargaining group, pursuant to Article 24 of the MOU, are entitled to the following:

1. An employee who possesses an Associate in Arts (A.A.) or Associate in Science (A.S.) degree, or POST Intermediate Certificate, shall receive additional compensation of 5% above base salary.
2. An employee who possesses a Bachelor in Arts (B.A.) or Bachelor in Science (B.S.) degree, or POST Advanced Certificate, shall receive additional compensation of 10% above base salary.

B. Sworn employees belonging to the Management bargaining group, pursuant to Article 13 and Article 24 of the MOU, are entitled to the following:

1. An employee who possesses a POST Management Certificate shall be eligible to receive additional compensation of 5% above base salary.
2. The City will pay the education costs for any employee who enrolls in training and academic courses that could provide the employee additional skills and/or knowledge related to his/her position.
   a. Subject to prior approval by the City Manager.
   b. Costs include tuition/course fees and books/materials.
   c. Costs will be capped at the most current California State University rate.

C. Non-sworn employees, pursuant to both the P&AE and Local 911 MOUs, are entitled to the following:

1. The City will pay the education costs for any employee who enrolls in training and academic courses that could provide the employee additional skills and/or knowledge related to his/her position.
   a. Subject to prior approval by the City Manager.
   b. Costs include tuition/course fees and books/materials.
   c. Costs will be capped at the most current California State University rate.
2. Reimbursement of tuition shall be on a pro-rated basis, depending on hours worked, for employees working less than full time.

Retirement Program

All full time employees with this Department are eligible to receive retirement benefits paid for by the City via the California Public Employees Retirement System (CalPERS).

The City also provides a medical insurance supplement to all eligible employees upon retirement.
Specifics regarding each employee’s retirement benefits are detailed in the employee’s applicable MOU. The sections are as follows:

1. Article 17 of the POA MOU.
2. Article 17 of the Management MOU.
3. Article 19 of the P&AE MOU.
4. Article 49 of the Local 911 MOU.

**Health Insurance Program**

For sworn personnel, the City will make available health, dental, vision, mental health, and life insurance. For non-sworn personnel, the City will also make available long term disability insurance (LTD).

Coverage specifics can be found in the following locations:

1. Article 15 of the POA MOU.
2. Article 15 of the Management MOU.
3. Article 20 of the P&AE MOU.
4. Article 50 of the Local 911 MOU.

**Death and Disability Benefits Program**

The City shall provide life insurance for each employee, pursuant to the employee’s MOU. This benefit is as follows:

1. For employees covered by the POA MOU, the City shall provide a life insurance policy for each employee, payable in the amount of $60,000 upon such employee’s death.
2. For employees covered by the Management MOU, the City shall provide a life insurance policy for each employee, payable in the amount of two times (2x) the employee’s annual salary.
3. For employees covered by the P&AE MOU, the City shall provide a life insurance policy for each employee, payable in an amount equal to the employee’s annual salary upon such employee’s death.
4. For employees covered by the Local 911 MOU, the City shall provide a life insurance policy for each employee, payable in the amount of $40,000.

Employees may elect to increase their insurance coverage through the City's insurance provider, at their own expense, including insurance for Accidental Death and Dismemberment.

Upon the death of a qualifying employee, the immediate family of a sworn employee is eligible to receive a contribution from the Robert Mutch Fund, via the HBPOA. The contribution from the Robert Mutch Fund is designed to cover the cost of burial services.

Sworn employees who sustain a work-related injury in which they are unable to return to
work in their current job duties are eligible to receive their monthly salary via the City’s Workers Compensation insurance, pursuant to Section 4850 of the California Labor Code. Such benefit extends for a maximum of one year per injury. Upon exhaustion of this benefit, the employee will revert to his/her LTD benefits.

The City may, at its discretion and with medical approval, order the injured employee back to work in a modified work status. If provided, the injured employee will resume his/her regular salary and the Workers Compensation insurance benefit (“4850 time”) will be halted.

If an employee dies before retiring, CalPERS will provide several benefits for the employee’s family or the beneficiary(ies) named by the employee. Pre-retirement death benefits are divided into two categories:

1. Not Eligible to Retire – Under the age of 50, or age 50 or over with less than five (5) years of CalPERS-credited service.
   a. Group Term Life Insurance
   b. Alternate Death Benefit
   c. Special Death Benefit
   d. Basic Death Benefit
   e. 1959 Survivor Benefit

2. Eligible to Retire – Age 50 or over with a minimum of five (5) years CalPERS-credited service.
   a. Group Term Life Insurance
   b. Optional Settlement 2 – Death Benefit
   c. 1957 Survivor Benefit
   d. Special Death Benefit
   e. Basic Death Benefit
   f. 1959 Survivor Benefit

**Liability Protection**

Civil liability, due to injuries caused by employees within the scope of employment, and immunity of employees, is discussed in California Government Code Section 815.2 as follows:

1. A public entity is liable for injury proximately caused by an act or omission of an employee within the scope of his/her employment if the act or omission would, apart from this section, have given rise to a cause of action against that employee or his/her personal representative.

2. Except as otherwise provided by statute, a public entity is not liable for an injury resulting from an act or omission of an employee of the public entity where the employee is immune from liability.

The City will represent an employee, at no cost, in any civil action brought against the employee arising from any act or omission causing personal injury, death, or property destruction, where the act or omission occurred when the employee was determined to
be acting within the course and scope of his/her employment. Employees are also able to utilize their legal defense resources available through their respective labor union.

In order to insure that employees are properly represented in legal matters related to their employment with the Department, it is imperative that employees notify their Division Commander, in writing, of any legal action. The employees shall also provide copies of all legal papers and documents related to the incident. (CALEA22.2.2)

**CLOTHING AND EQUIPMENT**

The Department will provide the appropriate clothing and/or safety gear to all personnel. A complete detailing of the items to be issued are contained in Policy A1.21 of this manual.

All Department-issued safety gear and clothing shall be maintained in satisfactory condition. The procedure for replacing worn-out or damaged safety equipment is detailed in Policy A1.21 of this manual.

Sworn personnel covered by the POA bargaining group will be provided an annual uniform replacement allowance in accordance with Article 25 of the MOU.

Sworn personnel covered by the Management bargaining group will be provided an annual uniform replacement allowance in accordance with Article 25 of the MOU.

Non-sworn personnel covered by the Local 911 bargaining group will be provided a monthly uniform allowance in accordance with Article 30 of the MOU.

**PHYSICAL EXAMINATIONS**

Any physical examinations required of Department employees shall be provided at no cost to the employee. Any physical examination should be conducted only to confirm the employee’s continued fitness to perform the duties required of their assignment. The physical examination shall not be used to identify employees with disabilities who are otherwise able to perform their assigned duties, with or without reasonable accommodation. (CALEA 22.3.1)

**GENERAL HEALTH AND PHYSICAL FITNESS**

The Department desires all sworn members to maintain an overall level of health and physical fitness consistent with this directive. All sworn officers through the rank of Chief of Police are encouraged to be physically fit to ensure their ability to perform the essential functions of the job.

All personnel covered by the POA bargaining group are authorized to engage in a physical fitness training regimen while “on-duty,” in accordance with Article 28 of the MOU. (CALEA 22.3.2)
PERSONNEL SUPPORT SERVICES

The Hermosa Beach Police Department offers support services to its employees through the City of Hermosa Beach Personnel Department on an as needed and case-by-case basis. Employees requiring assistance or information on available benefits associated with their employment may make an appointment directly with the Personnel Department. Such assistance may include, but is not limited to, health, dental, or vision plans, benefits available in the event of an employee’s death or serious injury, EAP, or deferred compensation plans. For direct assistance, contact the Personnel Assistant at 310-318-0230.

(CALEA 22.2.3)

EMPLOYEE ASSISTANCE PROGRAM (EAP)

The City of Hermosa Beach makes an Employee Assistance Program (EAP) available to all of its employees through the Holman Group to address a full array of personal and professional problems that may affect an employee’s day-to-day life.

Participation in the EAP is voluntary and benefits vary by specific bargaining groups. Information regarding individual benefits can be found in the various MOU’s representing Police Department personnel.

Employees and their immediate family members may self-refer to any of the programs offered by the Holman Group as needed. Additional benefit information is available in the Personnel Department, or online at www.holmangroup.com.

An employee’s voluntary use of the EAP is confidential. Absent a legally defined, compelling reason, information can only be released to the City upon written approval of the involved employee.

(CALEA 22.2.6)

APPROVED:

Sharon Papa
Chief of Police
A1.18  OUTSIDE EMPLOYMENT           Effective  10/27/2009
Updated

PURPOSE

The role of a peace officer is a unique one in society and, as such, some limitations and restrictions regarding off-duty activities apply to those who hold that position. Because peace officers are required to be objective and impartial when carrying out their responsibilities, and rely exclusively upon facts and information provided to them, it is imperative that there not even appear to be a conflict of interest on the part of those officers.

Since respect for law enforcement officers is paramount to their ability to perform their job, engaging in outside employment which would bring discredit, disrespect or embarrassment to that officer and/or his or her agency would be considered incompatible and in conflict with the officer’s primary role as peace officer. Government Code §1126 sets forth factors which, in and of themselves, create conflicts of interest. The Attorney General of California has opined that these are examples and not to be construed as a complete list. Additionally, the legislature recently (1996) required all agencies to articulate in its outside employment/conflict of interest policy those positions deemed incompatible and therefore, not permitted.

(CALEA 22.3.4)

POLICY

It shall be the policy of this Department to require prior authorization for outside employment and to restrict the types of employment that are approved.

(CALEA 22.3.5a)

PROCEDURE

I. Definitions:

A. Outside Employment: For the purpose of this Policy, the term “outside employment” shall mean: any off duty work, be it “off duty” or “extra duty”, undertaken outside of this department by an employee of the Hermosa Beach Police Department for financial or other consideration.

B. Employee: All sworn and non-sworn Police Department employees.

II. Primary Responsibility:

A. In all cases of outside employment, the primary duty, obligation and responsibility of an employee is at all times to the Department.

B. Emergency call back response to fulfill the Police Department’s mission to the community shall take priority over outside employment.
III. Notice of Outside Employment

A. Employees shall submit a *Notice of Outside Employment* form to the Chief of Police which contains the name of the employer, the nature of the employment, the number of hours to be worked, and scheduling of those hours.

B. Prior to an employee’s acceptance of outside employment, written approval must be obtained by the Chief of Police and City Manager.

IV. Restrictions

A. When the Chief of Police determines that the employment can reasonably be expected to adversely affect the employee’s work performance and/or would be inconsistent with the accepted image of an employee, then the Chief may direct the employee not to engage in such outside employment.

B. When the employment involves the use for private gain or advantage of the Department’s time, facilities, equipment and supplies, badge, uniform prestige or influence of his/her status as a peace officer. (Unlawful activity under Gov. Code Section 8314.)

(CALEA 22.3.5c)

C. Outside employment shall not be approved for a Department employee to work:

1. In any establishment where the sale of liquor is the principal business.

2. In any employment requiring affiliation, membership or allegiance, which would tend to interfere with the proper discharge of his/her duties as an employee of the department, or with his/her loyalty to the department or the community’s interests.

3. In the uniform of the department.

4. In any employment requiring the service of civil process.

5. On investigations or other security work in which he/she may avail themselves of their access to police information, records, files or correspondence or use his/her powers of arrest as a Hermosa Beach police officer while in the employment of another.

6. For any other municipality or political subdivision of the state, except by expressed permission of the Chief of Police.

(CALEA 22.3.5 b)

V. Sick or I.O.D. Status

A. An employee shall not engage in outside employment while carried on sick or I.O.D. status, unless request is made in writing and approved by the Chief and City Manager.
B. An employee, injured during his/her outside employment shall report the injury to the department and supply the department with all medical records.

VI. Employment Hours: Hours of employment shall not be approved for outside work to be performed at a time, which will conflict with the employee’s normal tour of duty.

VII Supervisory Responsibility:

A. The immediate supervisor of an employee shall make himself/herself aware of all conditions surrounding an approved request.

B. He/she shall report all infractions of outside employment.

C. He/she shall make recommendations to the Chief for revocation of an approved request when it can be reasonably substantiated that the outside employment conflicts with departmental duties. All such recommendations shall be accompanied with a description of the employee’s behavior or work habits affected by the outside employment.

(CALEA 22.3.5 d, e)

VIII. Expiration

A. All written approvals for outside employment shall expire one year after date of issuance.

B. A request for renewal shall be submitted if the intent is to continue outside employment.

APPROVED:

Greg Savelli
Chief of Police

Attachment: Notice of Outside Employment Form
NOTICE OF OUTSIDE EMPLOYMENT

TO: City Manager *

DATE: ________________

EMPLOYEE NAME: ________________________________

In compliance with Rule 'L', Section #4 of the Personnel Rules and Regulations for Civil Service Employees, I hereby inform the City that I am engaged in an occupation or outside activity for compensation.

NAME OF EMPLOYER: ________________________________

LOCATION: ________________________________

HOURS OF EMPLOYMENT: ________________________________

DAYS OF WEEK WORKED: ________________________________

NATURE OF EMPLOYMENT: ________________________________

This information can be verified by contacting:

__________________________________________
(Name of supervisor or contact person)

I understand that the City Manager will determine whether or not this activity is compatible with City employment based on the criteria stated in Government Code Section 1126.

Signed: ___________________________ Date: ____________

* Completed form to be processed through department

Department Review

Department Director Signature: ________________ Date: ______

Recommended Action: [ ] Approval [ ] Denial

Justification: ________________________________

City Manager Review

City Manager Signature: ________________ Date: ______

Action: [ ] Approved [ ] Denied

Justification: ________________________________
HERMOSA BEACH POLICE DEPARTMENT

A1.19 ON-DUTY AND OFF-DUTY INJURIES/ILLNESSES

Effective 10/27/2009
Updated 11/21/2016

PURPOSE

To establish procedures for the proper handling of an employee injury, illness, or exposure to bodily fluids of suspects.

POLICY

In any case where an employee is injured while on duty, whether the injury is minor or serious, or exposed to bodily fluids, the affected employee shall immediately report the injury to their immediate supervisor. It shall be the responsibility of the employee’s immediate supervisor to direct and obtain proper medical attention.

1. In cases involving injuries which do not require IMMEDIATE emergency care, the Fire Department paramedics shall first be called to render medical aid, and in some serious cases, to stabilize the injured employee prior to transportation for further professional care.

2. In any case where the supervisor determines the seriousness of the injury will warrant advanced or specialized treatment and/or hospitalization, the injured employee shall be immediately transported by paramedic unit, ambulance, or other expedient means determined necessary by the supervisor to the hospital. While the injured employee is en route to the hospital, the immediate supervisor shall direct the communications center to notify the emergency room that the employee is en route, so that emergency preparation to receive the injured may be made. If during regular City business hours, the supervisor should also contact the Personnel Department and advise them of the injured employee and that the employee is being taken to the hospital.

3. If an employee is exposed to bodily fluids, not limited to but including, blood, saliva, urine or feces, of a suspect in the course of their duties, the Watch Commander or immediate supervisor of the employee shall send the employee to the City’s authorized medical provider to have an exam and baseline testing conducted. The Watch Commander will ask the suspect to voluntarily submit to a blood draw to check for infectious diseases. If the suspect refuses, current law allows a court order to be obtained to force the blood draw and testing and the Watch Commander shall attempt to obtain the order.
4. If the injury to the employee is less serious, i.e., there is no requirement for advanced emergency care, specialized services or hospitalization, then the supervisor should call the Company Nurse at [phone number] to be triaged. If directed, the employee should be transported to [hospital name] at [hospital address]. An authorization form may be obtained from the Personnel Department (during City Hall business hours) or the Watch Commander's office. If City Hall is closed, then the supervisor should contact the Care Station directly and advise them of the situation and that the injured employee will be en route for treatment. If the Care Station is closed, then the injured employee should be sent to the hospital.

**REPORTING – SUPERVISOR’S RESPONSIBILITY**

Supervisors shall document all injuries reported by employees, including any minor injuries. It is the supervisor’s responsibility to complete and submit the “Supervisor’s Report of Injury” form prior to the end of watch. This form must be filled out even when an employee does not seek or require immediate medical treatment. It is important to document all potential injuries in case a medical problem later develops. Additionally, for exposures to bodily fluids, the Watch Commander shall fill out the State of California Department of Public Health Exposure Form that is available in the Watch Commander’s office or online.

When completed, the Supervisor’s Report of Injury form and exposure form (if applicable), along with a copy of any and all medical paperwork received from the attending medical facility must be turned in to the Division Commander of the affected employee. The Division Commander shall ensure that the originals of these reports are forwarded to the Personnel Department and a copy is forwarded to the Office of the Chief of Police.

Employees that receive further medical care shall keep the Personnel Department aware of any future medical appointments to receive care. Employees are to forward copies of medical slips received from the treating medical facilities to their Division Commander and to the Personnel Departments.

**INJURIES AND ILLNESSES OFF-DUTY (EXTENDED TIME OFF)**

The purpose of this policy is threefold:

1. The primary concern is the protection of the employee. Due to the nature of police work and its inherent dangers, the City requires assurance that the employee is able to perform without the possibility of more serious injury occurring.

2. The second consideration is the possibility that the employee returning to work too soon, while suffering from a communicable or contagious disease such as the flu, might infect fellow employees.

3. The third consideration is the possibility of City liability. If an employee is allowed to return to duty while still suffering from an illness or injury, or post-operative recovery, and should become more seriously injured or ill at work, the question of
liability is raised.

If an employee is injured, ill, or will undergo some minor surgery not related to a duty occurrence, which will require absence from duty in excess of three days, the employee shall notify their immediate supervisor or Division Commander as to the nature of the injury, illness, or surgery. If the employee suffers any injury to a limb, i.e., arms, legs, fingers, toes, etc., the employee shall notify their immediate supervisor or Division Commander as to the nature of their condition.

In any of the preceding cases, the employee shall provide the Department written documentation of their personal physician’s prognosis as to the estimated length of time the employee will be off duty.

After an employee is off duty for three (3) consecutive days, the City may, at its option, require a return to work checkup by the City physician or may accept the opinion of the employee’s personal physician.

In all cases involving an injury to a limb which requires time off, the City may require a return to work examination.

When an employee is to be cleared to return to work by their personal physician, they shall immediately notify their Division Commander, who will then notify the City Personnel Department of the anticipated return date so that an appointment may be made in advance with the City physician, if required by the City.

If an employee gives the required notice before their anticipated return to work time, and the City is unable to obtain an appointment with the City physician for the employee, the employee shall not be docked for time off beyond the date the employee was cleared to return by their physician.

APPROVED:

Sharon Papa
Chief of Police
PURPOSE

To ensure the public can identify law enforcement officers and employees of the Police Department and establish procedures for issuance and use of identification cards.

POLICY

It is the policy of this Department to issue proper identification to all of its employees and to require that all employees present that identification when requested to confirm their identity.

PROCEDURE

I. Issuance of Police Department Identification Cards

A. All permanent employees of the Hermosa Beach Police Department shall be issued employee identification cards by the authority of the Chief of Police. Employees shall carry identification cards while on duty or when on official business for the Police Department.

B. Sworn employees will carry their ID cards with them at all times. It is recommended that non-sworn employees carry their identification cards at all times when off duty for access through police barricades in the event of an emergency.

C. The identification card will contain the name Hermosa Beach Police Department, photograph of a badge, photograph of the employee, the name of the employee and the rank or position of the employee on the front. The back of the card will include the employee’s thumb print, serial number, employee identification information, and issue date.

(DALEA 22.2.7 b)

D. All regular police employees are required to show their identification to a concerned member of the public when requested to confirm that he/she is an official police employee, except an officer working in an undercover capacity.

(DALEA 22.2.7 a)

II. Authorized Use of Police Department Identification Cards

A. No employee shall use the Police Department employee identification card for other than official business for the Police Department.
B. The card will **not** be used to cash checks, to purchase alcoholic beverages, or to enter a place serving alcoholic beverages.

C. No employee shall give or loan his/her identification card to any other person.

D. Any loss or theft of the employee’s identification card shall be reported to the employee’s supervisor within twenty-four (24) hours of the occurrence.

E. At no time shall a non-sworn employee use his/her identification card to represent himself/herself as a peace officer.

F. Improper use of the Police Department identification card shall be cause for disciplinary action by the Police Chief or his/her designee, and the card will be withdrawn from use.

APPROVED:

[Signature]

Greg Savelli  
Chief of Police
PURPOSE

This policy describes the safety gear and other equipment to be provided by the Department for each officer classification and specifies the maintenance/replacement responsibility for each item. This policy also details which Department-issued items are to be returned by the officer upon separation from employment.

POLICY

After the initial issuance of the uniform by the Department, it is each Officers responsibility to replace items of the uniform which fail to meet departmental standards. Officers shall maintain uniforms and personal equipment in serviceable condition.

ALL POLICE OFFICERS

The Department will provide new officers with the below-listed equipment prior to the beginning of field training:

A. Safety equipment
   1. Firearm (semi-automatic pistol), with holster
   2. Three (3) ammunition magazines for issued firearm
   3. Magazine pouch, leather or nylon (for two magazines)
   4. PR-24 baton, straight baton, or ASP baton with baton ring or holder
   5. Oleoresin Capsicum (OC) pepper spray, with holder
   6. Taser and Taser camera, with hard plastic or nylon holster
   7. One (1) set of handcuffs, with case, nylon or leather
   8. Portable radio, with holder
   9. Sam Browne belt, nylon or leather
   10. Four (4) belt keepers, nylon or leather
   11. Tactical ballistic (“Riot”) helmet w/face shield
   12. Gas mask, filter, and case
   13. Body armor
   14. Reflective safety vest
   15. Flashlight and holder
   16. CPR mask

B. Operational equipment
   1. Uniform badge
   2. Flat badge and I.D. case
   3. Department Identification card
   4. Set of keys, to include: station, vehicle, and handcuff
5. Digital audio recorder, with carrying case
6. Digital camera

C. Uniform (full time officers only, see below note for reserve police officers)
   1. Two (2) trousers
   2. Two (2) shirts: one long-sleeved, one short-sleeved
   3. Black, leather or nylon, trouser belt
   4. Jacket
   5. Rain gear
   6. Neck tie and tie bar
   7. Name plate
   8. Utility Police ball cap
   9. One (1) tactical uniform (BDU) shirt
   10. One (1) tactical uniform (BDU) pants

In addition to the above, all new police recruits that are to be sent to a training academy shall additionally receive the following:

A. Uniform (or Academy-specified equivalent)
   1. Two (2) trousers
   2. Two (2) shirts

B. Physical Training Gear (per Academy specifications)
   1. Three (3) crewneck shirts (with required lettering)
   2. Two (2) sweatshirts (with required lettering)
   3. Two (2) running/gym shorts
   4. Two (2) sweatpants

C. Manuals or code books as required by the Academy

Note: Reserve police officers will be issued two uniform shirts (1 long and 1 short sleeve) and one pair of uniform trousers. All other required uniform accessories and any additional uniforms shall be purchased at the reserve officer’s expense.

**MOTORCYCLE OFFICERS**

Officers newly assigned to the Traffic Division and required to operate a motorcycle shall be equipped with the following:

A. Uniform
   1. Two (2) Motor breeches
   2. One (1) pair motor boots (leather)
   3. Leather motorcycle safety jacket
   4. One (1) pair collar emblems (motor officer insignia)
   5. One (1) whistle and chain
   6. One (1) pair safety glasses
   7. One (1) pair safety gloves

B. Motorcycle safety helmet
All of the aforementioned items listed under “uniform” become the officer’s personal property upon completion of one-year service on motorcycle.

FOOT PATROL OFFICERS

Officers assigned to work foot patrol as a regular, specific assignment (i.e. Community Lead) shall be equipped with one additional tactical uniform (shirt and pants), in accordance with the Foot Patrol uniform specifications set forth in this chapter. These items will become the officer’s personal property upon issue.

POLICE SERVICE OFFICERS (PSO)

New Police Service Officers shall be provided with the following upon hire:

A. Safety equipment
   1. One (1) set of handcuffs, with case
   2. Key holder
   3. CPR mask
   4. Reflective safety vest
   5. Rain jacket

B. Operational equipment
   1. Service Officer badge
   2. Department Identification card
   3. Set of keys, to include station, vehicle, and handcuff
   4. Set of jail keys
   5. Radio holder

C. Uniform
   1. Two (2) black shirts (optional: one (1) standard shirt; one (1) polo style)
   2. Two (2) black trousers
   3. Black basketweave trouser belt
   4. One (1) pair of black work shoes
   5. Jacket
   6. Two (2) cloth name tapes
   7. Metal name plate

All items listed under the “uniform” category become the personal property of the officer upon completion of one-year of service or approval of the Chief of Police.
COMMUNITY SERVICE OFFICERS (CSO)

New Community Service Officers shall be provided with the following upon hire:

A. Safety equipment
   1. Black basketweave trouser belt
   2. Radio holder
   3. Flashlight and holder
   4. Oleoresin Capsicum (OC) spray, with holder (after approved training)
   5. Reflective safety vest

B. Operational equipment
   1. Community Service Officer badge
   2. Department Identification card
   3. Set of keys, to include vehicle and station

C. Uniform
   1. Long-sleeved shirt
   2. Two (2) short-sleeved shirts
   3. Two (2) trousers
   4. One (1) pair of black shoes or boots
   5. Jacket
   6. Rain gear
   7. Metal name plate

All items listed under the “uniform” category become the personal property of the officer upon completion of one-year of service or approval of the Chief of Police.

In addition to the above equipment, officers may wear the following additional equipment. Any optional equipment will be purchased at the officer’s expense.

A. Personal cell phone carrier
B. Work cell phone carrier (supervisors only)
C. Leather or nylon “Sam Browne” duty belt
D. Nylon trouser belt (may only be worn under the Sam Browne duty belt)
E. Flashlight holder
F. Key holder

REPLACEMENT OF UNIFORMS OR SAFETY EQUIPMENT

It shall be the responsibility of each employee that receives uniforms and equipment from the Department to safeguard and maintain these items. Property lost or damaged due to negligence on the part of the employee shall be replaced by the employee at their expense.

In the event that a piece of equipment or uniform is stolen, damaged, or lost, the officer shall prepare a written report documenting the incident circumstances and forward it to their supervisor, who will then forward it to the Chief of Police for review. If the employee is physically unable to prepare the report, the employee’s supervisor or the Watch Commander
shall prepare the report. In the event the loss occurred through no fault of the employee, the Department may replace the item at no expense to the employee.

Generally, all items of equipment and uniforms that become worn or defective through normal use are to be replaced in the following manner:

A. All items deemed by this chapter to belong to the employee shall be replaced at the employee’s expense.

B. All other items may be replaced by the Department, subject to approval from the Chief of Police.

In the event that an item of Department property has become worn or defective, the employee will prepare a short report regarding the item and forward it to their supervisor along with the reported equipment (if possible). The supervisor shall inspect the item in question and, if in agreement, forward the report to the appropriate Division Commander for recommended repair/replacement. Any replacement requests shall be reviewed and approved for purchase by the Chief of Police.

RETURN OF DEPARTMENT PROPERTY

Unless specifically exempted, all items listed as safety or operational equipment issued by the Department remain the property of the City of Hermosa Beach and shall be returned by the officer immediately upon separation from the Department. Officers shall return the listed items to the appropriate Division Commander. Any officer who fails to return any City-owned property upon separation from the Department may be subject to applicable criminal and civil penalty.

(CALEA 22.2.5; 41.3.4)

APPROVED:

Greg Savelli
Chief of Police
PURPOSE

This policy establishes the procedural guidelines regarding the conduction of line and staff inspections as a method of evaluating the efficiency and effectiveness of Department operations.

DEFINITIONS

**Line Inspection** – Inspection conducted by personnel in control of the persons, facilities, procedures, or other elements being inspected. Line inspections may be carried out by any supervisor within the chain-of-command and is often conducted by supervisory personnel who may be responsible for ensuring that any substandard conditions revealed in the inspection are corrected.

**Staff Inspection** – Inspection conducted by personnel who do not have control of the persons, facilities, or procedures being inspected.

INSPECTIONAL PROCESS

The inspectional process is an essential mechanism for evaluating the quality of the Department’s operations, ensuring the Department’s goals are being pursued and standards are being followed. The inspectional process compares the Department’s formal expectations with actual performance. Inspections can help the Department identify the need for additional resources and determine if available resources are being properly utilized.

The inspectional process, at both the line and staff levels, provides the Chief of Police and other elements of the command structure with a means of regularly assessing the Department’s efficiency and effectiveness, and provides information necessary to plan for change.

LINE INSPECTIONS

Line inspections are performed within each organizational component by supervisory personnel who have direct authority and responsibility for the operation of the unit being inspected. There are two types of line inspections – formal and informal.

**Formal inspections** will be conducted in January and July of each year. These inspections will include, but not be limited to, the following areas:

- Personnel appearance, grooming, and uniforms
- Required safety equipment
- Weapons, where applicable
- Vehicle condition and equipment, where applicable
- Facilities, performed by the Captain
The results of formal inspections are prepared in written form and submitted to administrative or commanding officers, with a copy of each report to the Accreditation Manager. These reports will include any specific action taken to correct discrepancies and any recommendations for long-range solutions to deficiencies discovered during the inspection.

**Informal inspections** are performed by supervisory personnel during routine operations to ensure that department policy and procedures are adhered to. Immediate action is taken by the inspecting supervisor to correct discrepancies. A written inspection report may be completed but is not required.

Repeated deficiencies noted during any inspection (formal or informal) shall be documented and forwarded to the appropriate Division Commander.

*(CALEA 53.1.1 a-e)*

**STAFF INSPECTIONS**

Staff inspections generally focus on agency procedures and are conducted by command personnel or designee assigned the responsibility by the Chief of Police. A staff inspection system monitors organizational components in terms of their results.

Staff inspections shall be conducted by personnel who have no direct authority over the subject or function inspected.

A staff inspection will be conducted within all organizational components for the major functions at least every three years. Such components include:

- a. Property and Evidence
- b. Patrol operations
- c. Investigations
- d. Armory/Weapons
- e. Records and Records Management
- f. Internal Affairs
- g. Personnel files
- h. Training records

A written report will be submitted to the Chief of Police that identifies deficiencies and makes recommendations for improvement and/or correction and identifies positive aspects of the area inspected.

A follow-up inspection and written report will be completed for any noted deficiencies that cannot be immediately corrected.

*(CALEA 53.2.1a-e)*

APPROVED:

Greg Savelli
Chief of Police
A1.23 INVESTIGATION OF ACCIDENTS AND DAMAGE INVOLVING DEPARTMENT VEHICLES

POLICY

It is the policy of the City of Hermosa Beach and its Police Department to reduce accidents and damage involving departmental vehicles.

The following procedures shall be adhered to with regard to accidents or damage involving a department vehicle while being operated by an employee. An accident investigation shall be conducted, the scope of which shall be determined by the nature and severity of the accident. Following the accident investigation, and within a prescribed period of time, a Review Board shall review the accident, make a determination, and submit a written recommendation to the Chief of Police.

The Chief of Police shall administer progressive discipline for drivers found at fault in accordance with section 180.20 of the Departmental Rules and Regulations.

DEFINITIONS

**Minor Damage:** Slight damage to involved vehicles such as dents, scratches, broken or cracked glass, tail lamp, etc., as determined by the Accident Review Board and sustained by the Chief of Police.

**Moderate Damage:** More than slight, but damage to one-forth or less of the involved vehicles; for example, an entire fender, grill, quarter panel, door, hood, rear deck, etc., as determined by the Accident Review Board and sustained by the Chief of Police.

**Major Damage:** Damage to more than one-fourth of the involved vehicles such as an entire side, rear end, etc., as determined by the Accident Review Board and sustained by the Chief of Police.

**Driver at Fault:** Driver judged by the Accident Review Board as being the primary cause of an accident or damage.

**Driver not at Fault:** Driver judged by the Accident Review Board as not being the primary cause of an accident or damage.

PROCEDURE

Members of the Department shall promptly notify their supervisor, usually the on-duty Watch-Commander or Sergeant, of any accident or damage involving any city vehicle operated by them or in their charge.
Members involved in an accident shall write a detailed statement regarding the accident as soon as practical.

The supervisor shall be responsible to ensure that an appropriate investigation of the accident is conducted and that proper notifications are made.

1. If the accident involves property damage only, a state form 555-03 (Property Damage Only) report form shall be completed. Both minor and moderate property damage accidents may be taken on this form. At the supervisor’s discretion, either Manhattan Beach or Redondo Beach Police Departments may be called to investigate such accidents.

   In minor accidents involving only slight damage to a city vehicle, i.e., vehicle vs. pole or wall, etc., the supervisor may require that a detailed incident report be completed instead of the state form.

2. Major accidents shall be recorded on state form 555 and require a detailed diagram. Either Manhattan Beach or Redondo Beach shall be called to investigate such accidents.

3. Accidents involving fatalities, potential fatalities, or school buses shall be investigated by the California Highway Patrol.

4. Photographs shall be taken to document damage and the accident scene of all moderate, major and fatal accidents. Photographs may be taken to document minor accidents.

5. The Watch Commander shall conduct whatever additional investigation deemed proper, including calling a department investigator to conduct a collateral investigation to that of an allied agency.

6. Officers involved in accidents shall not make their own investigations or complete their own accident reports.

   **DEPARTMENTAL ACCIDENT REVIEW BOARD**

   The Departmental Accident Review Board shall review all accidents and damage incidents involving City vehicles driven by members of the department.

   The Accident Review Board shall convene within 15 working days of the accident or damage incident in order to review the accident or damage incident.

   Copies of all accident reports will be supplied to the Board members for review prior to their meeting date. Each Board member shall review the reports and determine if any witnesses or officers should be required to appear. If any are required, the members shall notify the Board Chairman so proper arrangements can be made. If officers or witnesses are necessary, the departmental personnel shall be required to appear, and civilians requested to appear. Other
law enforcement personnel and civilians who may be experts in a related field can also be requested to appear.

The Board shall review the reports, hear witnesses, and then classify the accident or damage as minor, moderate, or major and make a determination as to cause and fault. The Board shall also review the member’s past driving record to determine if the accident or damage under review is the first, second, third, or fourth offense. A written report shall be submitted to the Chief of Police with the Board’s findings and recommendations.

In an effort to make the Board’s findings objective and impartial, the Board shall consist of a member of the Hermosa Beach Police Officers Association Board of Directors, a traffic officer, and an officer assigned to investigations, all selected by the Board Chairman. A Captain or Lieutenant shall be appointed by the Chief to serve as the Board Chairman. The Chairman shall assure that all Board members receive the reports in advance, will assure that the witnesses and officers are called as necessary, will assure that meetings are held in accordance with this policy, and will assure that the Board’s findings and recommendations are submitted within 5 working days from the date of the meeting. The Chairman is a non-voting member of the Board.

If for good cause, the makeup of the Board cannot be constituted as set forth, the Board Chairman shall appoint appropriate substitutes. Under no circumstances shall the Board fail to contain a member of the Hermosa Beach Police Officers Association Board of Directors.

APPROVED:

Greg Savelli
Chief of Police
PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems. It is the policy of this Department that only Information Technology Technicians are authorized to install or remove software, hardware, add or remove devices from the network, and provide authorized user access to systems. For additional information technology/internet use guidelines and requirements, see The City of Hermosa Beach Administrative Memorandum #IT-1.

DEFINITIONS

Definitions related to this policy include:

**Computer system** - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the Hermosa Beach Police Department that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Department or department funding.

**Hardware** - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones, including cellular and satellite, pagers, modems or any other tangible computer device generally understood to comprise hardware.

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

**Temporary file, permanent file or file** - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

POLICY

It is the policy of the Hermosa Beach Police Department that members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.
PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any department computer system.

The Department reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network and/or any information placed into storage on any department system or device. This includes records of all keystrokes or Web-browsing history made at any department computer or over any department network. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices or networks.

However, the Department may not require a member to disclose a personal username or password or open a personal social website, except when access is reasonably believed to be relevant to the investigation of allegations of work-related misconduct (Labor Code § 980).

RESTRICTED USE

Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisors or Watch Commanders.

Members shall not use another person’s access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by a supervisor.

I. SOFTWARE

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes in accordance with the software company’s copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software onto any department computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the Chief of Police or the authorized designee.

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer
systems or electronic devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as part of the automated maintenance or update process of department- or City-approved or installed programs by the original manufacturer, producer or developer of the software.

Any other introduction of software requires prior authorization from IT staff and a full scan for malicious attachments.

No employee shall intentionally or willfully and without permission delete, damage, destroy, or adversely alter any data or software program in the computer network or any computer.

II. HARDWARE

Access to technology resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department computer systems shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation, or who otherwise have a legitimate law enforcement or department-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

III. INTERNET USE

Internet access provided by or through the Department shall be strictly limited to department-related activities. Internet sites containing information that is not appropriate or applicable to department use and which shall not be intentionally accessed include, but are not limited to, adult forums, pornography, gambling, chat rooms and similar or related Internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of a member’s assignment.

Downloaded information shall be limited to messages, mail and data files.

IV. OFF-DUTY USE

Members shall only use technology resources provided by the Department while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email or any other "off the clock" work-related activities. This also applies to personally owned devices that are used to access department resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.
PROTECTION OF AGENCY SYSTEMS AND FILES

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care and maintenance of the computer system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information and other individual security data, protocols and procedures are confidential information and are not to be shared. Password length, format, structure and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the Internet) to a supervisor.

INSPECTION OR REVIEW

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Department involving one of its members or a member’s duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

The IT staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.

APPROVED

[Signature]

Acting Chief of Police
Information Technology Use

I. USE OF COMPUTERS
The Information Technology Department technicians perform routine and scheduled maintenance of the Department’s computers and network, including requests to purchase and install new software and hardware and insure that Department technology property and documentation is recorded appropriately. However, nothing in this section shall restrict the rights of the department to access and inspect any and all data derived from or stored within the computer network or any department computer.

A. Each employee shall insure that their computer is protected through the use of passwords. Employees should adhere to the following guidelines:
   1. Passwords to the Department network must be changed as required by the City’s IT Department.
   2. Passwords must be at least 7 characters long and contain at least one number and one symbol -e.g.,!,@,#,$,%,^,&,* etc.
   3. Never write your passwords down or share it with anyone else.
   4. Close all applications and log off of the network or lock your computer any time you leave your computer unattended.

B. The Information Technology Department uses an IT Support Ticketing system to track work performed on the Department’s computers and record changes to the Department’s network and systems. All written requests are summarized and entered into a work ticket for the technician who performs the work. Information about the requestor, the machine the work was performed on and the time related to the request and subsequent action(s) taken are recorded on the ticket. No employee or Department data, software or passwords are stored in the Ticketing system, but rather the requested action, requestor, approver, and completed change.(See attached)

II. HARDWARE AND PERIPHERAL ISSUES
Requests to add hardware or peripherals should be processed as follows:

A. Submit a memorandum to the Support Services Division Commander which identifies the hardware and describe its legitimate use within the official business of the department.

B. If approved, the item will be purchased by the Support Services Division Commander or his/her designee.

C. When appropriate, the item will be appropriately tagged as department property and registered to the Hermosa Beach Police Department.

D. The warranty, operational software, instructions, and any other paperwork will be stored with the Information Technology Department.
ADMINISTRATIVE MEMORANDUM

TO: All Employees with Computer Access

FROM: Viki Copeland, Finance Director

SUBJECT: Internet and E-mail Policy

FUNCTION: Information Technology

NO.: IT-1

Purpose:

This policy establishes guidelines for use of the Internet and e-mail by employees who have access authorized by the City.

General Policy:

The City of Hermosa Beach provides computer resources and Internet access to its employees for legitimate City business pursuits to communicate, access knowledge, and retrieve and disseminate information relevant to their assigned duties.

Employees are given Internet and/or e-mail access only with express permission from their department head. All employees using the Internet and/or e-mail are required to read and sign this Internet and E-mail Policy. A copy will be kept in the employee's personnel file. If employees have any additional questions and/or concerns about the proper use of the Internet and/or e-mail, they should consult their Department Director for further guidance.

Internet:

Certain sites on the Internet contain information that is not appropriate for City use and should not be accessed. Inappropriate uses include but are not limited to adult forums, sexually-explicit material, games, unsolicited advertising, conducting personal business, and malicious behavior. It is not acceptable to access or use chat rooms.

Downloaded information shall be limited to messages, mail, and data files. No software programs shall be downloaded without prior approval of the Information Technology Division (IT). Should downloading occur in error, the program file should not be run. IT should be notified immediately.

ISSUED: 04/01/08
Any software or other material available on City computers may be used only in a manner consistent with licenses and copyrights of the vendors, authors or owners of the material.

The responsibility to maintain adequate storage and the deletion of old data is the responsibility of the employee.

Newsgroups and Listservs (electronic discussion groups) should be used with restraint. While they are excellent resources for gaining and sharing information with other professionals, they can place heavy demands on storage space.

It is not acceptable to use the City of Hermosa Beach Internet access to interfere with or disrupt network users, services, or equipment. Disruptions include, but are not limited to: distribution of unsolicited advertising, propagation of computer worms and viruses, and using the network to make unauthorized entry to any other computers accessible via the network.

Employees should take care to avoid plagiarism when using information obtained from the Internet.

**E-mail:**

City employees who have been provided e-mail capability for business purposes have an obligation to read incoming messages promptly and to respond to them in a prompt and professional manner.

Communications must conform to recognized standards of business etiquette.

All communications transmitted on the E-mail system are the property of the City and are subject to disclosure under the Public Records Act.

The City reserves the right to access, use and disclose for whatever reason, all messages sent over its E-mail system.

E-mail communications are not confidential; therefore, they should not contain any confidential City information. Other means of communication should be used to distribute confidential information.

City employees shall not send mass e-mailings to all employees without written authorization from the Department Director.

All copyrights and other intellectual property rights that are in any way related to City activities and that are created by City employees while they are employed by the City of Hermosa Beach are the exclusive property of the City.

Incidental and occasional personal use of the E-mail system is permitted, but employees are reminded that they do so at their own risk and such messages are subject to the access and disclosure statement set forth in the policy above. As such, it is recommended that any personal communications be limited to that incidental to business such as a thank you note or a birthday greeting to a colleague.
City employees are allowed to check their e-mail from other locations. At the end of the session, they should sign off and close the browser window.

It is unacceptable to transmit e-mail without identifying the sender and/or to send derogatory, harassing, offensive, defamatory or unprofessional messages.

City employees shall not create new Web sites or obtain Internet services outside of the City without written approval from the City Manager.

E-mail accounts and passwords shall not be shared with other employees. The user named person will be responsible for all activity involving their username.

**Violation of Policy:**

Any violation of this policy may result in loss of computer access and disciplinary action up to, and including, termination.

Stephen R. Burrell,  
City Manager

Viki Copeland  
Finance Director
PURPOSE

The purpose of this Policy is to establish the Hermosa Beach Police Department's philosophy regarding crime prevention.

POLICY

The Hermosa Beach Police Department is committed to the development and perpetuation of community crime prevention programs. It is the responsibility of every member of the police department to work towards achieving the department's crime prevention objectives. The department recognizes the need to establish close ties with the community and to respond to changing needs by preserving liaisons with interested community groups, neighborhood organizations, and business leaders.

COMMUNITY LIAISON/OPERATIONS DIVISION

The Chief of Police is responsible for the Department community involvement function. The Operations Division is also responsible for the community relations, crime prevention, and community outreach efforts of the Police Department. The Division is managed by a Lieutenant and is comprised of a Sergeant, Police Officers, and volunteers. The Lieutenant will work closely with patrol personnel, detectives, and civilian personnel to ensure that the prevention of crime remains a high priority within the organization.

Patrol officers, and other department members who routinely have contact with the public, may receive information regarding new crime trends or issues within the city. Department members may also receive feedback on the effectiveness of actions the department has taken regarding previously identified problems. The Operations Lieutenant shall forward this information to the Chief of Police, who will include a summary of these issues in his/her quarterly report.

Information regarding crime prevention and community involvement is also gathered directly by the Chief of Police through participation in Neighborhood Watch, National Night Out, and open communication with the public via phone, email, or personal contact.

The Chief's quarterly report will include:

1. Current concerns voiced by the community.
2. Potential problems that have a bearing on law enforcement activities within the community.
3. Recommendations that address previously identified concerns and problems.
4. A statement of progress made toward addressing previously identified concerns and/or problems
   (CALEA 45.2.2 a-d, 45.2.3)

CRIME PREVENTION OBJECTIVES

The police department's crime prevention program objectives are as follows:

1. To develop effective methods for teaching preventive techniques to potential victims of crimes.
2. To reduce the opportunities within the community for the commission of criminal acts, through the development of a program of public education on matters of home and business security, property identification, and personal protection for adults and children.
3. To coordinate the development of Neighborhood Watch programs. (CALEA 45.1.1)
4. To participate in community problem solving efforts and help identify solutions to specific neighborhood and business crime problems. (CALEA 45.1.1 a)
5. To target programs which address and are based upon the perceptions or misperceptions of the community concerning crime. (CALEA 45.1.1 b)
6. To convey information transmitted from citizens' organizations through the proper channels of the police department.
7. To conduct the crime prevention programs necessary for the successful completion of the Department's Goals and Objectives.
8. Evaluate the effectiveness of crime prevention programs at least once every three years through a documented citizen’s survey. (CALEA 45.1.1 c)

CRIME PREVENTION INPUT INTO THE DEVELOPMENT PROCESS

Members of the Hermosa Beach Police Department will provide information about community crime issues and crime prevention suggestions to City officials responsible for development and/or revision of zoning policies, building codes, and conditional use permits. (CALEA 45.1.3)

CRIME PREVENTION SURVEY

Once every three years a survey will be conducted by the Community Lead Sergeant with respect to:

1. Overall agency performance
2. Overall competence of agency employees
3. Citizens perception of officer’s attitudes and behavior
4. Community concern over safety and security within the agencies service area; and
5. Citizens’ recommendation and suggestions for improvements.

The survey may be conducted by mail, in person, electronically, or by telephone and may be combined with questions relating to victimization, crime prevention programs, and any other
issues that may be of community concern. The results of the survey may be provided to the community. The survey may be carried out directly by agency personnel or by others with agency guidance, such as Neighborhood Watch.
(CALEA 45.2.5)

APPROVED

Greg Savelli
Chief of Police
PURPOSE

To establish policies and procedures to ensure accountability of all forms used by the Department.

POLICY AND GENERAL PROVISIONS

The Hermosa Beach Police Department uses a variety of forms to assist personnel in completing reporting requirements. Some forms are provided by federal, state or county agencies, such as the CHP form 555 (collision form) provided through the CHP, the forms provided by the Los Angeles County DA’s Office for filing cases, or the forms provided by DMV for license suspension or revocation. These agencies provide updated forms as needed, or send notices that updates are available. The Operations and Support Services Division Commanders are required to ensure these forms are updated and notifications are sent to affected personnel.

Many forms are created by department personnel to provide a simpler and consistent means to record officer’s actions in computer form, or to streamline reports and inspections. The Operations and Support Services Division Commanders will ensure that internally created forms used by their respective divisions meet the following requirements:

1. the forms must not be duplicated,
2. the most up to date forms are being used,
3. provides for a clear understanding of what the forms are used for, and
4. the forms are consistent with records maintenance and data processing requirements.

All proposed forms must be reviewed by the Operations or Support Services Division Commanders. The Administrative Captain will provide final approval for the development of new and modified forms prior to use.

(CALEA 11.4.2)

APPROVED:

Greg Savelli
Chief of Police
A1.27 SMOKING AND TOBACCO USE

Effective 6/13/2018
Updated 8/7/2018

PURPOSE AND SCOPE

This policy establishes limitations on smoking and the use of tobacco products by members and others while on-duty or while in Hermosa Beach Police Department facilities or vehicles.

For the purposes of this policy, smoking and tobacco use includes, but is not limited to, any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches and chewing tobacco, as well as any device intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

POLICY

The Hermosa Beach Police Department recognizes that tobacco use is a health risk and can be offensive to others.

Smoking and tobacco use also presents an unprofessional image for the Department and its members. Therefore smoking and tobacco use is prohibited by members and visitors in all department facilities, buildings and vehicles, and as is further outlined in this policy (Government Code § 7597; Labor Code § 6404.5).

SMOKING AND TOBACCO USE

Smoking and tobacco use by members is prohibited when on-duty.

It shall be the responsibility of each member to ensure that no person under his/her supervision smokes or uses any tobacco product while on-duty.

ADDITIONAL PROHIBITIONS

No person shall use tobacco products within 20 feet of a main entrance, exit or operable window of any public building (including any department facility), or buildings on the campuses of the University of California, California State University and California community colleges, whether present for training, enforcement or any other purpose (Government Code § 7596 et seq.).
NOTICE

The Chief of Police or the authorized designee should ensure that proper signage is posted at each entrance to the Department facility (Labor Code § 6404.5).

APPROVED:

[Signature]

Sharon Papa
Chief of Police
PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the Department's electronic mail (email) system by employees of this department. Email is a communication tool available to employees to enhance efficiency in the performance of job duties and is to be used in accordance with generally accepted business practices and current law (e.g., California Public Records Act). Messages transmitted over the email system must only be those that involve official business activities or contain information essential to employees for the accomplishment of business-related tasks and/or communication directly related to the business, administration, or practices of the Department. For additional electronic mail guidelines, see The City of Hermosa Beach Administrative Memorandum #IT-1.

EMAIL RIGHT OF PRIVACY

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

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

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

PROHIBITED USE OF EMAIL

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive and harassing or any other inappropriate messages on the email system is prohibited and may result in discipline.
Email messages addressed to the entire department are only to be used for official business related items that are of particular interest to all users and must be approved by the Chief of Police or a Division Commander. Personal advertisements are not acceptable. It is a violation of this policy to transmit a message under another user’s name. Users are strongly encouraged to log off the network when their computer is unattended. This added security measure would minimize the misuse of an individual’s email, name and/or password by others.

**EMAIL RECORD MANAGEMENT**

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

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

APPROVED

[Signature]

Acting Chief of Police
PURPOSE AND SCOPE
This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members’ access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, law, ordinance, City policy or memorandum of understanding.

POLICY
The Hermosa Beach Police Department has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

RETAIATION PROHIBITED
No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

• Refusing to hire or denying a promotion.

• Extending the probationary period.

• Unjustified reassignment of duties or change of work schedule.
• Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.

• Taking unwarranted disciplinary action.

• Spreading rumors about the person filing the complaint or about the alleged wrongdoing.

Shunning or unreasonably avoiding a person because he/she has engaged in protected activity.

COMPLAINTS OF RETALIATION

Any member who feels he/she has been retaliated against in violation of this policy should promptly report the matter to any supervisor, command staff member, Chief of Police or the City Human Resources Manager.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false, with willful or reckless disregard for the truth or falsity of the information or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member’s identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member is part of the investigative process.

SUPERVISOR RESPONSIBILITIES

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include, but are not limited to:

(a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.

(b) Receiving all complaints in a fair and impartial manner.
(c) Documenting the complaint and any steps taken to resolve the problem.

(d) Acknowledging receipt of the complaint, notifying the Chief of Police via the chain of command and explaining to the member how the complaint will be handled.

(e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.

(f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.

(g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.

(h) Not interfering with or denying the right of a member to make any complaint.

(i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

**COMMAND STAFF RESPONSIBILITIES**

The Chief of Police should communicate to all supervisors the prohibition against retaliation. Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

(a) Communicating to all members the prohibition against retaliation.

(b) The timely review of complaint investigations.

(c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.

(d) The timely communication of the outcome to the complainant.

**WHISTLE BLOWING**

California law protects members who (Labor Code § 1102.5; Government Code § 53296 et seq.):

(a) Report a violation of a state or federal statute or regulation to a government or law enforcement agency, including the member’s supervisor or any other member with the authority to investigate the reported violation.

(b) Provide information or testify before a public body if the member has reasonable cause to believe a violation of law occurred.
(c) Refuse to participate in an activity that would result in a violation of a state or federal statute or regulation.

(d) File a complaint with a local agency about gross mismanagement or a significant waste of funds, abuse of authority or a substantial and specific danger to public health or safety. Members shall exhaust all available administrative remedies prior to filing a formal complaint.

(e) Are family members of a person who has engaged in any protected acts described above.

Members are encouraged to report any legal violations through the chain of command (Labor Code § 1102.5).

Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Professional Standards Unit for investigation pursuant to the Personnel Complaints Policy.

I. DISPLAY OF WHISTLE-BLOWER LAWS

The Department shall display a notice to members regarding their rights and responsibilities under the whistle-blower laws, including the whistle-blower hotline maintained by the Office of the Attorney General (Labor Code § 1102.8).

RECORDS RETENTION AND RELEASE

The Investigative/Administrative Services Division Lieutenant shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

TRAINING

The policy should be reviewed with each new member.

All members should receive periodic refresher training on the requirements of this policy.

APPROVED

Acting Chief of Police
A1.31 DEPARTMENT USE OF SOCIAL MEDIA

Effective 12/23/2019

PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by department members (see the Employee Speech, Expression and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of this department (see the Investigation and Prosecution Policy).

DEFINITIONS

Definitions related to this policy include:

Social media - Any of a wide array of Internet-based tools and platforms that allow for the sharing of information, such as the department website or social networking services

POLICY

The Hermosa Beach Police Department may use social media as a method of effectively informing the public about department services, issues, investigations and other relevant events.

Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all.

AUTHORIZED USERS

Only members authorized by the Chief of Police or the authorized designee may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media, unless they are specifically authorized to do otherwise by their supervisors.
The Chief of Police may develop specific guidelines identifying the type of content that may
be posted. Any content that does not strictly conform to the guidelines should be approved
by a supervisor prior to posting.

Requests to post information over department social media by members who are not
authorized to post should be made through the member’s chain of command or an authorized
social media team member.

**AUTHORIZED CONTENT**

Only content that is appropriate for public release, that supports the department mission and
conforms to all department policies regarding the release of information may be posted.

Examples of appropriate content include:

(a) Announcements.

(b) Tips and information related to crime prevention.

(c) Investigative requests for information.

(d) Requests that ask the community to engage in projects that are relevant to
   the department mission.

(e) Real-time safety information that is related to in-progress crimes, geographical
   warnings or disaster information.

(f) Traffic information.

(g) Press releases.

(h) Notable events.

(i) Recruitment of personnel.

I. INCIDENT-SPECIFIC USE

In instances of active incidents where speed, accuracy and frequent updates are paramount
(e.g., crime alerts, public safety information, traffic issues), the Public Information Officer or
the authorized designee will be responsible for the compilation of information to be released,
subject to the approval of the Watch Commander. Dissemination of information is subject to
available resources as time permits.

**PROHIBITED CONTENT**

Content that is prohibited from posting includes, but is not limited to:

(a) Content that is abusive, discriminatory, inflammatory or sexually explicit.

(b) Any information that violates individual rights, including confidentiality and/or
privacy rights and those provided under state, federal or local laws.

(c) Any information that could compromise an ongoing investigation.

(d) Any information that could tend to compromise or damage the mission, function, reputation or professionalism of the Hermosa Beach Police Department or its members.

(e) Any information that could compromise the safety and security of department operations, members of the Department, victims, suspects or the public.

(f) Any content posted for personal use.

(g) Any content that has not been properly authorized by this policy or a supervisor.

Any member who becomes aware of content on this department’s social media site that he/she believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

**MONITORING CONTENT**

The Chief of Police will appoint a supervisor to review, at least annually, the use of department social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content and the resolution of any issues.

**RETENTION OF RECORDS**

The Administrative Services Division Commander should work with the Custodian of Records to establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

**TRAINING**

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination and retention of information posted on department sites.

**APPROVED**

[Signature]

Acting Chief of Police
CHAPTER 2
SUPPORT SERVICES
PURPOSE AND SCOPE

The purpose of this policy is to set forth regulations regarding the Hermosa Beach Police Department’s performing and recording its legal process functions, including records, civil process, financial requirements and property management.

PROCEDURES

A. All warrants issued by the court are sent directly to CWS. They are then entered into the automated system with the following information:
   1. Date received
   2. Date of issue
   3. Type of legal process
   4. Nature of document
   5. Source of document
   6. Court docket number
   7. Amount of bail
   8. If endorsed for night service
   (CALEA 74.1.1, 74.1.3 a)

B. The warrant systems queried are:
   1. National Crime Information Center (NCIC) (Wanted Persons System WPS)
   2. California Department of Justice (DOJ) (Wanted Persons System WPS)
   3. Criminal warrants, traffic warrants, bench warrants and all civil warrants are entered into CWS, County Wide Warrant System.
   4. California Department of Motor Vehicles (DMV)
   (CALEA 74.1.3 b)

C. Records of attempt warrant service
   Once the warrant is verified; teletypes are run for updated information such as addresses, date of birth, additional warrants, etc. The work sheet is then logged and routed as follows:
   1. The department warrant files are logged and retained in the Records Division.

   Prior to each subsequent attempt service, the warrant will be checked to confirm that it is still active. Each attempt service will be noted on the warrant work sheet with a brief explanation of the reasons for non-service. Retrieval of the warrant information is done by entry using the subject's name as it appears on the warrant and date of birth,
or by the warrant number. Local Hermosa Beach warrants are maintained in the Records. (CALEA 74.1.3c)

D. Arrest warrants will be executed by sworn peace officers only. Warrants obtained in California are maintained in CLETS, an automated warrant system. (CALEA 74.3.2)

When an individual is contacted, the officer will have Dispatch confirm through the system that a valid warrant is outstanding. Officers will utilize a print out of a working paper that indicates that the warrant is valid and outstanding. This paper indicates the offense, bail amount, and warrant type (bench warrant, traffic, criminal). (CALEA 74.1.3d)

E. Twenty Four Hour Service

The criminal arrest warrant system for the State of California and the Los Angeles County is automated and available on a twenty-four hour a day basis. In the event the computer system is non-operational, each of the departments can be contacted via telephone, and the warrant information located by a hand search. The system is designed to provide enough information to determine whether a subject has a warrant and to arrest the person solely relying on the responses from the system which updates and cancels all Wanted Persons System (WPS) entries for all Los Angeles County law enforcement agencies. (CALEA 74.1.3 e, f)

F. Warrant Arrests

1. P.C. 815 states that at the time of issuance a warrant will indicate the name of the defendant, time and location issued and be signed by a magistrate. At the time of issuance the magistrate shall fix a reasonable bail.

2. P.C. 816 states that a warrant of arrest shall be directed generally to any peace officer, and when a warrant of arrest has been delivered to a peace officer and the person named in the warrant is in custody, the warrant may be executed by the peace officer.

3. P.C. 817 states that when a declaration of probable cause is made by a peace officer, the magistrate if satisfied that there exists probable cause that the offense has been committed and that the defendant described committed the offense, shall issue a warrant of probable cause for arrest of the defendant.

4. P.C. 817(g) states that an original warrant of probable cause for arrest or the duplicate original warrant shall be sufficient for booking a defendant into custody.

5. P.C. 817(h) states that once the defendant named in the warrant for arrest has been taken into custody, the agency that obtained the warrant shall file a certificate of service with the clerk of the issuing court. The certificate of
service shall contain all of the following: date and time of service; name of defendant arrested; location of arrest; and the location where the defendant is incarcerated.

6. P.C. 818 states that in any case in which a peace officer serves upon a local ordinance reference operation of a motor vehicle, and where no written promise to appear has been filed and the warrant states on its face that a citation may be issued in lieu of physical arrest, the peace officer may, instead of taking the person before a magistrate, prepare a notice to appear and release the person on his promise to appear.

7. P.C. 827.1 states that a person who is specified in a warrant of arrest for a misdemeanor offense may be released upon the issuance of a citation, in lieu of physical arrest unless one of the following conditions exists:
   a. The misdemeanor cited in the warrant involves violence;
   b. The misdemeanor cited in the warrant involves a firearm;
   c. The misdemeanor cited in the warrant involves resisting arrest;
   d. The misdemeanor cited in the warrant involves giving false information to a peace officer;
   e. The person arrested is a danger to himself or others due to intoxication.
   f. The person requires medical examination or medical care or is otherwise unable to care for his own safety;
   g. The person has other ineligible charges pending against him;
   h. There is reasonable likelihood that the offense will continue or resume or that the safety of persons or property would be endangered by the release of the person.
   i. The person refuses to sign the notice to appear;
   j. The person cannot provide satisfactory evidence of personal identification.
   k. The warrant of arrest indicates that the person is not eligible to be released on a citation.

8. P.C. 842 states that an arrest by a peace officer acting under a warrant is lawful even though the officer does not have the warrant in his possession at the time of the arrest, but if the person arrested requests it, the warrant shall be shown to him as soon as practicable.

9. P.C. 848 states that an officer making an arrest, in obedience to a warrant, must proceed with the person arrested as commanded by the warrant or as provided by law.

G. Arrest without warrants

1. P.C. 836 states that a peace officer may arrest a person in obedience to a warrant or without a warrant, may arrest a person whenever any of the following circumstances occur:
   2. The officer has probable cause to believe that the person to be arrested has committed a public offense in the officer’s presence.
3. The person arrested has committed a felony, although not in the officer’s presence.
4. The officer has probable cause to believe that the person to be arrested has committed a felony, whether or not a felony, in fact, has been committed.
5. P.C. 849(a) states that when an arrest is made without a warrant by a peace officer or private person, the person arrested, if not otherwise released shall, without unnecessary delay, be taken before the nearest or most accessible magistrate, and a complaint stating the charge against the arrested person shall be laid before such magistrate.
6. P.C. 849(b) states that any peace officer may release from custody, instead of taking such person before a magistrate, any person arrested without a warrant whenever:
   a. He or she is satisfied that there are insufficient grounds for making a criminal complaint against the person arrested.
   b. The person arrested was arrested for intoxication only, and no further proceedings are desirable.
   c. The person was arrested only for being under the influence of a controlled substance or drug and such person is delivered to a facility or hospital for treatment and no further proceedings are desirable.
7. P.C. 853.6 states that in any case in which a person is arrested for an offense declared to be a misdemeanor, including a violation of any city or county ordinance, and does not demand to be taken before a magistrate, that person shall, instead of being taken before a magistrate, be released according to the procedures set forth in this chapter. If the person is released, the officer or jail staff shall prepare in duplicate a written notice to appear in court, containing the name and address of the person, the offense charged, and the time when, and place where, the person shall appear in court.

H. Arrest with and without a warrant

When a Police Officer stops and detains a person, and as a result of a warrant check, determines the person has an outstanding warrant, the officer shall complete the following actions:

1. Determine that the person described in the warrant and the subject in custody is one and the same.
2. Determine if the warrant is available for service. Out of county agencies may not want to send an abstract for booking purposes due to the distance involved and the type of crime for which the warrant has been issued.
3. Upon receipt of the warrant abstract, the person should be taken into custody and taken before the nearest or most accessible magistrate. If a magistrate is not available, the officer must take the arrestee to the Hermosa Beach Police jail for booking and posting of bail, or hold pending appearance before a magistrate.
4. If the arrestee claims to suffer from medical issues, he/she must be medically cleared. If further medical attention is required, the arrestee will be taken to County Jail.

(CALEA 74.3.1)

I. Civil Process

A department employee must comply with a civil subpoena that is received as a result of an on-duty investigation or incident. The Hermosa Beach City Clerk’s Office accepts all subpoenas and appropriate fees for current employees and determines that the employee is available on the date specified. Subpoenas for persons who are no longer employed by the department are referred to the Personnel Department.

Officers may serve domestic violence and or temporary restraining orders issued by the court. All other civil processes are handled through the Clerk’s Office.

(CALEA 74.2.1)

J. Execution / Attempt Service

JDIC (Justice Data Interface Coordinator) provides officers and records staff the ability to enter data via WANTS. Once the WANTS portion of JDIC is accessed the following information can be entered.

1. Attempt Type (Door knock, exonerated, Courtesy Letter, Miscellaneous, Inactive or Leads Exhausted)

2. Result (Not Home, Not At Business, Moved-No New Address, No Such Address, Moved-New Address)

3. Name of person on whom legal process was served

4. Section to add new address

5. Informant information

6. Remarks: The officer should enter the time and date of the attempted service in the remarks category. The officer’s name and ID number should also be included.

(CALEA 74.1.2)

I. Criminal Subpoenas

Hermosa Beach Police Department employees shall comply appropriately to all subpoenas and any other court-ordered appearances. Employees are expected to cooperate with the prosecution to ensure the successful conclusion of a case.
Subpoenas are recorded and assigned electronically through email generated by Los Angeles County Superior Court. The court liaison will keep record of all emailed subpoenas, including eSubpoenas, Misdemeanor Subpoenas, and Traffic Subpoenas.

The following information is logged for every subpoena:

a) Date and time received;
b) Type of legal process: civil, criminal, or other;
c) Nature of document;
d) Source of document;
e) Name of plaintiff/complainant or name of defendant/respondent;
f) Name of Officer/employee assigned for service;
g) Date of assignment or date forwarded to officer/employee;
h) Court docket number or other official tracking number;
i) Date service is due or date officer/employee is due in court;
j) Information regarding any non-service of document and date of return if applicable.

Only department personnel authorized to receive a criminal subpoena on behalf of this department or any of its members may do so. Authorized members include Police Service Officers and the on-duty Watch Commander. This may be accomplished by eSubpoena, personal service to the officer or by delivery of two copies of the subpoena to the officer's supervisor or other authorized departmental agent (Government Code § 68097.1; Penal Code § 1328(c)).

(CALEA 74.1.1)

APPROVED:

Sharon Papa
Chief of Police
PURPOSE

The purpose of this policy is to specify legal and constitutional requirements for the arrest process, interview and interrogation, and search and seizure that are to be followed by all Department personnel to insure that the rights of all individuals are protected.

POLICY

It shall be the policy of this Department to require employees to comply with all federal, state and local requirements, which provide for the protection of individual rights. These requirements are contained in this policy and referenced in the California Peace Officers Legal Source Book.

I. Search and Seizure

   A. Plain View

      1. Objects in plain view of an officer can provide probable cause to obtain a warrant or for a seizure.

      2. Objects in plain view may be seized without a warrant when the following conditions exist:

         a. The officer must be in a place where he/she has a right to be;

         b. The item to be seized was inadvertently viewed and no type of prying quest was made; and

         c. The item was immediately recognized as evidence, contraband, or a weapon.

      3. Objects, including evidence or contraband, observed in plain view does not automatically mean that you may legally enter without a warrant to seize it, but it can serve as probable cause for a search warrant. The scene can be protected until a search warrant can be obtained.

   B. Searches Conducted Pursuant to a Warrant

      1. To obtain a search warrant, an officer must submit an affidavit swearing that they have probable cause to believe that property connected to a crime is in the place they seek to search.
2. The affidavit should contain sufficient facts to establish probable cause that:
   a. A crime was, is being or is about to be committed.
   b. That the property named in the search warrant application is connected to the crime.
   c. That the property named in the search warrant application is in the place to be searched at the present time.

3. The warrant must particularly describe the items sought, the location, vehicle, or person to be searched and must list the statutory grounds for issuing the warrant.

4. An officer serving the warrant must announce his presence, identify himself as an officer, state his purpose and demand entry before forcibly entering a private dwelling.

5. A copy of the warrant must be provided to the subject of the warrant upon service.

6. The warrant must be executed and returned to the court within 10 days from issuance, along with a written inventory of all property seized, unless specified otherwise by the issuing judge. (Penal Code Section 1534)

C. Warrant Exceptions – There are five legal exceptions to the warrant requirement.
   1. Search by voluntary consent;
   2. Search incident to a lawful arrest;
   3. Search in an emergency where probable cause exists and there is not time to obtain a warrant;
   4. Investigative stop and frisk; and
   5. Inventories of vehicles being impounded.

D. Search by Consent
   1. A search that is based on proper consent, that is freely given, not coerced, or given under duress, either expressed or implied.
   2. The person giving the consent must have the authority to do so. A valid consent to a search can only be given by a person who has a valid right to do so and can only transfer property rights that he/she actually has.
   3. When two or more people have equal right of access to property/premises, a consent search may be given by any such person and the search and any evidence seized will usually be valid against all occupants.
4. Consent must be clear, explicit, and in writing, whenever possible.

5. Even with valid consent, the search you conduct will be invalid if it exceeds the scope (limits) of the consent given.

6. When consent is revoked prior to completion of a search, evidence recovered prior to the revocation may be used to establish probable cause for a search warrant or for an arrest and subsequent search incident to arrest.

(CALEA 1.2.4)

E. Stop and Frisk Searches (Pat Down Searches)

1. The United States Supreme Court decided in Terry v. Ohio U.S. 1, (1968) that a police officer may briefly detain a person to determine proper identity and conduct an investigation based on the officer’s reasonable suspicion that the person(s) may be involved in criminal activity. The persons may be searched using the “stop and frisk” principle where an officer with suspicion the person(s) are armed, can conduct a pat down of the outer clothing for weapons.

2. Pat Down Searches are authorized in the following situations:
   
   a. When the officer has observed suspicious activity on the part of a suspect that gives him/her cause to believe the suspect is armed.
   
   b. Only to search for weapons.
   
   c. When the officer has received a warning that a suspect might be armed from an informant known to the officer.

(CALEA 1.2.4)

F. Field Searches (Search of an Individual Subsequent to a Lawful Arrest)

1. A Field Search shall be utilized when:
   
   a. The search is based upon a properly issued warrant.
   
   b. The search is connected to a lawful arrest and the prisoner is to be transported.
   
   c. The officer has probable cause to search for weapons.
   
   d. It is necessary to confiscate items of evidence, i.e. stolen property, narcotics, items related to a crime for which the arrest is being affected.
   
   e. It is believed the prisoner has in his/her possession object(s) that may be utilized as a means of escape (i.e. a handcuff key).

2. A Field Search shall be conducted as follows:
G. Search of a Vehicle

1. The courts have distinguished between warrantless searches of motor vehicles and buildings.
   a. The distinction comes from the ease in moving or hiding a motor vehicle or trailer before a police officer can obtain a search warrant.
   b. Lesser privacy interests are vested in motor vehicles.

2. The courts have placed strict limits on warrantless searches of motor vehicles, based on probable cause, that the vehicle contains contraband or evidence of a crime.
   a. If you have probable cause to believe that an item is located somewhere inside the vehicle, then you are entitled to look inside any portion of the vehicle (trunk, glove compartment, hood, etc.)
   b. The U. S. Supreme Court ruled that police need a warrant to search the vehicle of someone they have arrested if the person is locked up in a patrol cruiser and poses no safety threat to officers. Warrantless searches may be conducted if a car’s passenger compartment is in reach of a suspect who has been removed from the vehicle or there is reason to believe evidence of a crime will be found.

(CALEA 1.2.4)
H. Searches at the Scene of a Crime

1. Incidental to an arrest, the suspect and the areas in the suspect’s immediate control may be searched. The purpose of these searches is to protect the officer (by locating weapons) and to prevent the destruction of evidence or contraband.

2. The United States Supreme Court decided in Mincey v. Arizona, 437 U.S. 385 (1978), that in the absence of exigent circumstances or consent, police officers are required by the Fourth Amendment to obtain a search warrant before a thorough search of any crime scene can be conducted, unless the scene is a public place or another exception to requiring a search warrant exists.

3. A police officer can, without a search warrant, secure a crime scene, search the area for victims or perpetrators and seize evidence, which if not seized, may be lost or destroyed, removed or is within plain view. (CALEA 1.2.4)

I. Exigent Circumstances (Emergency Searches)

1. An officer may enter an area where there is an expectation of privacy for the purpose of protecting life, health or property. The necessity to enter must involve a substantial immediate threat to life, health or property or in the fresh pursuit of a criminal suspect.

2. Once the emergency abates, a warrant is required.

3. An officer cannot create the exigent circumstances. (CALEA 1.2.4)

J. Vehicle Inventory

1. Vehicle inventorying is conducted for the following purposes:

   a. To protect the defendant’s property.

   b. To safeguard the police from claims of lost property.

   c. To protect police from potentially dangerous items located inside vehicles such as: explosives, dangerous chemicals, and/or weapons.

2. All impounded vehicles will be inventoried per policy.

3. Property located in a vehicle that does not have an evidentiary value or an obvious high dollar value needing additional security, should be left in the vehicle. Items of evidence will be processed in the Department’s Evidence
K. Strip Searches and Body Cavity Searches (Penal Code Section 4030)

1. When a person is arrested and taken into custody, that person may be subjected to patdown searches, metal detector searches, and thorough clothing searches in order to discover and retrieve concealed weapons and contraband prior to being placed in a booking cell.

2. Most bodily intrusion searches must be authorized by a warrant or court order, while others, such as ones incident to a lawful arrest, do not require a warrant.

In either case, however:

   a. There must always be probable cause to conduct the search;
   b. The need for the search must outweigh its intrusiveness; and
   c. Police must employ reasonable procedures in conducting the search. (Schmerber (1966) 384 U.S. 757, 768.)

3. No strip search or visual body cavity search may be conducted without prior written authorization of the supervising officer on duty using the Hermosa Beach Police Department Strip Search Authorization Form. The authorization will also be documented in the arrest report and will include the specific and articulable facts and circumstances upon which the reasonable suspicion determination was made.

(CALEA 1.2.8 a)

4. No person arrested and held in custody on a misdemeanor or infraction offense, except those involving weapons, controlled substances or violence, shall be subjected to a strip search or a visual body cavity search prior to placement in the general jail population, unless a police officer has determined there is probable cause based on specific articulable facts to believe such person is concealing a weapon, or contraband, and a strip search will result in the discovery of the weapon or contraband.

5. If authorized, strip searches and visual body cavity searches will be conducted by officers who are the same sex as the arrestee, and should normally be conducted by two officers. These searches will be conducted in an area of privacy so that individuals not involved in the search cannot observe the search.

(CALEA 1.2.8 b)

6. All searches will be documented in the Strip Search Authorization Form and in the arrest report and will include the time, date and place of the search, the name and sex of the person conducting the search, and a
statement of the results of the search, including a list of items removed from the person searched.

(CALEA 1.2.4, 1.2.8 c)

L. Receipts for Evidence Collected

1. Receipts must be prepared for all evidence seized during a search.

2. Penal Code Section 1535 states that when an officer takes property, he/she must give a receipt for the property taken (specifying in detail) to the person from whom it was taken, or in whose possession it was found; or in the absence of any person, he must leave it in the place where the property was found.

II. Interviews and Interrogation

A. Definitions

1. Interview (including Field Interview) – A meeting for obtaining information by questioning a person. The goal of an interview is to develop information, build rapport and detect deception.

2. Interrogation – A focused formal examination of a person by questioning. The goal of an interrogation is a confession.

3. Custodial Interrogation – The questioning initiated by law enforcement officers after a person has been taken into custody or otherwise deprived of his freedom of action in any significant way.

B. Miranda

1. The “Miranda” decision requiring police to advise an individual of his rights only applies to a situation in which the person is in custody and is being interrogated. "Custody" exists for Miranda purposes when two requirements are met:

   a. The suspect must in fact have been formally arrested, or had his freedom restrained to a degree associated with a formal arrest;

   b. The suspect must personally be aware of this lack of freedom, or reasonably believe that it exists.

2. Since both factors must be present to trigger “Miranda”, a person who is in custody but not being interrogated, need not be advised of his rights.

3. A person who is being interrogated, but is not in custody need not be advised of the warnings prior to being questioned.

4. Federal law regarding Miranda, which serves to protect a suspect’s Fifth Amendment privilege against self-incrimination, is exactly the same for
juveniles and adults. You have no obligation to advise a minor that he has a right to contact his parents (or other adult), or to have them present during questioning, because no such right exists (Aven S. (1991) 1 Cal.App.4th 69, 76.

a. A minor can validly waive his Miranda rights without his parents or other adult being present (John S. (1988) 199 Cal.App.3d 441, 445);

b. The test for the validity of a waiver (namely, an evaluation of the totality of the circumstances, such as age, experience, education, background, intelligence, ability to comprehend, etc.) is the same for minors as it is for adults; there is no "higher care" or "special care" doctrine for juveniles.

5. Under the "Emergency-Rescue" or "Public Safety" Exception you may "interrogate" a suspect who has been arrested or is otherwise in custody; i.e., ask a question likely to produce an incriminating response, and obtain an answer which is admissible in court, even though you did not first advise the person of his Miranda rights, applies when your question or questions are reasonably prompted by a concern for the safety of another person, a victim, the defendant, or the public at large, or by a concern for your own personal safety.

(CALEA 1.2.3 a, b)

C. Access to Counsel

1. When a suspect invokes his right to remain silent, or his right to have counsel present during custodial interrogation, the police must immediately cease their questioning.

2. If the suspect in anyway indicates a desire to have an attorney present during questioning, the police must honor his request.

3. Penal Code Section 825(b) states that after the arrest, any attorney licensed to practice law in California, may at the request of the prisoner, or any relative of the prisoner, visit the person so arrested.

(CALEA1.2.3 c)

APPROVED:

Greg Savelli
Chief of Police
HERMOSA BEACH POLICE DEPARTMENT

S2.03 CRIMINAL/CIVIL/ON-CALL SUBPOENAS        Effective 10/27/2009
(Supersedes General Order No. 3)        Updated

POLICY

It is the policy of the Hermosa Beach Police Department to comply with any lawful subpoena issued by a competent court. When an officer receives a subpoena, they have an obligation to appear as required unless properly excused in accordance with this procedure.

RECEIPT AND SERVICE OF SUBPOENAS – COURT LIAISON OFFICER

The court Liaison officer is the person responsible for the receipt and processing of all subpoenas requesting the appearance of department employees. No matter how the subpoena is sent or delivered to the department, all subpoenas must pass through the court liaison officer for scheduling and coordination. Generally, most criminal subpoenas are received directly from south Bay Court or are prepared by the Court Liaison Officer as directed by the City Prosecutor.

Criminal subpoenas coming from other courts are generally sent to the Court Liaison Officer first who, in turn, will serve the subpoena(s) to the officer(s) assigned. If a civil or administrative subpoena is delivered directly to an officer by mail by any manner, the officer shall, as soon as possible, forward the subpoena to the Court Liaison Officer who in turn will forward the subpoena to the Personnel Office. (See further instructions in this procedure in regards to civil subpoenas)

An officer should not appear on any subpoena without authorization by the department.

All subpoenas are to flow through the Court Liaison Officer. It is the responsibility of the Court Liaison Officer to track subpoenas and to properly serve all subpoenas to the employees of this department. When the service of a subpoena comes through the Court Liaison Officer, the officer can know that he or she is authorized to appear on the subpoena.

It is also the responsibility of the Court Liaison officer to receive and coordinate the service of all subpoenas for civilian witnesses involved in criminal cases conducted by this department.

ON-CALL SUBPOENAS

When an officer receives an on call subpoena, the department will assume that the officer is at home available by phone. If for some reason the officer is going to be at a different phone number or on a pager, it is the responsibility of the subpoenaed officer to notify the Court Liaison officer as to their location and how they can be reached. If the Court Liaison Officer is not available, then the officer is to contact either the Detective Sergeant, the Property and Evidence Officer, any detective available, or the on-duty watch commander. An answering machine is not going to suffice in this matter. If an officer is needed in court, an answering
machine does not allow the department to know whether or not the officer got the message. If the department is not able to contact the officer, this information will be reported to the court. A failure to be available when summoned can result in disciplinary action and denial of on call pay.

If an officer receives a subpoena to appear in court and after arriving in court is placed on call by the deputy district attorney handling the case or by the City Prosecutor, then it is the responsibility of the officer to contact the Court Liaison officer as soon as possible to advise him/her of the change in subpoena status.

If the Court Liaison does not answer the phone, then the employee shall leave a message on the voicemail at extension 344 advising of the date and time the employee was placed on call. The employee shall call the Court Liaison and verify their status every day that he or she is on call. If a message can not be left on the Court Liaison’s voicemail, the employee shall notify the Detective Supervisor, or the On–Duty Watch Commander, as soon as possible. The Detective Supervisor or the On–Duty Watch Commander shall forward the information in memo form to the Court Liaison and a copy to the Operations Division Commander.

It is the responsibility of the Court Liaison officer to monitor the progress of court cases in regards to officers placed on call. When the officer is taken off call or is needed in court, the Court Liaison officer will contact the officer to advise them of the change of status.

If an officer has a conflict with a subpoena or would prefer to be placed on call, it is the responsibility of the subpoenaed officer to contact the witness coordinator at the District Attorney’s office (in the case of a District Attorney subpoena) or the City Prosecutor. The Court Liaison Officer does not have the authority to excuse officers from court appearances or to place officers “on call” when they have been subpoenaed to be in court. If after contacting the appropriate prosecutor in the matter and the officer is excused or is placed on call, it is again the responsibility of the officer to contact the Court Liaison officer as soon as possible to advise of the change in subpoena status. Again, if the Court Liaison officer is not available, then the officer should contact the Detective Sergeant, the Property and Evidence Officer, any member of the detective bureau, or the on-duty watch commander.

When possible, an officer should advise the Court Liaison officer of any future vacations or training schools the officer might be attending that might conflict with an upcoming court case. If the Court Liaison officer is aware of such potential conflicts in advance, the Court Liaison officer will not accept the subpoena when it is served to the department.

**CIVIL AND ADMINISTRATIVE SUBPOENAS**

When a subpoena for any type of civil or administrative hearing is delivered to the station by a process server, attorney, or any private citizen during normal city business hours, they are to be directed to the office of the City Clerk. Section 1987 of the Code of Civil Procedure and sections 68097.1 and 68097.2 of the Government Code requires that a civil subpoena be delivered at least 10 days before the time required for attendance (unless the court prescribes a shorter time) and that a fee of $150 per officer subpoenaed per day is to be paid to the City before a civil subpoena can be accepted. The person delivering the subpoena will receive a
receipt for the payment of this fee and the subpoena will be accepted by the office of the City Clerk.

The office of the City Clerk will deliver all civil subpoenas to the Personnel Director. The Personnel Director will review and clear all civil subpoenas to make sure that it is appropriate for the officer(s) involved to respond to the subpoena without intervention by the City Attorney. All subpoenas cleared through this process will then be forwarded to the Court Liaison Officer for service and scheduling.

In the event that a civil or administrative subpoena is delivered to the station after normal business hours, the watch commander shall be notified. Every effort should be made to encourage the person serving the subpoena to return during regular business hours to the office of the City Clerk. If the person cannot do this, before accepting the subpoena the watch commander shall make sure of the following before accepting the subpoena:

1. Make sure that the subpoena is being delivered at least 10 days prior to the time required for attendance unless the court has prescribed a shorter time on the subpoena.

2. The person delivering the subpoena must pay a fee of $150. This can be accepted in the form of cash or a check made out to the City of Hermosa Beach. A receipt shall be drawn up and credited to account number 3818. The money and receipt (yellow copy) shall be deposited in the drop box in the hallway outside of the jail entrance.

3. Once the subpoena is accepted it shall be forwarded to the Court Liaison Officer who will advise the Personnel Director of the Subpoena. The Personnel Director will review and clear the subpoena and return it to the Court Liaison Officer before it is served to the officer.

4. In the event that the subpoena is delivered in less than 10 days before the court hearing, or if the person delivering the subpoena is unable to pay the $150.00 fee, do not accept the subpoena. The only way that the time requirement can be waived is if the court has prescribed a shorter time frame on the subpoena. Advise the person serving the subpoena to return to court to get a time change.

**COMP SLIP SUBMISSION**

When an officer submits a comp slip for having attended court or for having been on call the officer shall attach a copy of their subpoena. If for some reason the officer does not have a subpoena (i.e. a verbal notification only was received, subpoena was lost, etc.) then the officer should state on the comp slip as to why there is no subpoena attached. All comp slips for court will be routed through the Court Liaison officer for verification.

APPROVED:

Greg Savelli
Chief of Police
PURPOSE AND SCOPE

To outline duties and responsibilities of officers assigned to the Hermosa Beach Police Department Investigations Unit, also known as the Detective Bureau, and to establish a system of case screening and assignment. This Policy also establishes procedures for the use of investigative techniques to include, but not limited to, surveillance and polygraphs. It shall be the policy of this department to conduct thorough investigative follow-up on all crimes against person and major property crimes, in an attempt to successfully identify and prosecute violators.

PROCEDURE

I. Investigations Unit Organization

A. The Investigations Unit consists of four Investigators and one Investigative Sergeant.

B. The Investigative Sergeant shall report directly to the Support Services Lieutenant.

C. Investigators are scheduled based on department needs. Generally, two Investigators are assigned Tuesday through Friday. Special circumstances may require a change and the change must be approved by the Support Services Lieutenant.

D. An additional two investigators may be assigned to regional task forces such as the SIU (Special Investigations Unit) and one LA IMPACT (Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force). Both units are specialized multi-jurisdictional task forces responsible for investigating narcotics, vice and major felonies. The Chief of Police, or his/her designee, shall periodically evaluate the necessity to continue participation with these agencies.

(CALEA 42.2.5)

II. Investigator Duties

A. The primary function of the Investigations Unit is the prompt, efficient, and effective investigation of all crimes that occur in the City of Hermosa Beach, identification and apprehension of individuals committing those crimes and the preparation of cases for prosecution.

B. Duties normally assigned to individuals assigned to the Investigations Unit include:
1. Working with Neighborhood Watch and V.I.P. (Volunteer In Policing) programs in identifying, developing, marketing and presenting programs that address the public’s need and any other crime prevention programs that need to be developed.

2. Developing ongoing analysis of crimes and crime suppression tactics to reduce criminal opportunities.

3. Updating and briefing Patrol on all requirements and changes instituted by the District Attorney’s Office and the City Prosecutor’s Office, conduct periodic training on new laws, court decisions, investigative and interview procedures, evidence gathering techniques and other appropriate investigative or crime prevention information.

4. Maintaining close liaison with patrol and updating and briefing patrol personnel on criminal activity and the status of follow up investigations where appropriate. (CALEA 42.2.4)

5. Investigating all criminal cases as assigned and submitting follow-ups documenting all actions taken.

6. Reviewing preliminary investigation reports for thoroughness and accuracy. If any arrest is made, preparing the cases for prosecution and filing all cases with the District Attorney / City Prosecutor (within timeline limitations).

7. Conducting internal affairs investigations as directed by the Chief of Police.

8. Providing liaison with and assistance to other law enforcement agencies or elements of the criminal justice system.

9. Providing victim/witness assistance information and support.

10. Create and implement pro-active investigative stings and surveillance to reduce crime and apprehend suspects.

III. Investigator’s Response

A. The patrol supervisor on duty may request an Investigator’s response to a crime scene at his/her discretion.

B. The procedure for notifying an Investigator will be:

1. The patrol supervisor will request that the dispatcher contact the Investigative Sergeant and advise him/her of the incident.
2. The Investigative Sergeant will determine if one or more Investigators should respond to the scene.

3. All four Investigators and the Investigative Sergeant are provided with Department cell phones.

4. Each Investigator must assume the duties of the on call investigator. This Investigator is subject to call 24 hours a day. The on call status is rotated every seven days. The on duty schedule shall be completed by the Investigative Sergeant and posted in the Watch Commander’s Office and Records Bureau. (CALEA 42.1.1)

5. If the on duty Investigator cannot be contacted within a reasonable time period, the Investigative Sergeant should be advised of the delay. If neither the Investigative Sergeant nor the on duty Investigator can be located, the on duty Watch Commander shall be notified. The Watch Commander should then notify the Support Services Lieutenant and call another Investigator.

6. If one of the Investigators cannot be located when needed, the Support Services Lieutenant will be notified and one of the members of patrol with past investigative experience may be utilized.

C. Incidents where an Investigator should be notified and requested to respond include:

1. Any use of a firearm or other dangerous weapon.
2. Incidents involving serious injuries or death;
3. Incidents involving extensive evidence or where an immediate follow-up is needed or the Patrol Officers do not have the resources to conduct the follow-up;
4. Armed robberies;
5. In custody felony arrests that requires immediate investigative follow up.
6. Explosions;
7. Arson with extensive damage or evidence to be collected (HBFD arson team will assist);
8. All sexual assaults and child molestation cases.

D. Investigators should be notified about the following types of cases, for consultation and a determination whether response is necessary:

1. Domestic violence;
2. Stalking;
3. Felony computer crimes;
E. The Watch Commander will determine whether Investigators are to be contacted. The seriousness of the offense will be the deciding factor. In all major cases, Investigators will be notified to respond.

F. If an Investigator is requested to respond to the scene of an incident, the scene will remain secured by the Patrol Officer(s) until the Investigator arrives, unless otherwise directed by a supervisor or the responding Investigator.

G. Prior to the investigator’s arrival, the first officer on the scene will secure the scene and limit entrance to necessary personnel only. The officer or designee responsible for the scene shall assume control of the scene and protect evidence through the use of natural barriers or crime scene tape, and:

1. Conduct a preliminary scene survey.
2. Document those who enter and exit the scene.
3. Photograph the scene and any evidence.
4. Isolate and protect all physical evidence to include but not limited to; fingerprints, shoe and tire impressions, tool marks, hairs, fibers, and trace or biological evidence, all of which will be collected once Investigators have arrived on the scene.
5. Identify and isolate all complainants, witnesses, victims and suspects. All involved parties shall be interviewed, as soon as practicable, to establish their involvement. Officers will audiotape the interviews in compliance with the Hermosa Beach Police Department Digital Audio/Video Recording Policy O3.09.
6. The Investigator may interview all parties involved or designate patrol officers to assist with the interviews. (CALEA 42.2.1 a, b, c, d)

H. When an Investigator arrives on the scene, they will assume the responsibility for the crime scene and investigation unless relieved by a higher authority.

IV. Case Screening and Assignment

A. The Investigative Sergeant will review all criminal reports to determine which cases are to be assigned for follow-up by Investigative personnel.

1. The following solvability factors will be used to aid in determining which cases are likely to be cleared with a reasonable investigative effort.

   a. Was there a witness?
   b. Can a suspect be named?
   c. Can a suspect be located?
   d. Can a suspect be described?
   e. Can a suspect be identified?
   f. Can a suspect vehicle be identified?
g. Is the stolen property traceable?

h. Is there a significant M.O.?

i. Is significant physical evidence present?

j. Is there reason to believe that the crime may be solved with reasonable investigative effort?

2. Specialized cases will be assigned to Investigators based on individual skill and expertise in a particular area.

a. This will apply to such crimes as stalking, computer crimes, hate crimes, etc.

b. In most instances, high profile cases will be assigned to the Investigative Sergeant.

c. In major cases, the Investigative Sergeant may act as the lead investigator, but all Investigators may be assigned to the case, and given different areas of responsibility.

3. The supervisor of the Investigations unit will track assignment and status of all cases utilizing RMS (Report Management System). This record will include:

a. Case Number

b. Type of Offense

c. Date of Incident

d. Name of Investigator

e. Date Assigned to Investigator

f. Disposition Classification

g. Date of Disposition

4. The supervisor of the Investigations Unit will periodically review the cases assigned to Investigators. During this review, the supervisor will be updated on the progress on the case and will offer advice or additional resources, if necessary, and will determine if an investigation should continue based on the solvability factors and criteria used in assigning cases. The supervisor will also make determines on whether a case should be suspended or closed based on the following criteria:

a. If all workable leads have been exhausted

b. If the victim is no longer desirous of prosecution

c. If the case has been cleared by arrest, or referral (CALEA 42.1.2)

V. Maintenance of Investigative Case Files

A. Case files will be maintained on all cases in which investigative activity is ongoing, to provide an immediate information resource to investigators. Case files will contain the following information:
1. Copy of the preliminary investigative reports. (Originals will be retained in Records or ARS, Automated Report Writing System.)

2. Records of statements.

3. Chronological Record of activity on the case.

4. Results of examinations of physical evidence.

5. Copies of photographs and information on suspects.

6. Digital photographs shall remain on the Department computer server (R: drive).

B. Case Status Designations

1. If a case is to be cleared, the Investigator will use one of the following codes found in RMS (Report Management System):

   A  Case Active
   P  Case Pending
   C  Case Closed

2. The case will be then issued one of the following RMS disposition codes:

   AA  Adult Arrest
   AJ  Juvenile Arrest
   B1  849b1 PC
   B2  849b2 PC
   CC  Counseled and Released
   CF  Case Filed
   CI  Closed Civil
   CJ  Closed Judicial (Court/Prosecutor)
   CO  Closed Other
   CR  DA Reject
   DP  Detained Petition
   RO  Case Re-opened
   SU  Suspended (Closed)
   UA  Unassigned (Closed)
   UF  Unfounded (Closed)
   WI  Warrant Issued

C. Case Disposition Authority

1. The Sergeant or Investigator will have the authority to assign case status disposition to any cases that are assigned to him/her.

2. The supervisor of the Investigations Unit will have the ultimate authority to review and change that initial disposition based on the nature and status of the case.
D. Investigator Responsibilities

1. Each Investigator is responsible for the maintenance of their assigned cases and documentation of activity on those cases.

2. All supplemental reports must be forwarded to the Records Bureau, via ARS, for inclusion with the original report and to ensure the publication of dispositions through the Department’s records management system.

3. When a case becomes closed, all records and reports will be consolidated in RMS and or placed into files located in the Records Bureau.

4. Investigators must insure the confidentiality of all of their case files and maintain them in a secure location with restricted access. Case files will be accessible only to those with a legitimate right and need to know what is contained in them.

5. Investigation files shall be purged in accordance with the requirements set forth in the City of Hermosa Beach Records Retention Schedule No. 3, or as required by state or federal law.

(CALEA 42.1.3 a, b, c, d, e)

VI. Procedures to Be Used in Criminal Investigations

A. Information development - Involves the collection and recording of facts surrounding the offense.

1. Involves facts about persons, things, actions, times, places and methods and means of operation.

2. May be obtained through:
   a. Review of preliminary reports
   b. Background Investigations (records checks)
   c. Review of applicable statutes
   d. Contact with informants
   e. Examination of evidence
   f. Interviews with witnesses, victims, and suspects.

B. Interviews and interrogation – Interviews of victims and witnesses and interrogation of suspects, are conducted to obtain information relevant to the offense and subsequent prosecution.

1. Formal interviews and interrogations are to be recorded using audio and/or video to memorialize the suspect, victim or witness interview. The investigator may use either cassette or digital devices to record the interviews. The following steps must be taken to maintain the integrity of the recorded interview:
a. Original cassette recordings must be placed into evidence.
b. Digital recordings using the handheld recording devices must be downloaded to a shared drive on the Department’s network server.

2. The following guidelines will assist in the interview and interrogation process:
   a. Review all reports, statements and supporting documents prior to the interview.
   b. Review all of the elements of the offense.
   c. Plan the time, place, content and order of the interviews.

C. Collection, preservation, and use of physical evidence – The collection and preservation of evidence is done with the intent of identifying and prosecuting the perpetrator.

1. The following guidelines should be followed when handling a crime scene:
   a. Approach the scene carefully.
   b. Secure and protect the scene.
   c. Conduct a preliminary scene survey for potential evidence locations.
   d. Take detailed notes and document those in your reports.
   e. Photograph scenes prior to removing any evidence, or processing for fingerprints.
   f. Note locations where each item of evidence was located.
   g. Package each item of evidence.
   h. Maintain chain of custody on all items of evidence.

2. The Hermosa Beach Evidence Technician may be utilized to process major crime scenes; however, the Los Angeles County Sheriff’s Evidence Technician will be called out on all homicide cases.

D. Execution of background investigations

1. Background investigations can establish relevant information about a suspect for use during the investigation of an offense.

2. Officers who complete background investigations must follow and comply with CLETS/NCIC User Agreements to protect the confidentiality of Computerized Criminal Record Data. Any information obtained is restricted to a criminal investigation.
3. There are several sources that can be utilized for obtaining information when conducting background investigations. These include:
   a. Hometown, neighboring law enforcement agencies.
   b. DOJ
   c. CLETS/NCIC, CORI, FBI and other federal agencies.
   d. Relatives, friends, acquaintances, and neighbors.
   e. Educational institutions.
   g. Present and past employers and fellow employees.
   h. Division of Motor Vehicles.

E. Surveillance – The observation of a person, who is suspected of committing an offense or a place, which is likely to be the location of a criminal offense. Surveillance can either be accomplished in person or through the use of covert surveillance camera equipment.

1. Personal surveillance can be performed in a vehicle or on foot.
   a. Involved supervisors and officers will discuss and decide on the best method of surveillance.
   b. Communications procedures will be discussed and coordinated with involved personnel and communications personnel.
   c. Notifications to watch personnel will be made and to any outside agency that may be affected or involved.
   d. The Watch Commander may authorize the use of unmarked vehicles for use in surveillance activities by patrol personnel.

2. Surveillance through the use of covert camera equipment will be in accordance with applicable Federal and State laws.
   a. The supervisor of Investigations must authorize the use of covert camera equipment.
   b. Covert camera equipment will not be utilized where a reasonable expectation of privacy exists without obtaining a court order.

VII. This agency will not use Voice Stress Analyzer/truth verification for investigative purposes, but may elect to use a qualified polygraph examiner to assist in their investigation, when applicable.
(CALEA 42.2.6)

VIII. Use of Informants – When applicable, informants should be handled by the SIU (Special Investigations Unit) or LA IMPACT (Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force). The informant’s information should be obtained and forwarded to the applicable unit. These specialty units may already be focused on the informant or the criminal activity regarding the informant.

IX. Prior to utilizing informants, Investigators shall contact LA CLEAR to determine whether other law enforcement agencies are working with the same informant(s) or target location(s).
X. Should the Investigations Unit choose to utilize the services of an informant, the following procedures will apply:

A. Definitions

1. Informant – Any person who, under the direction of a specific officer and with or without expectation of compensation, furnishes or performs a lawful service for the department in its investigations and operations.

2. Defendant Informant – An informant who is subject to arrest and prosecution for a State or Federal offense, or a defendant in a pending case who expects compensation for his assistance in either the form of judicial or prosecutorial consideration of another form.

3. Restricted Use Informant – Any person who meets any of the following criteria shall be considered a restrictive use informant, subject to use as authorized below:
   - Person less than 18 years of age – May only be utilized after obtaining the written consent of the juvenile’s parent or guardian.
   - Person on probation or parole (Federal or State) – Only with the consent of the agency supervising the person.

4. Sources of Information – The title Informant as well as informant requirements do not apply to sources of information. A source of information is a person or organization, not under the direction of a specific officer who provides information without becoming a party to the investigation itself, such as a concerned citizen who witnesses an event of interest.
   - Should a person who would otherwise be considered a source of information seek financial compensation, or become a continuing active part of the investigative process, his status will be shifted to that of an informant.
   - Generally a person or organization fitting within this definition can be identified by name in investigative reports.

B. Informant Criteria—There are three criteria that must be met to establish a person as a department informant.

1. The person must be in a position to measurably assist the department in a present or future investigation.

2. To the extent prudent judgment can be made, the person will not compromise the department’s interests and activities.
3. The person will accept the measure of discretion necessary to effectively utilize his/her services.

C. Requirements for Informant Use

1. The following requirements shall apply to the development of defendant informants:
   a. The approval of the appropriate prosecutor (that is Federal, State or local) will be obtained prior to seeking the cooperation of a defendant.
   b. A defendant may be advised that his cooperation will be brought to the attention of the appropriate prosecutor. No further representations of assurances may be given without approval. The prosecuting attorney shall have the sole authority to decide whether or not to prosecute a case against a defendant/informant.
   c. The appropriate prosecutor shall be advised of the nature and scope of the defendant's cooperation throughout the period of his use. The procedures and frequency of this reporting shall be set by the prosecutor.

D. Procedures for Informant Use

1. Each informant must be registered.
   a. Because of the difficulties involved with the use of an informant by an officer, the perspective informant is likely to be managed more effectively by an investigator who is not required to provide concurrent patrol duties.
   b. Officers are not precluded from using informants in compliance with this written directive.

2. If an officer or investigator encounters an individual who they believe will make a potential informant, the officer will discuss the merits and liabilities relevant to that person with their supervisor and Investigative Sergeant as soon as practicable.
   a. The officer or investigator will provide background and criminal history on the prospective informant as well as potential information to be provided.
   b. This information will then be forwarded to the Investigative Sergeant to determine the feasibility of utilizing the informant.

3. An informant (or source of information) shall be advised at the onset that:
   a. He/she shall not violate criminal law in furtherance of gathering of information or providing services to the police department and that any evidence of such a violation will be reported to the appropriate law enforcement agency.
b. He/she has no official status, implied or otherwise, as an agent or employee of the police department.

c. The information he/she provides may be used in a criminal proceeding and that although the department will use all lawful means to protect the informant’s confidentiality, this cannot be guaranteed.

4. The case officer must control the direction of the operation and the informant. Informants should not be present at briefings.

5. Officer/informant contacts will be of a strictly professional nature. Extrinsic social or business contacts are expressly prohibited.

6. Contacts with an informant will be such that his knowledge of the department’s facilities, operations, activities, and personnel is kept to the minimum necessary to his successful utilization.

7. At least two officers should be capable of contacting an informant. Whenever practical, two officers will be present at all contacts with the informant.

8. All significant contacts with the informant, and all information obtained at these contacts will be documented in writing.

9. Where an informant is to participate in an undercover purchase in which he may come in contact with official funds, controlled drugs, or anything else of potential evidentiary value, he will be thoroughly searched both before and after the undercover encounter, and where possible, kept under continuous observation.

E. Informant Confidentiality

1. Case law allows the identity of a confidential informant to remain secret when previous reliability as an informant can be shown.

2. The investigator/officer will safeguard the informant’s identity.
   a. The true identity of the informant will be made known only to individuals who have a clear need to know.
   b. Absolute and unrealistic promises regarding anonymity will not be made.
   c. Investigators/officers will structure investigations as much as possible to prevent the informant from becoming a material witness to a crime and therefore requiring his identity to be disclosed.
   d. The investigator/officer will advise the informant that
circumstances may require him to testify in court.

3. The Investigative Sergeant will assign each informant a unique and confidential identification number. The identification number will be used in law enforcement official documents to refer to the informant in order to protect his identity.
   a. The first two numbers denote the year in which the informant began working.
   b. The next number denotes the numerical order of each new informant beginning with 1.

4. Informant confidentiality will be thoroughly discussed with the prosecutor prior to trial or other proceedings and any alternatives will be given full consideration.

F. Informant File

1. The Informant File will be maintained by the Investigative Sergeant. The file will be kept in a secured location with controlled access. Access to the file will be limited to the Chief of Police, Support Services Lieutenant and the investigators.

2. An Informant information packet will be completed on all informants utilized by the Department. This packet will contain:
   a. Biographical and background information
   b. Criminal history record
   c. The type and validity of information obtained
   d. The informant’s involvement in the investigation
   e. The identification code number of the informant
   f. Photograph of informant

G. Criteria for Paying Informants

1. This department has no confidential informant fund.  
   (CALEA 42.2.7 a, b, c, d, e, f, g)

XI. Procedures for Utilizing the Interview Room for Interviews/Interrogations

A. Weapons control – Investigators (non-uniformed) and uniformed officers will have their duty weapon in their possession when interviewing or interrogating a person in the Interview Room. Officers must be cognizant at all times of the proximity of the subject being interviewed to their service weapon.

B. Security concerns – Prior to the person being interviewed entering the Interview Room all items that could easily be utilized as a weapon will be removed or
secured. Officers must remain cognizant that this is an office environment and some items will be present that could potentially be utilized as a weapon.

C. Personnel Allowed in Interview Room – At no time will there be more than two officers interviewing a person. The only exception would be if an interpreter is needed.

Unless circumstances dictate otherwise, only one person to be interviewed will be present in the office at a time. Depending on the circumstances, an attorney, parent, or other approved person may be present for the person being interviewed.

D. Equipment – An operational recording device capable of both audio and video recording will be maintained and utilized to record interviews and interrogations that are conducted in the Interview Room. The equipment is designed to record the entire Interview Room.

E. It is up to the detective/officer handling the interview to determine the flight risk and potential danger posed by the suspect. Personnel utilizing the interview room shall notify the jailer and watch commander that he/she is bringing the suspect downstairs for an interview, and notify them when he/she is finished.

If more prudent, interviews may also be conducted in the jail at the discretion of the detective/officer handling the investigation.

F. Comfort Breaks – The person being interviewed will be free to use the restroom as needed. The individual will be escorted by a same sex officer, when practicable, to the restroom closest to the interview room. The officer will wait outside of the single-use restroom and then escort the individual back to the interview room. Comfort breaks and requests for water will be honored at the time of the request.

G. Custody / Arrest – If it is determined during the course of the investigator’s interview that the detainee is to be arrested, the investigator should place the person under arrest and escort him / her to the jail to be booked accordingly.  
(CALEA 42.2.10 a, b, c, d, e, f)

XII. Handling of Vice, Drugs, and Organized Crime/Intelligence Information

Intelligence gathering is a fundamental and essential element in the all-encompassing duties of any law enforcement agency. When acquired, information is used to prevent
crime, pursue and apprehend offenders, and obtain evidence necessary for conviction. It is the policy of this Department to gather information directed toward specific individuals or organizations where there is reasonable suspicion that said individuals or organizations may be planning or engaging in criminal activity, to gather it with due respect for the right of those involved, and to disseminate it only to authorized individuals as defined. (CALEA 42.1.6 a)

A. Complaint Receipt

1. Intelligence information may be received from several sources such as, anonymous tips, private citizens’ observations or knowledge, officer’s observation, media sources, electronic information, etc.

While criminal intelligence may be assigned to specific personnel within the agency, all members of the Hermosa Beach Police Department are responsible for reporting information that may help identify criminal conspirators and perpetrators. Specific training is not required for department personnel to perform this function, however, personnel assigned as the Terrorist Liaison Officer shall receive training in how to gather and distribute information relevant to Homeland Security. Training in intelligence gathering techniques may also be provided to personnel assigned to narcotics enforcement. (CALEA 42.1.6 b, c)

2. Upon receipt of information of a criminal nature occurring within the jurisdiction of the Hermosa Beach Police Department concerning organized crime, gang, vice or narcotics activity, Department employees will submit a memorandum detailing the information received and forward the memorandum to the Investigation Unit.

3. Information received from other law enforcement agencies will be documented and forwarded in the same manner.

4. Any information that is received regarding an actual offense that occurs in this jurisdiction will be documented on a crime/incident report form, and will be assigned to Investigations for follow-up.

5. Upon receipt of this type of information, the Investigative Sergeant will assess the veracity of the information and ensure the information received is limited to criminal conduct and relates to an activity that presents a threat or potential threat to the community. (CALEA 42.1.6 e, g)

B. Handling and Dissemination of Information

1. Any information received that relates to activities in other jurisdictions will be forwarded to that jurisdiction for assessment and follow-up, and a copy of information that was forwarded will be maintained on file.
2. The Investigative Sergeant will maintain a file on all intelligence information received in relation to vice, gang, organized crime and narcotics complaints.
   a. This file will include memorandums forwarded from department personnel, as well as documented information received from other agencies.
   b. Also included in the file will be information from any source that has been validated and relates to organized crime activities, gang activities, vice activities, narcotics activities or other subversive activities occurring within the Department’s jurisdiction.
   c. The privacy and constitutional rights of any group or individual that is the subject of a criminal intelligence file shall be protected. Intelligence information is considered confidential and shall be disseminated to authorized agencies/personnel only. (CALEA 42.1.6 f)
   d. The on-going investigation will be maintained by the Investigative Sergeant or assigned investigator rather than in Records to ensure that the investigation does not become compromised. Access to this file will be restricted to the Investigators and Command Staff only and will be secured in a locked file cabinet. (CALEA 42.1.6 d)

3. The Investigative Sergeant, or the detective assigned to SIU, will personally advise the Chief of Police of any information that is received on vice, drug, organized crime and gang activities, and will personally provide updates on any on-going investigations.

C. Purging Information

1. Intelligence information will be purged from the file and destroyed by shredding when it is no longer considered criminal intelligence, (i.e., it is no longer valid, an arrest has been made, or it is determined to be false). (CALEA 42.1.6 h)

2. A review of these procedures and processes will be conducted annually by the Support Services Lieutenant. (CALEA 42.1.6 i)

XIII. Photo / Physical Lineups

A. Definitions

Photographic Line-up: An identification procedure, in which an array of photographs, including a photograph of the suspect of an offense and additional photographs or
fillers of other persons not suspected of the offense, is displayed to an eyewitness in hard copy form for the purpose of determining whether the eyewitness identifies the suspect as the perpetrator.

Physical Line-up: A physical line-up is the placing of a suspect among people not suspected of committing the crime (fillers) and asking the eyewitness if he/she can identify the perpetrator. Physical line-ups are conducted by the Los Angeles County Sheriff’s Department in accordance with their guidelines.

Filler: Either a person or a photograph of a person who is not suspected of an offense and is included in an identification procedure.

B. Procedures

1. Composing Photographic Line-ups:

   a. 

   b. 

   c. 

   d. 

   e. If there is more than one witness each witness will be shown the line-up separately and witnesses will not be permitted to communicate with each other until after the line-up procedure has been completed. If the witness has previously viewed a photo line-up in connection with the identification of another person suspected of involvement in the offense, the fillers in the line-up shall be different from the fillers used in any prior line-ups.

   (CALEA 42.2.11 a, c)

2. Instructing the Witness:

   a. When showing a photographic line-up to a witness the following Hermosa Beach Police Department Photo Admonition shall be given: “You will be asked to look at several photographs. The fact that photographs are shown to you should not influence your judgment. You should not conclude or guess that the photographs contain the picture of the person who committed the crime. You are not obliged to identify anyone. It is just as important to free innocent persons from suspicion as to identify guilty parties. Please do not
discuss the case with other witnesses nor indicate in any way
that you have identified someone”.

(CALEA 42.2.11 d)

3. Avoiding Officer and Witness “Suggestion”:

a. Officers must not, by word or gesture, suggest opinions to any
   witness concerning the guilt or innocence of a suspect in any
   identification procedure. Witnesses making inquiries about an
   officer’s opinion shall be informed of this restriction.

b. A witness who has taken part in an identification procedure
   must not be permitted to state conclusions within earshot of
   another person who is about to be, or has been, a viewer of the
   identification procedure.

c. Witness Confidence: Assess the level of certainty the witness
   has in his/her identification of suspect. In the report the officer
   should record statements by the witness regarding the
   identification (“that’s him/her, etc.). Have the witness describe
   how he/she knows it’s the right person.

(CALEA 42.2.11 e, f)
4. Documenting Line-up Results:
   a. Identify the person preparing the photographic line-up.
   b. Note the date of the photograph used for the suspect photograph.
   c. Document the names of all persons and/or photographs used (print an Internal and Public line-up for the file.), and also the source of the photo, i.e. digital mug, DMV, or other.
   d. Read the witness the admonishment and/or have them read it. Have the witness sign the document.
   e. Document how they made their choice such as pointed at the photograph or said the number.
   f. Note how long the witness looked at the photograph before making the identification.
   g. Have the witness describe how he/she knows it’s the right person. (Do not suggest percentages.)
   h. Confidence and certainty statements made by the witness (should be quoted.)
   i. Record identification and non-identification results.
   j. Document time, date and location of identification.
   k. Does the witness wear glasses or contacts and did they have them on at the time of the line up.

5. Additional Information:
   a. Always have the person you are showing the line up circle the photograph and sign their name under the photograph. This will assist the witness for court.
   b. Write the DR in the upper right corner. Write officers name and badge number on the bottom of the photographic line-up.
   c. If the interview is digitally recorded, the investigator will download the recording to the appropriate computer drive while using the corresponding DR#.
   d. Photo copy the line up and book the original into Property and Evidence. The original will be needed for court.
XIV. Eyewitness Show Ups

A. Definition

Show-up: An identification procedure in which an eyewitness is presented with a single suspect within a short time following the commission of a crime for the purpose of determining whether the eyewitness identifies this individual as the perpetrator.

B. Procedures

1. When Show-ups are permissible:

   a. An officer may arrange a “show-up” between a witness and a suspect when there is reasonable suspicion to believe the suspect committed a crime and that the detention occurs soon after the crime was committed.

      (42.2.12 a.)

2. Guidelines for conducting the show-up:

   a. Detention: A suspect cannot be detained for longer than a reasonable period of time to confirm or refute whether the suspect is the perpetrator.

   b. Description: Officers at the scene and in contact with the witness will obtain a detailed description of the perpetrator before the suspect is shown to the witness. The witness must advise the officers that they will be able to recognize the person who committed the crime prior to the show-up.

   c. Location: The courts require that the suspect be inconvenienced as little as possible during a detention and show-up. Generally this means that the witness should be brought to the suspect. The suspect should not be taken to the witness if there is any reasonable alternative.

      (CALEA 42.2.12 b)

   d. Minimize Suggestiveness: If at all possible, avoid any indications that the suspect is in custody (handcuffs, placement in the back seat of the patrol car, spread eagle position, etc.). However, you may do whatever is reasonable for your safety. If the suspect is handcuffed, take measures to conceal this fact from the witness when possible. Avoid saying anything to the witness just prior to the identification that might be considered suggestive (we think we caught the guy, suspect has victim’s property, referring to person to be observed as a suspect, etc.). Additionally, avoid saying anything suggestive after the identification (you picked the right or wrong person, etc.). This could have a corrupting effect on all subsequent identifications and result in their suppression.

      (CALEA 42.2.12 d, f)
e. Multiple Witnesses: Show-ups should not be conducted with more than one witness present at a time. Witnesses should not hear others’ accounts because they may be influenced by that information. If there is more than one witness, the show-up must be conducted separately for each witness, and witnesses should not be permitted to communicate before or after any show-up regarding the identification of the suspect. The same suspect should not be presented to the same witness more than once.

(CALEA 42.2.e)

f. Multiple Suspects: If there are multiple suspects, the suspects must be separated and subjected to separate show-up procedures.

g. Witness Confidence: Assess the level of certainty the witness has in his identification of suspect. In the report the officer should record statements by the witness regarding the identification (“that’s him/her, etc.). Have the witness describe how he/she knows it’s the right person.

(CALEA 42.2.12 e)

h. Emergency or Exigent circumstances: In emergency circumstances, such as when a witness is in danger of imminent death or blindness, or when a suspect is in danger of imminent death, an immediate show-up may be arranged if medical authorities permit. In these situations, time and location limitations contained in the preceding guidelines can be disregarded. If there is any doubt about an emergency show-up, officers should contact a supervisor for guidance.

i. Right to a Lawyer: No person has a right to have a lawyer present at any show-up procedure.

3. Documenting Show-up Results

All information regarding identification procedures should be documented in the Officer’s report:

a. Document what were the lighting conditions, i.e. spotlight, flashlight, daytime.

b. Note distance of the witness to the detained person.

c. Document where the witness was during the identification, i.e. backseat of patrol car.

d. Estimate how long the witness looked at the subject before making the identification.

e. Document anyone else present during the In Field Show-Up.

f. Was the clothing identified and taken as evidence?

g. Document time, date and location of identification.
h. Record identification and non-identification results.

i. Confidence and certainty statements made by the witness (should be quoted.)

j. Does the witness wear glasses or contacts and did they have them on at the time of the show up.

XV. Witness/Victim Assistance

A. During the investigation process, the Investigator assigned to the case will maintain contact with the victim/witness. The following assistance will be provided to victim/witness during the follow-up:

1. Re-contacting the victim/witness periodically to determine if his/her needs are being met, or the impact on the victim, in the opinion of the Investigator, is unusually severe and has triggered additional need for supportive services.

2. Explaining the procedures involved in prosecution of their case and the victim/witness’ role in those procedures, if it is not an endangerment to the successful prosecution of the case.

3. Scheduling photo line-ups, interviews, and other required appearances at the convenience of victims/witness; and at the discretion of the Investigator, providing transportation if necessary.

4. Returning promptly a victim’s property, which was taken as evidence, where permitted by law or rules of evidence, if feasible.

5. Providing the victim with information on the Crime Victims’ Bill of Rights Act of 2008 (Marsi’s Card and Resources pamphlet).

XVI. Follow-Up Investigations

1. Maintaining contact with principals in any investigation is valuable for building public confidence in the department as well as indicating that the investigating officer is genuinely concerned about the welfare of the victim and other citizens associated with the case. Reviewing and conducting follow up investigations may be necessary.

2. Reviewing and analyzing all previous reports prepared in the preliminary phase, departmental records involving similar cases, and results from laboratory examinations, if applicable.

3. Conducting additional interviews of witnesses, complainants/victims and interrogations of possible suspects.

4. Seeking additional information from other officers, informants, etc.
5. Revisiting the crime scene and planning, organizing, and conducting searches, and collecting additional physical evidence. Maintaining chain of custody on evidence and submitting it for laboratory examination.

6. Attempting to identify and apprehend the suspect, through the use of photo line-ups, DMV records, etc.

7. Determining the suspect’s M.O. and attempting to link the suspect to other unsolved crimes.

8. Checking the suspects’ criminal histories.

9. Preparing cases for court presentation.

10. Performing additional follow-up at the request of the prosecuting attorney.

(CALEA 42.2.2 a-h)
XVII. Check Investigations

The Hermosa Beach Police Department will refer all N.S.F./Account Closed check victims to the District Attorney’s Office. Hermosa Beach desk personnel will have all necessary report forms and information to facilitate reporting the NSF checks directly to the District Attorney’s Bad Check Enforcement Program.

The program offers the public the full countywide resources of the District Attorney’s office. In the event a victim receives a “Non-Sufficient Funds” or “Account Closed” check, the victim should follow the instructions on the Los Angeles County District Attorney “Bad Check Report” and forward the original check and form to the District Attorney’s office.

The following conditions are necessary:

1. The check must have been received in Los Angeles County.
2. NSF checks must be submitted to the bank twice.
3. The check must be greater than 25 dollars.
4. The check must be submitted to the District Attorney within 90 days of the date of the check.

Only NSF and account closed check crimes will be referred to the District Attorney’s Bad Check Enforcement Program. Hermosa Beach Police Department will continue to handle all forgeries, fictitious checks, frauds, etc., occurring within our jurisdiction.

XVIII. Identity Theft Reports

Officers shall be diligent in taking identity theft reports. Identity theft reports shall be taken from residents of Hermosa Beach no matter where the crime occurred (Penal Code 530.6).

1. Officers shall use the ARS computer to document identity theft crimes.
2. Officers shall determine the type of identity theft (check, credit card, use of account information, etc.), where the theft occurred, and obtain any financial statements or documents to prove the crime occurred.
3. Officers shall give the victim the report number, so the victim can obtain a copy of the report as soon as it is available from the Records Bureau. Officers should also give the victim an identity theft pamphlet, which outlines what actions they should take to protect their credit information.

Detectives shall begin an investigation, determine where the theft occurred, and coordinate with the law enforcement agency where the crime occurred. A copy of the report shall be sent via mail, fax, or email to the jurisdiction where the crime occurred. Detectives shall also investigate and coordinate with other jurisdictions if crime reports are sent to our agency for follow-up.
Identity theft information will be maintained on the Department’s web page and pamphlets will be kept in the police department lobby.

(CALEA 42.2.8 a-e)

APPROVED:

[Signature]

Steve Johnson
Interim Chief of Police
PURPOSE AND SCOPE

To establish guidelines for investigating cases involving vice, narcotics and organized crime and for handling criminal intelligence activities. It is the policy of this department to effectively identify, analyze, disseminate and utilize criminal intelligence information related to criminal activity and to make every effort to suppress and control organized crime, vice and narcotics activities. Minor narcotics cases are to be issued to in house investigators.

POLICY

This Department does not have the resources to conduct an extended, in-depth organized crime, vice or narcotics investigation. Two investigators are assigned to regional task forces. One Investigator assigned to SIU (Special Investigations Unit) the other to LA IMPACT (Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force). Both units are specialized multi-jurisdictional task forces responsible for investigating narcotics, vice and major felonies. The Chief of Police, or his/her designee, shall periodically evaluate the necessity to continue participation with these agencies. If it is determined that an investigation is beyond the capabilities of our limited resources, the investigation will be directed to the SIU or LA IMPACT.

PROCEDURE

I. Handling of Vice, Drugs, and Organized Crime/Intelligence Information

A. Complaint Receipt

1. Intelligence information may be received from several sources such as, anonymous tips, private citizens’ observations or knowledge, officer’s observation, media sources, electronic information, etc.

2. Upon receipt of information of a criminal nature occurring within the jurisdiction of this Department concerning organized crime, gang, vice or narcotics activity, Department employees will complete a memorandum detailing the information received and forward it to the appropriate investigative unit.

3. Information received from other law enforcement agencies will be documented and forwarded in the same manner.
4. Any information that is received regarding an actual offense that occurs in this jurisdiction will be documented on a crime/incident report form, and will be assigned to an investigator for follow-up.

5. Upon receipt of this type of information, the Investigative Sergeant will assess the veracity of the information and ensure the information received is limited to criminal conduct and relates to an activity that presents a threat or potential threat to the community.

(CALEA 43.1.1 a, c)

B. Handling and Dissemination of Information

1. Any information received that relates to activities in other jurisdictions will be forwarded to that jurisdiction for assessment and follow-up, and a copy of information that was forwarded will be maintained on file.

2. The Investigative Sergeant will maintain a secure file on all intelligence information received in relation to vice, gang, organized crime and narcotics complaints.
   a. This file will include memorandums forwarded from department personnel, as well as documented information received from other agencies.
   b. Also included in the file will be information from any source that has been validated and relates to organized crime activities, gang activities, vice activities, narcotics activities or other subversive activities occurring within the Department’s jurisdiction.
   c. All active investigations will be assigned a DR number, but the file on the on-going investigation will be maintained by the Investigative Sergeant rather than in Records to ensure that the investigation does not become compromised. Access to this file will be restricted to the Investigators and Command Staff.

(CALEA 43.1.1 b; 43.1.2)

3. The Investigative Sergeant and or the SIU and or the LA IMPACT investigator will personally advise the Chief of Police of any information that is received on vice, drug, organized crime and gang activities, and will personally provide updates on any on-going investigations.

(CALEA 43.1.1 d)

C. Purging Information

1. Intelligence information will be purged from the file when it is no longer considered criminal intelligence, i.e., it is no longer valid, an arrest has been made, or it is determined to be false.
II. This Department will on occasion conduct covert surveillance operations when the operation does not require extensive manpower.

A. Surveillance Procedures

1. All surveillance operations will be conducted in such a manner so that no infringement occurs upon the statutory and constitutional rights of the individual being observed.

2. Surveillance, for the purpose of this directive, is defined as the continuous or periodic watching of persons, vehicles, places, or objects. The routine observation of individuals or groups acting in a suspicious manner, the photographing and visual monitoring of events for safety, historical, or training purposes does not constitute surveillance, as defined by this manual.

3. The objectives of surveillance are:
   a. To determine whether a violation of law exists or will exist.
   b. To obtain evidence of a crime.
   c. To protect undercover officers or corroborate their testimony.
   d. To determine the reliability of informants.
   e. To determine identities of involved persons.
   f. To determine “methods of operation”.
   g. To obtain probable cause for obtaining search warrants.
   h. To prevent the commission of a crime or to apprehend a suspect in the commission of a crime.

4. Criteria for establishing surveillances
   a. Surveillance data will only be used for legitimate law enforcement purposes.
   b. Photographic surveillance may be conducted on any individual, location, organization, or event that meets the criteria for surveillances are:
      1) A legitimate and reasonable cause exists to believe that an individual or organization is engaged in or has demonstrated the propensity to engage in illegal activity.
      2) A legitimate and reasonable cause exists to believe that an event may provoke community disorder.
      3) To ensure that the exercise of constitutional rights are protected.
      4) Operational Procedures
5) The Investigations Unit supervisor will be responsible for the execution of the surveillance and the coordination of the efforts of each surveillance officer.

6) Prior to initiating surveillances, particularly long-term ones, the supervisor of the operation shall ensure that the officers involved are knowledgeable of the scope and extent of the offenses and type of victims associated with the target of the surveillance.

7) All information should be gathered concerning the premises, suspects and vehicles involved. This information will be evaluated and distributed to the participating personnel.

8) A physical reconnaissance should be made to study the area where the surveillance will take place to identify vantage points that are suitable for the officers.

9) Similarly, traffic conditions should be observed and the officers should become familiar with the names and locations of streets in the area.

10) The supervisor will be responsible for selecting the hours or period of surveillance. The number of personnel available and the circumstances of the suspected violations will govern their decision.

11) When a number of officers are involved in the operation, a plan specifying procedures for observation, arrest and following the subject should be made by the surveillance supervisor. Additionally, the supervisor shall make plans for providing suitable relief for the officers involved in the operation.

12) The supervisor will be responsible for selecting the type of surveillance equipment necessary for the operation. This will depend upon the nature and extent of the surveillance and the equipment available. When the equipment is selected, each piece will be examined or tested to ensure it is in satisfactory operating condition.

13) All surveillance officers will have ready access to radio communications. It will be the responsibility of the surveillance supervisor to select one primary radio frequency to be used for the operation and to inform the involved personnel of the selected frequency and any changes.

14) Vehicles used during surveillance operations should be inconspicuous. Surveillance vehicles should fit the setting in which they are to be used as best as possible.
B. Undercover Operations

1. When there is a need for an undercover investigation, the investigator will gather sufficient background and intelligence information to identify the suspect or suspects and analyze their involvement in the criminal activity.

2. The investigations sergeant will review the case and deny the request or obtain approval from the Support Services Division Commander to initiate the operation.

3. The investigator will resolve any legal questions surrounding the use of a covert operative with the District Attorney’s office prior to implementing such a program.

4. The investigations sergeant is responsible for selecting the operative, subject to supervisory approval, and will insure that the operative is adequately trained and briefed prior to the placement. He/she will formulate a plan to place the operative, give instructions on making contact with the target, insure that the operative is properly equipped, and will provide overall responsibility for the undercover operation.

5. All specialized equipment will be tested prior to the undercover operation begins. The investigator will insure that all officers using such specialized equipment are properly instructed in its use and care.

6. Prior to actually engaging in an undercover operation, investigations will conduct a survey of the target area to determine surveillance location, potential escape routes, etc. This intelligence information will be provided to all persons involved in the operation.

7. The investigator will establish a means of routine and emergency communication with the operative. Depending on the nature of the covert operation, he/she will attempt to provide back-up security for the operative at all times.

8. The timing of any arrests and termination of the covert action will primarily be the responsibility of investigations, but the operative may terminate the operation if it appears unsafe to continue.

9. Once the operation terminates, investigations will debrief the operative and the investigations sergeant will debrief the operations lieutenant of the outcome of the operation. He/she will complete any required paperwork. Officers will follow established department policy and
procedure regarding the use of force, arrest and booking of detainees and in completing required reports.

C. Decoy Operations

1. This Department will conduct surveillance, undercover, decoy, or raid operations. Officers of this Department may also be assigned to work with outside agencies, such as Alcohol Beverage Control (ABC), in undercover, decoy, or intelligence operations.
   a. Officers assigned in this status will be under the supervision of the supervisor of the unit where they are assigned.
   b. These officers will maintain contact with this Department as arranged at the time of the assignment, to provide updates on their status.
(CALEA 43.1.5)

D. Use of surveillance and Undercover Equipment

1. This Department has limited specialized equipment for surveillance and undercover operations. Confidential funds to support the operations of the vice, drug, and organized crime control functions are available through the SIU and LA Impact task forces.
(CALEA 43.1.3)

2. If the Department requires equipment for surveillance or intelligence operations, the Support Services Division Commander will be notified and a request will be made to utilize equipment from neighboring police agencies.

3. Any equipment utilized will be immediately returned after the completion of the operation.
(CALEA 43.1.4)

III. Operational Plans

1. If the Department does become involved in an in-depth organized crime, vice, or narcotics investigation, a written operational plan will be completed by the assigned supervisor. The plan will include:

   2. All written police reports and intelligence information;
   3. Suspect(s) list including name, description, vehicle description, place of residence, known associates, criminal history and recent photographs;
   4. A list of officers involved in the operation listing their assignment, type of equipment being used by the officer, the weapons each officer is carrying, and vehicle assignment;
5. A detailed accounting of the planned action.
6. Prior to execution of any surveillance, undercover, decoy or raid operations the supervisor in charge of the detail will plan for all the following that are applicable, and brief all persons involved:

7. Analyzing the crime(s), victims, suspect and others involved;
8. Determining legal ramifications;
9. Familiarizing officers with the objectives of the operation, the target area and surrounding area;
10. Determining operational procedures for observation, arrests, surveillance and high risk situations;
11. Supplying officers with needed equipment;
12. Establishing routes of approach and alternate routes;
13. Establishing routine and emergency communications;
14. Providing relief, backup security and perimeter protection;
15. Providing for false identification documents, disguises and necessary credentials;
16. Maintaining confidentiality and cover;
17. Establishing authorization for the detail and use of force measures;
18. Designating a single person as supervisor and coordinator;
19. Providing close supervision;
20. Making contact with suspects;
21. Searching and seizing evidence and contraband;
22. Requesting medical assistance and establishing routes to medical facilities;
23. Coordinating and obtaining assistance from outside agencies, if needed;
24. Selecting equipment and vehicles and assigning personnel based on expertise.

APPROVED:

[Signature]

Greg Savelli
Chief of Police
PURPOSE AND SCOPE

The Hermosa Beach Police Department does not currently maintain a trained, active, operational Crime Analysis Unit.

OBTAINING OUTSIDE CRIME ANALYSIS INFORMATION

Independent crime analysis information is obtained from the following outside sources (including, but not limited to):

- The Redondo Beach Police Department Crime Analysis Unit (local)
- Joint Regional Intelligence Center (JRIC)
- High Intensity Drug Trafficking Areas (HIDTA) (LACLEAR) (CALEA 15.3.1 a)

DISSEMINATION OF CRIME ANALYSIS INFORMATION

When immediately available, the Chief of Police shall be briefed on recognized crime patterns and trends to determine dissemination protocol.

It is recognized that the effective functioning of a crime analysis system requires that information be disseminated to the appropriate units or persons on a timely basis. Information that is relevant to the operation and tactical plans of specific line units should be made available to them and information pertaining to tactical and strategic plans should be made available to all affected units.

Crime analysis information and reports will be disseminated to the following:

- Patrol Division Commander
- Support Services Division Commander
- Detective/Investigations Sergeant, and Special Enforcement Units
- Watch Commanders (CALEA 15.3.1 b, c)

DISTRIBUTION OF CRIME ANALYSIS INFORMATION OUTSIDE THE DEPARTMENT

When authorized by the Chief of Police and coordinated with the Captain, appropriate crime information may be disseminated to enhance public information and generate public support. The Hermosa Beach Neighborhood Watch Program will be provided information deemed
appropriate and necessary by the Chief of Police or his designee. Distribution may also
include other components of the Criminal Justice System. Information concerning operational
needs and procedures shall be carefully controlled within departmental guidelines relating to
security and confidentiality.

INFORMATION FOR PLANNING

Information obtained through crime analysis procedures shall be utilized in the development
of tactics for operational components; in the development of general crime suppression
strategies; and in predicting manpower and resource needs for a multi-year period. It is
recognized that crime analysis can utilize statistical analysis to identify crime patterns or
trends and thus assist in determining the optimum strategy, tactics, and number of personnel
needed in a given situation.

APPROVED:

[Signature]

Greg Savelli
Chief of Police
S2.07 VICTIM/WITNESS ASSISTANCE

PURPOSE

The purpose of this policy is to establish the department’s policy and role in the development and utilization of referral services available to victims and/or witnesses of a criminal act; especially victims of violent crime.

POLICY

The Hermosa Beach Police Department will treat victims and witnesses with fairness, dignity, and compassion. To ensure full support for victims, the Hermosa Beach Police Department shall notify victims of their bill of rights pursuant to California Constitution, Article 1, Section 28(b), “Marsy’s Rights”. The Hermosa Beach Police Department will also provide victims with referral services available through the state and other local resources. The PIO will establish local media contact and will keep them informed of the agency’s victim/witness assistance services.

(CALEA 55.1.1)

PROCEDURE

I. Review of Victim/Witness Assistance Needs

A. The Investigative Sergeant will serve as the liaison between the Police Department and community services programs. He/she will also act as liaison between other victim groups, criminal justice agencies and other governmental and non-governmental agencies and organizations concerned with victim/witness needs and rights.

B. The victim/witness coordinator will complete an analysis of victim/witness assistance needs and services at least every three years.

(CALEA 55.1.2)

II. Providing Assistance and Referral

A. The assigned Police Officer is responsible for providing the victim/witness with a Marsy Card referencing the police case number and , where appropriate, providing assistance such as basic information on victim assistance programs, medical treatment, counseling, victim advocacy ,and information regarding the subsequent steps in the processing of the case.
1. Police Officers demeanor must reassure and ensure calmness to victims and witnesses of crime in the processing of a case.

2. The Police Officer assigned the case will serve as the primary contact for the victim/witness to report additional information regarding their case unless otherwise assigned by the Watch Commander.

3. The victim/witness will be instructed to call the Police Department to contact the appropriate unit/section for additional victim/witness services during the investigation process or to request information regarding needed support services or referrals.

4. If additional services are needed or requested, the victim will be provided with information regarding the Attorney General’s Victims Services Unit for support services (i.e., medical and funeral services, lost wages, transportation, victim/witness advocacy).

B. A victim/witness will be provided direction to obtain a copy of the police report. Per CA Penal Code 293, the Officer will explain the confidentiality policies relevant to the criminal act and the Department’s policy on confidentiality and will be given the option to fill out a Controlled Document Victim’s Name and Address Deletion Form. The victim/witness will also be provided with information on the criminal justice system process.

C. The Police Department will provide appropriate assistance to any victim/witness who has been threatened or has credible reasons for fearing intimidation or victimization. All services will be coordinated with the reporting jurisdiction/agency.

1. “Appropriate assistance” is determined by the resources available to the Agency and if possible is commensurate with the danger and degree of risk faced by the victim/witness. This may include an escort to their vehicle, home or to a “safe house,” security and safety assessment of work site and home, employer notification, or based on risk and endangerment, assistance with enrollment in a Witness Protection Program.

(CALEA 55.1.3, 55.2.1, 55.2.2, 55.2.3b)

III. Preliminary Investigation

A. The first officer on the scene will usually be assigned to conduct the preliminary investigation and write the crime report.

B. The assigned officer will provide the following information to victims/witnesses, during the preliminary investigation:

1. Information pertaining to available City, County, State, or community based services for counseling, medical attention, compensation, financial assistance and, victim advocacy.

2. The case number and subsequent steps in the processing of the case; and
3. The Police Department’s telephone number to call to report additional information about the case or to receive information about the status of the case.

(CALEA 55.2.3a,c,d)

IV. Follow-up Investigation

A. During the investigation process, the detective assigned to the case or the Investigations Unit will maintain contact with the victim/witness. The following assistance will be provided to victim/witnesses during the follow-up investigation.

1. Re-contacting the victim/witness periodically to determine if his/her needs are being met if the crime, or the impact on the victim in the opinion of the Investigations Unit, is unusually severe and has triggered additional need for supportive services.

2. Explaining the procedures involved in prosecution of their case and the victim/witness’ role in those procedures, if it is not an endangerment to the successful prosecution of the case.

3. Scheduling photo line-ups, interviews, and other required appearances at the convenience of victims/witness; and at the discretion of the investigator providing transportation if necessary.

4. Returning promptly a victim’s property, which was taken as evidence, where permitted by law or rules of evidence, if feasible.

5. Providing a victim advocate through the Attorney General’s Victims Services Unit (877-433-9069), if needed.

B. Arrest of Suspects

1. Officers who arrest a subject during a follow-up investigation shall work with the Investigations Unit to assure victims are notified of the arrest. The victim will be notified of the court dates, time and location.

2. The victim/witness of the arrest will be advised of the arrestee’s charges and custody status. In certain cases, such as domestic violence, and if known, the investigator assigned to the case should attempt to notify the victim if the arrestee is likely to be released. The investigator should notify the victim of the likely release date and time.

(CALEA 55.2.4, 55.2.5)

V. Next-of-Kin Notification

A. Public Citizen Notification

1. If a citizen becomes seriously ill or injured, or another emergency occurs within this Department’s jurisdiction, next-of-kin notification in person is preferred, but notification by telephone is permissible. The following information should be provided.
a. Brief, accurate nature of the injury or illness to include date, time, and location of occurrence, and the name, address, and telephone number of the medical facility where the victim is located.

b. If criminal activity is involved, investigative information should not be disclosed other than whether an arrest was made. The next-of-kin should be provided with the name, rank, and work telephone number of the officer in charge of the investigation.

2. If a death notification is required, the following procedure will be followed.

a. Members of the Hermosa Beach Police Department shall not make a death notification to next-of-kin unless specifically requested by the Coroner’s Office or another law enforcement or governmental agency. Upon such a request, the assigned officer shall make the notification in person.

b. The Watch Commander shall have the option of sending a department Chaplain with the officer making the notification if one is available.

c. Death notifications shall not be made by phone or any other alternate means of communication. If, due to some extraordinary circumstance, the only available communication is by phone, then the Operations Division Commander must be contacted for approval prior to making the notification.

d. If the Hermosa Beach Police Department receives a request to make a notification to next-of-kin outside our immediate area, the Watch Commander shall contact the local law enforcement agency for that area in order to make the notification.

(CALEA 55.2.6)

APPROVED:

[Signature]

Greg Savelli
Chief of Police
PURPOSE AND SCOPE

To establish guidelines for collecting, safeguarding, preserving evidence by the Hermosa Beach Police Department.

The policy of this Department is to ensure that all evidence, which comes under its control, is handled in an appropriate manner. The transfer of custody of all evidence will be officially documented to record the chain of custody, and records will reflect the status of all evidence held by the Department. This Department will handle evidence and property in a manner to guarantee successful prosecution.

It is the policy of this Department to ensure that all crime scenes are processed thoroughly and evidence collected to aid in the eventual prosecution of offenders. The effective exercise of law enforcement responsibility in the investigation of crime and in the prosecution of offenders requires that information be obtained through the application of scientific knowledge and methods.

CRIME SCENE PROCESSING

Line Field Officers are trained in processing crimes scenes and the collection of evidence.

Detective Bureau personnel are available on-call 24-hours a day to process crime scenes and collect evidence. When the on-duty Watch Commander determines that it is necessary to “call-out” Detective Bureau personnel for crime scene processing, the following procedure will be utilized:

- Contact the Detective Sergeant
  The Detective Sergeant will make the determination to call-out the Duty Detective.
- If the Duty Detective is called-out, the Duty Detective shall contact the on-duty Watch Commander, provide an ETA, and exchange pertinent information for on-scene personnel until arrival.

For major traffic accident scenes, Hermosa Beach Police Department Traffic Investigators can be utilized at the discretion of the Watch Commander.

FIELD EVIDENCE OPERATIONS – GUIDELINES AND PROCEDURES

The first officer on the scene will secure the scene and limit entrance to necessary personnel only. The on-duty Watch Commander will determine whether the scene is to be processed by line patrol personnel or Department Investigators (Detective Bureau or Traffic Bureau). The gravity of the offense will be the deciding factor. In all major cases, Investigators will be
CRIME SCENE
The officer or designee responsible for the crime/incident scene shall:

- Assume control of the scene and protect evidence through the use of natural barriers or crime scene tape.
- Conduct a preliminary scene survey.
- Document those who enter and exit the scene.
- Photograph the scene and any evidence.
- Sketch and diagram the scene for any serious Part I crimes when a sketch may benefit the investigation.
- Process the scene for physical evidence to include fingerprints, shoe and tire impressions, tool marks, hairs, fibers, and trace or biological evidence.
- Package, label and collect items of evidence.
- If the evidence is transferred to another person prior to being logged into the evidence system at the department, the officer shall document the transfer on the Evidence/Property bags to maintain the chain of custody.

PRELIMINARY SCENE SURVEY
Officers/Investigators will conduct a preliminary scene survey once they have provided aid to any injured parties and determined no suspects remain on scene.

- Preliminary actions should include:
  1. Observe and record (look but don’t touch).
  2. Determine nature and extent of the crime scene.
  3. Determine location of evidence.
  4. Determine order of collection.
  5. Establish best working route.
  6. Duplicate movement of the perpetrator--in theory--and plan the search accordingly.
  7. Note all existing conditions.
  8. Note items out of place or damaged.
  9. Note relationship between items.
  10. Create an initial rough sketch.

CRIME SCENE SKETCH
Detailed crime scene sketches are normally prepared only in major crimes using the Vista Sketch Program or other comparable software.

- Minimum detail to be contained in the sketch includes:
  1. Time and date of preparation.
  2. Location of offense, measurement from landmark.
  3. Location of items of evidence in the scene.
  4. Location and names of victims, witnesses, and suspects.
  5. Relationships of the crime scene to other rooms, buildings, roads, etc.
  6. Name of person preparing sketch.
  7. Direction of north.
  8. Which lights were on/off.
9. Which windows were open.  
(CALEA 83.2.1)

PHOTOGRAPHING THE SCENE (digital cameras only)

- At the end of the preliminary scene survey, overall digital photographs of the scene should be taken from several different locations.
- Photograph the surrounding area thoroughly.
- Midrange photography is utilized to orient the viewer as to the exact location of items of evidence in the scene.
  1. The officer should attempt to include two items of evidence into the field of view, if possible, then a common item such as a desk, chair, etc.
  2. Midrange photos should always be taken with a normal lens to prevent distortion.
- Close-up photography should be utilized to photograph items of evidence before they are moved. These photographs should be taken:
  1. With a full field of vision with the item.
  2. With a close-up shot of the item with a scale, such as a six-inch ruler.
- Each photograph should be downloaded to the Department's computer R: drive:
  1. Evidence photographs will be stored in folders by year
  2. A new subfolder will be created for each DR#
  3. Photos should be identified with a brief description

VIDEOTAPING THE SCENE

- Some major crime scenes should also be videotaped.
- The videotape should record the condition of the scene, victims, and suspects, and collection of the evidence.
- The sound should not be on when videotaping a crime scene.
- It will be noted in the incident report that the crime scene was videotaped, the date and time, and person filming. The videotape will be entered into the Department evidence system.  
(CALEA 83.2.2)

COLLECTION OF EVIDENCE

FINGERPRINTING

- Obtain elimination fingerprints from victims and other relevant persons whenever it is possible these persons produced the lifted latent prints.
- Items to be fingerprinted should be photographed where they were found prior to collection.
- Decide whether to obtain latent prints at the scene or to package and request fingerprinting be performed at a later time.
- Smooth surfaces are the easiest to process for fingerprints and can easily be processed at the crime scene.
• Choose a fingerprint powder that is a contrasting color to the surface being processed. Black, gray and white powders are available.

• This department primarily utilizes volcanic (oxide) & magnetic powder.
  1. Volcanic (oxide) powder is used on paper products, wood, painted non-metallic and painted metallic surfaces.
  2. Magnetic powder is used on paper, wood, plastic, painted non-metallic, glass, porcelain, and china surfaces.

• Fingerprint powder should be lightly applied utilizing circular motions with the brush to pick up the circular patterns of the fingerprint.

• The fingerprint should be lifted utilizing transparent tape applied evenly to prevent air bubbles. Once lifted the tape with the print should be placed on a lifter card.

• The card should be marked with the following information:
  1. Location
  2. Case number
  3. Date and time
  4. Officer’s name

(CALEA 83.2.3)

MARKING EVIDENCE
The officer collecting the item of evidence will be the person responsible for marking or labeling the item at the time it first comes into custody.

All items of evidence will be marked by the Officer for later identification with the following exceptions:
• Items that bear a serial or OAN (Owner Applied Numbers). Items will not be dismantled to locate these numbers.
• Items that can be easily identified by distinctive markings.
• Where marking the item would destroy its evidentiary value.

Evidence should be marked in the following manner:
• Make mark(s) as small as practical.
• Make the mark distinctive and recognizable to the person making the mark.
• Mark in a place unlikely to reduce the value of the item.
• Spent cartridge cases may be marked in the inside of the casing or on the outside near the opening.
• Bullets may be marked on the base.
• Documents shall be marked by placing the case number, in ink, on the front upper right hand corner of the document. The Booking employee should then initial the reverse side of the document.
• Where marking the item is impractical, it will be packaged in an evidence envelope/bag labeled with an evidence tag and sealed.
COLLECTION OF EVIDENCE FROM A KNOWN SOURCE

- Evidence will be collected from known sources for submission to the laboratory for comparison with physical evidence collected.

- Materials and substances such as hair, fibers, paint, glass, wood, soil, and tool marks shall be collected from known sources whenever available.

(CALEA 83.3.1)

PACKAGING OF EVIDENCE

- Officers may use envelopes, bags or boxes, whichever is most appropriate, for packaging evidence.

- Complete procedures for packaging of evidence can be found in Policy S2.09 in this manual.

EVIDENCE PROCESSING EQUIPMENT

Equipment and supplies required for processing scenes, collecting and preserving physical evidence, and investigating accidents is issued to all line Officers and Traffic Investigators.

Crime scene processing equipment includes:

- Fingerprint kits containing volcanic and magnetic powders, brushes, tape, and cards.
- Digital and video cameras.
- Notepads for rough sketches.
- Packaging and collection materials such as plastic and paper bags of various sizes, envelopes, plastic containers, evidence tags and marking pens.

(CALEA 83.2.4)

DNA EVIDENCE COLLECTION

DNA is the fundamental building block for an individual’s entire genetic make-up. DNA collected from a crime scene can either link a suspect to the evidence or eliminate a suspect. DNA evidence can be collected virtually anywhere. The following chart is a guideline as to where investigating personnel might find DNA evidence at a crime scene:

<table>
<thead>
<tr>
<th>EVIDENCE</th>
<th>Possible Locations</th>
<th>Possible Source of DNA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baseball bat or similar weapon</td>
<td>Handle, end</td>
<td>Sweat, skin, blood, tissue</td>
</tr>
<tr>
<td>Hat, bandana or mask</td>
<td>Inside</td>
<td>Sweat, hair, dandruff</td>
</tr>
<tr>
<td>Eyeglasses</td>
<td>Nose or ear pieces, lens</td>
<td>Sweat, Skin</td>
</tr>
<tr>
<td>Facial tissue, cotton swabs</td>
<td>Surface area</td>
<td>Mucus, blood, sweat, semen, earwax</td>
</tr>
<tr>
<td>Dirty laundry</td>
<td>Surface area</td>
<td>Blood, sweat, semen</td>
</tr>
<tr>
<td>Toothpick</td>
<td>Tips</td>
<td>Saliva</td>
</tr>
<tr>
<td>Used Cigarette</td>
<td>Cigarette butt</td>
<td>Saliva</td>
</tr>
<tr>
<td>Stamp or envelope</td>
<td>Licked area</td>
<td>Saliva</td>
</tr>
<tr>
<td>Tape or ligature</td>
<td>Inside/outside surface</td>
<td>Skin, sweat</td>
</tr>
<tr>
<td>Bottle, can, or glass</td>
<td>Sides, mouthpiece</td>
<td>Skin, sweat</td>
</tr>
<tr>
<td>Used condom</td>
<td>Inside/outside surface</td>
<td>semen, vaginal, or rectal cells</td>
</tr>
<tr>
<td>Blanket, pillow, sheet</td>
<td>Surface area</td>
<td>Sweat, hair, semen, urine, saliva</td>
</tr>
<tr>
<td>“Through and through” bullet</td>
<td>Outside surface</td>
<td>Blood, tissue</td>
</tr>
<tr>
<td>Bite mark</td>
<td>Person’s skin or clothing</td>
<td>Saliva</td>
</tr>
<tr>
<td>Fingernail, partial fingernail</td>
<td>Scrapings</td>
<td>Blood, sweat, tissue</td>
</tr>
</tbody>
</table>
FIRST RESPONDER RESPONSIBILITIES AND PRECAUTIONS

- Contaminated gloves will be changed prior to handling other evidence to avoid cross-contamination.
- Use disposable instruments or clean them thoroughly before and after handling each sample.
- Avoid touching the area where you believe DNA may exist.
- Avoid talking, sneezing, and coughing over evidence.
- Avoid touching your face, nose, and mouth when collecting and packaging DNA evidence.
- Air-dry evidence thoroughly before packaging.
- Put evidence into “new” paper bags or envelopes, not into plastic bags. Do not use staples.

DNA PROCEDURES FOR COLLECTION, STORAGE, AND TRANSPORTATION

- **Collection Equipment**
  1. Glassine paper (used for scraping)
  2. Distilled or de-ionized water
  3. Swabbing material
     - Cotton swabs (preferred)
     - Cotton thread
     - Cotton gauze
  4. Coin envelopes
  5. Brown paper bags – assorted sizes
  6. Scalpel blades or single edged razor blades.

- **Collection**
  1. Collect entire item.
  2. Cover stain on non-absorbent surfaces with glassine paper to prevent loss during transit.
  3. Non-Absorbent Surfaces – Scraping
     - Scrape each stain with a new blade.
     - Scrape into a clean piece of paper.
     - Collect a control when necessary.
  4. Non-Absorbent Surfaces – Swabbing
     - Moisten swab material with minimal distilled water.
     - Dry, then package in weighing paper.
     - Need controls
  5. Dry Absorbent Surface, such as clothing, collect entire item
  6. Other surfaces use the cutting technique
• Transportation and Storage
  1. When transporting and storing evidence that may contain DNA, it is important to keep the evidence dry and at room temperature.
  2. Once the evidence has been secured in paper bags or envelopes, it should be sealed, labeled, and transported in a way that ensures proper identification of where it was found and proper chain of custody.
  3. Never place evidence that may contain DNA in plastic bags because plastic bags will retain damaging moisture.
  4. Direct sunlight and warmer conditions also may be harmful to DNA, so avoid keeping evidence in places that may get hot, such as a room or police car without air conditioning.
  5. Evidence will be forwarded to the Los Angeles County Crime Lab as soon as possible, by the investigative officer.
  6. If necessary, place dry DNA evidence into the refrigerator in the Police Department Property & Evidence area for temporary storage.

• DNA Evidence Collection Training Requirement
  1. All persons collecting DNA evidence should have completed field training in evidence collection methods and at the earliest opportunity attend a P.O.S.T. certified course covering field evidence collection to include DNA evidence collection.
(CALEA 83.2.7)

  REPORT PREPARATION

The reporting officer will note in the Incident Report who processed the crime/accident scene and what forms of processing occurred.

• The officer will note if photographs were taken and if a sketch was made.
• If the scene was processed for fingerprints, this will be noted.
• If no evidence was recovered after processing, or if the scene could not be processed due to contamination this will be noted in the report.

The officer who processes the crime/accident scene will prepare a log of each item of evidence recovered at the crime scene.

• The log will list each item numerically as it is recovered.
• A description of each item of evidence recovered will also be noted.

Each item of evidence recovered or seized will be noted on a Property/Evidence form.
(CALEA 83.2.6)
COMPUTER CRIMES INVESTIGATION – EVIDENCE SEIZURE

The basic investigation of any reported computer crime should follow these steps whenever possible:

COLLECTING EVIDENCE
There are important factors to consider in reviewing any evidence. First responders should make the following assessments:

- Determine the skills of the reporting party. Make sure that the victim is capable of illustrating what has occurred with the equipment concerned.
- Determine if the equipment can be moved without jeopardizing the evidence.
- Identify the complete number of affected pieces of equipment. If it appears the area involves a great deal of equipment, i.e., an educational department or lab or classroom, it may be necessary to cordon off the area. However, if only one or two terminals are involved, these pieces can be taken as evidence and transported to the police station for further examination.
- Whenever copies of suspect files are to be made, i.e., adult material or evidence of hacking, the Los Angeles County Sheriff’s Department Computer Forensics Lab will be used.

SEIZING ELECTRONIC EVIDENCE
Stand-alone Computers (non-networked):

- If the computer is “OFF”, do not turn it “ON”.
- If the computer is “ON”, consult a computer specialist. If there is no computer specialist available:
  1. Photograph the screen, then disconnect all power sources; unplugging from the wall and the back of the computer.
  2. Place evidence tape over each drive slot.
  3. Photograph/diagram and label back of computer components with existing connections.
  4. Label all connectors/cable ends to allow reassembly as needed.
  5. If transport is required, package components and transport/store components as fragile cargo.
  6. Keep away from magnets, radio transmitters and other hostile environments.

Networked or Business Computers:
- Consult a Computer specialist for further assistance
- Pulling the plug could:
  1. Severely damage the system
  2. Disrupt legitimate business
  3. Create officer and/or department liability
Wireless Telephones:

- Potential Evidence Contained in Wireless Devices
  
  1. Numbers called
  2. Numbers stored for speed dial
  3. Caller ID for incoming calls
  4. Other information contained in the memory of wireless telephones could include:
     - Phone/pager numbers
     - Names and addresses
     - PIN numbers
     - Voice Mail access number
     - Voice Mail password
     - Debit card numbers
     - Calling card numbers
     - E-mail/Internet access information
     - The on screen image may contain other valuable information.

“ON” / “OFF” Rule

- If the device is “ON”, do not turn it “OFF”.
  1. Turning it “Off” could activate a lockout feature.
  2. Write down all the information on display (photograph if possible)
  3. Power down prior to transport and take any power supply cords present.

- If the device is “OFF”, leave it “OFF”.
  1. Turning it “ON” could alter evidence on the device
  2. Upon seizure get it to an expert as soon as possible or contact a local service provider.
  3. If an expert is unavailable, USE A DIFFERENT TELEPHONE and contact 1-800-LAWBUST (a 24/7 service provided by the cellular telephone industry).
  4. Make every effort to locate any instruction manuals pertaining to the device.

Electronic Paging Devices:

- Potential Evidence Contained in Paging Devices
  
  1. Numeric pagers receive only numeric digits; can be used to communicate numbers and code.
  2. Alpha numeric pagers receive numbers and letters and can carry full text messages
  3. Voice pagers can transmit voice communications sometimes in addition to alpha numeric
4. 2-way pagers contain incoming and outgoing messages
   - Once a pager is no longer in the proximity to the suspect turn it off. Continued access to electronic communication over the pager without proper authorization can be construed as unlawful interception of electronic communication.
   - An Officer can search the stored contents of a pager as an incident to arrest; with probable cause plus exception; or with consent of the owner.

Facsimile Machines:
   - Fax machines can contain:
     1. Speed dial lists
     2. Stored faxes both incoming and outgoing
     3. Fax transmission logs both incoming and outgoing
     4. Header line
     5. Clock setting
   - If a fax machine is found “ON”, powering it down may cause the loss of the last number dialed and/or stored faxes.
   - Search procedures and issues:
     1. Record the telephone number the fax line is plugged into.
     2. Header line should be the same as the phone line; user sets the header line.
     3. All manuals should be seized with the equipment, if possible.

Caller ID Devices:
   - May contain telephone numbers and subscriber information from incoming telephone calls.
   - Interruption of the power supply to the device may cause loss of data if it is not protected by an internal battery backup.
   - Document all stored data prior to seizure or a loss of data may occur.

Smart Cards:
   - A smart card is a plastic card the size of a standard credit card that hold a microprocessor(chip) which is capable of storing monetary value and other information.
   - Examination of a Smart Card
     1. Label and identify the physical characteristics of the card
     2. Photograph the smart card
     3. Features are similar to credit cards/driver’s license
     4. Examine for possible alteration or tampering
• The Uses of Smart Cards
  1. Point of sale transactions
  2. Direct exchange of value between cardholders
  3. Exchange of value over the Internet
  4. ATM Capabilities
  5. Capable of storing other data and files similar to a computer.

• Circumstances Raising Suspicion Concerning Smart Cards
  1. Numerous cards with different names or same issuing vendor
  2. Signs of tampering
  3. Cards found in the presence of computer and/or other electronic devices

• Questions to Ask When Encountering Smart Cards
  1. Who is the card issued to? Who is the valid cardholder?
  2. Who issued the card?
  3. What are the specific uses of the Smart Card?
  4. Why does the person have numerous cards?
  5. Can this computer or electronic device alter the card?

• Smart card technology is used in some cellular phones and may be found in or with cellular/wireless devices.

(CALEA 83.2.5)

EVIDENCE TO CRIME LAB

All Evidence submitted to the Los Angeles County Sheriff’s Scientific Services Bureau (Crime Lab) for examination by the Hermosa Beach Police Department will be handled by the Property/Evidence Custodian or designee.

The Property/Evidence Custodian will be responsible for maintaining the chain of custody of evidence and safeguarding the delivery to and/or pick-up from the Crime Lab.

Evidence released to the Crime Lab will include the completion of the Crime Lab Receipt Form, listing the person releasing the property and the receiving technician with the Crime Lab, obtaining appropriate signatures as required.

The Property/Evidence Custodian will insure the evidence is properly packaged and labeled.

If the Property/Evidence Custodian is retrieving evidence from the Crime Lab, appropriate documentation will indicate that the Property/Evidence Custodian has signed for the return of the evidence and that all evidence is accounted for.

Lab results received in writing will be handled and filed by case number (DR #) by the Property/Evidence Custodian.

(CALEA 83.3.2; 84.1.5)
PURPOSE AND SCOPE

To establish guidelines for collecting, receiving, safeguarding, preserving, and disposing of property and evidence by the Hermosa Beach Police Department.

The policy of this Department is to ensure that all seized property and evidence, which comes under its control, is handled in an appropriate manner. The transfer of custody of all property and evidence will be officially documented to record the chain of custody, and records will reflect the status of all property and evidence held by the Department. This Department will handle property and evidence in a manner to guarantee successful prosecution, will facilitate the timely return of property/evidence to its rightful owner, and will dispose of property and evidence that is no longer of evidentiary value in accordance with statutory guidelines.

CHAIN OF CUSTODY

The chain of custody is the written record of all individuals who have maintained an unbroken control/custody of property/evidence. The chain of custody begins when an item of property/evidence is collected and is maintained until the final disposition is made. The chain of custody assures continual accountability. Each individual in the chain of custody is responsible for property/evidence under his/her control. All personnel are required to book any acquired property/evidence as soon as possible, and prior to the end of their shift. At no time, shall any employee store property/evidence in their personal desks, lockers, vehicles, homes, or other places that are not secure or authorized, or would interrupt the chain of custody. Personal use of any property/evidence is strictly prohibited.

Upon receipt of any property/evidence, the employee shall complete a Hermosa Beach Police Department Property Report, detailing the circumstances by which the property/evidence came in to the agency’s possession and describing each item of property/evidence obtained. A record of all property/evidence is entered electronically, in the Department’s Records Management System (RMS TIBURON).

PACKAGING OF PROPERTY/EVIDENCE

All property or evidence of any kind, collected by department personnel must be packaged using the material provided. There are three (3) sizes of envelopes for use, as well as paper bags. All items will be packaged in the smallest acceptable container.

The booking officer will provide complete and accurate information on all spaces of the property/evidence envelope. Property/evidence envelopes/bags should be secured with RED Evidence Tape (evidence only) and the initials and serial number of the booking employee.
shall be written across the tape, overlapping the tape and envelope or bag. Large items not able to fit in an envelope or bag shall be tagged with a Property/Evidence Tag, secured with tape, wire or string. All information on the tag must be completed by the booking officer.

All property/evidence that is collected shall be packaged in a manner to avoid contamination and to ensure the integrity of the property/evidence.

The booking officer will provide a complete description of each item contained with the package, including the type quantity, serial number, or other identifying information for each item and list them on the Property Report.

In the case of numerous small items contained within a box or bag such as a tool box full of tools, only one property/evidence tag needs to be used. A description of the contents must accompany the container. This provision does not relieve the officer from the necessity of inventorising and marking items for chain of property/evidence identification.

Items going to the Los Angeles County Sheriff’s – Scientific Services Bureau (Crime Lab) for analysis must be placed in a property/evidence envelope and sealed with RED Evidence Tape, and the booking officer’s initials written overlapping the seal and the envelope. The booking officer must complete all information on the property/evidence envelope.

Blood and urine alcohol/toxicology samples must be packaged according to the Los Angeles County Sheriff’s – Scientific Services Bureau (Crime Lab) guidelines provided with the jars/vials and placed in a property/evidence locker.

All perishables (food, candy, liquids) with no evidentiary value, shall be digitally photographed and then disposed of by the collecting officer. All alcohol, except that which is associated with an ABC violation or felony, shall be digitally photographed and destroyed. The digital photographs should then be downloaded into the appropriate Department computer file (“R” drive).

Controlled substances shall be digitally photographed and weighed prior to being placed in an property/evidence locker. Different types of narcotics must be packaged separately from each other. Money and other paraphernalia shall not be packaged within the same envelope or container as the controlled substance. Container inspection is to be performed by the Property/Evidence Custodian on all packaged controlled substances; each time the substance is received or released from the property/evidence section.

All employees will wear protective gloves when handling all suspected drugs. All procedures for the handling of these substances shall conform to OSHA standards.

All money logged in to property/evidence will be counted and placed in a property/evidence envelope and sealed with RED Evidence tape. Two people shall observe the counting of the money. The initials of the investigating officer and witness shall be written overlapping the RED Evidence tape and envelope.

All firearms in the custody of the department shall be handled with care so as not to damage the stock, metal surfaces, or the operating mechanisms. Under no circumstances will loaded
firearms be stored in the property/evidence room. Record the serial number, make, model and caliber of the weapon on the Property/Evidence tag and Property Report. The serial number of the firearm must be recorded on the property/evidence tag or envelope. When the serial number has been removed, the notation “Serial Number Has Been Removed” shall be written on the property/evidence tag.

All items of property/evidence coming in to the custody of the Department shall be inspected for an identifying mark or serial number. All serial numbers shall be run through the CLETS system by the booking officer. All serialized property/evidence shall be entered in the appropriate CLETS system by Records Bureau personnel.

A Release of Property Form shall be filled out by the Property/Evidence Custodian for any removal of property/evidence from the property/evidence room for release, further investigation, court or other official purpose. The form shall contain the signatures and date of the releasing employee and the person obtaining the property/evidence. Property/evidence released to the Crime Lab shall have a Los Angeles County Sheriff’s Crime Lab Receipt completed and attached to the item.

For found property, a reasonable attempt by the receiving officer should be made to locate the owner, prior to the item being booked into property/evidence. If no owner can be found, the Property/Evidence Custodian shall make every effort to notify the owner, by telephone or mail, as expeditiously as possible.

A Hermosa Beach Police Department Property Report Form will be thoroughly completed and submitted to the on-duty Watch Commander (“white” copy). The “yellow” copy of the Hermosa Beach Police Department Property Report Form will be placed in the Property/Evidence Control “in-basket”.

The property and/or evidence will be properly logged into the Property/Evidence Control Log Book and will be properly secured in the temporary property/evidence storage lockers located in the briefing room, adjacent to the property/evidence storage room.

There are four sizes of temporary storage lockers. The lockers are numbered and shall be noted on the Property Report. Care should be taken to utilize the appropriate size locker for the size of property/evidence. There is one locker available to drop small items through the open slot. This locker should be used for small items that are not fragile. Property/evidence containing glass, such as blood vials and crack pipes and other breakable items must not be placed in this locker.

These lockers are to remain unlocked when empty and locked when property/evidence is placed inside. The Officer booking any property/evidence shall make sure the locker is locked by checking the security of the latch.

Property/evidence items too large to fit into the property/evidence storage lockers will be booked at the direction of the on-duty Watch Commander.
Bicycles will be placed in the bicycle storage locker – NO other location. The bike storage facility is located in the parking enforcement garage. The garage is to remain locked when not in use.

Each item will be individually tagged.

All flammable material will be placed in the approved container provided for this purpose.

All “Hazardous Material” items will be placed in the approved container provided for this purpose and will be clearly labeled as “Hazardous Material”.

**STORAGE AND SECURITY**

All items of property/evidence that come in to the possession of the Hermosa Beach Police Department must be properly booked in to property/evidence as soon as possible, before the end of the employee’s shift. The items must be secured in the designated temporary storage lockers.

Only the Property/Evidence Custodian and the designated “back-up” Custodian shall have access to unlock the temporary storage lockers and to access the property/evidence room.

Narcotics, weapons, money and any jewelry of substantial value shall be placed in the secured “cage” area of the property/evidence room. All other items shall be placed in their designated storage box inside the property/evidence room.

Hermosa Beach Fire Department Arson Investigators handle their own arson evidence, and have their own secure storage facility in the Fire Department garage.

Sexual Assault Evidence (SAE) kits shall be booked into property/evidence and placed in the temporary refrigerator located near the temporary storage lockers. A notation shall be written, indicating the date and time of storage. The SAE kit will be removed from the temporary storage and placed into the secure evidence freezer, pending analysis by the Los Angeles County Sheriff’s Department Crime Lab. Items that are not of an evidentiary nature shall never be placed in any evidence storage facility.

(CALEA 84.1.1, 84.1.2, 84.1.3)

**SECURITY OF SEIZED CONTROLLED SUBSTANCES FOR TRAINING**

The Hermosa Beach Police Department will utilize and properly secure all seized or forfeited controlled substances used for investigative or training purposes in accordance with Policy O3.46-Police Canine Teams.

(CALEA 84.1.4)

**PROPERTY REPORT**

The Property Report is used for any found property/evidence that comes in to the custody of the Hermosa Beach Police Department. The purpose of the Property Report is to provide the citizen with a receipt and listing of property/evidence held; to inform the citizen of their legal rights and/or responsibilities to obtain the return of property/evidence; to meet legal
requirements of notice prior to disposal of property/evidence and to maintain the chain of custody/evidence.

The employee who recovers the property or finds the evidence shall be responsible for the logging-in of the property/evidence, and completing the Property Report. The Property Report must be completely filled out, including the date the property/evidence was received, the case number (DR #), a description of the property/evidence, including any identifiable serial numbers or marks, the reason the property/evidence is being held, who the property/evidence was received from, the reporting officer’s name and the location of the temporary storage locker.

The Property Report is made of 3-part NCR. The Original (white) copy will be retained by the Department’s Records Bureau. The middle (yellow) copy will be placed in the bin on top of the property/evidence lockers. The last (pink) copy will be given to the citizen or inmate.

The Property/Evidence Custodian receives the Property Report from the bin and obtains the property/evidence from the temporary storage locker. The property/evidence is removed from the temporary locker and placed in the property/evidence room in the appropriate location. The property/evidence room location is noted on the Property Report by the Property/Evidence Custodian and the report is filed.

When the property/evidence is released, a notation is made on the Property Report and the original property release documentation is attached.

(CALEA 84.1.5)

**PROPERTY RELEASE FORM**

Property/evidence may be returned to its owner in instances where the rightful ownership of the property/evidence can readily be determined and case prosecution will not be jeopardized.

Digital photographs of the property/evidence will be taken prior to the release of the property/evidence to the owner. A digital photograph of the owner/person that the property/evidence release to, will also be taken. Each digital photograph will have the case number (DR #) listed and visible within the digital photograph.

- The digital photographs will be downloaded to the “R” drive using the case number (DR #) as the file identifier.
- Property/evidence held for Safekeeping will be booked in the property/evidence system if the owner is not available to retrieve the property/evidence prior to the end of the watch in which the property/evidence was found.

This form is used to release property/evidence to citizens, to officers for court, and to Detectives for investigations/court.

Officers should request property/evidence for court, 48-hours in advance of the date needed. The original copy of the form is to be returned to the Property/Evidence Custodian.
Officers will sign a Property Release Form acknowledging receipt of the evidence. Officers transporting property/evidence to court will be responsible for safeguarding the property/evidence until the court has formally received it.

In the event the property/evidence is retained by the court, the Clerk of the Court must sign and stamp the Property Release Form, and the form shall be returned to the Property/Evidence Custodian.

If the officer is returning evidence from court, the officer will ensure the Property/Evidence Custodian has signed for the return of the evidence.

(CALEA 84.1.5)

**EVIDENCE TO CRIME LAB**

All Evidence submitted to the Los Angeles County Sheriff’s – Scientific Services Bureau (Crime Lab) for examination by the Hermosa Beach Police Department will be handled by the Evidence Custodian or designee.

The Property/Evidence Custodian will be responsible for maintaining the chain of custody of evidence and safeguarding the delivery to and/or pick-up from the Crime Lab.

Evidence released to the Crime Lab will include the completion of the Crime Lab Receipt Form, listing the person releasing the property/evidence and the receiving technician with the Crime Lab, obtaining appropriate signatures as required.

The Property/Evidence Custodian will insure the evidence is properly packaged and labeled.

If the Property/Evidence Custodian is retrieving evidence from the Crime Lab, appropriate documentation will indicate that the Property/Evidence Custodian has signed for the return of the evidence and that all evidence is accounted for.

(CALEA 84.1.5)

**INSPECTIONS – REPORTS – INVENTORY – AUDITS**

In order to maintain a high degree of evidentiary integrity over agency controlled property and evidence, the following documented inspections, report, inventory, and audits shall be completed:

- An inspection to determine adherence to procedures used for the control of property/evidence is conducted semi-annually by the person responsible for the property and evidence control function or his/her designee. The purpose of this inspection is to ensure the cleanliness and orderliness of the property/evidence room, and to ensure:
  1. the integrity of the property/evidence is being maintained
  2. directives are being followed
  3. property/evidence is being protected from damage or deterioration
  4. proper accountability procedures are being maintained
5. property/evidence with no further evidentiary value is being disposed of promptly

- An inventory of property/evidence occurs whenever the Property/Evidence Custodian is assigned to and/or is transferred from the position and is conducted jointly by the newly designated Property/Evidence Custodian and a designee of the Chief of Police to ensure that records are correct and properly annotated. The purpose of the inventory is to ensure the continuity of custody and not to require the accounting of every single item of property/evidence. The inventory should be sufficient to ensure the integrity of the system and the accountability of the property/evidence. During the inventory, all high-risk items such as money, precious metals, jewelry, firearms, and drugs, and a sufficient number of property/evidence records relative to the number of property and evidence items under the agency’s care should be reviewed carefully with respect to proper documentation and accountability. The person assuming custody of the property/evidence should ensure that all records are current and properly annotated. All discrepancies should be recorded prior to the assumption of property/evidence accountability by the newly appointed Property/Evidence Custodian.

- An annual audit of property and evidence held by the agency is conducted by a supervisor not routinely or directly connected with control of property and evidence. The annual audit should be a significant representative sampling of property/evidence including high-risk items. The person named to conduct the inventory should be appointed by the Chief of Police or Captain. Under no circumstances should that inspector be appointed by supervisory or command officers having the property/evidence function under their control.

- Unannounced inspections of property/evidence storage areas are conducted, as directed by the Chief of Police or Captain, at least once a year.

(CALEA 84.1.6)

**DISPOSITION OF PROPERTY/EVIDENCE**

It is the intent of the department to release all property/evidence, including property/evidence of evidentiary value, the ownership of which is not in dispute; at the earliest possible time and within six (6) months after all legal requirements have been satisfied.

The Evidence Custodian will ensure that final disposition is accomplished as soon as possible and that all California statutes and requirements are followed regarding the disposal of property and evidence. Such property/evidence can be disposed of in four (4) possible ways:

- Returned to the legal owner with documentation.
- Sold in accordance with legal requirements.
- Converted to use by this Department of official use with documentation.
- Destroyed in accordance with legal requirements.

Any time an item is destroyed there should be a witness to the destruction. An inventory of all property/evidence destroyed will be prepared by the Evidence Custodian and maintained with other property/evidence records.
Under no circumstances will property or evidence be converted to personal use by any member of this Department.
(CALEA 84.1.7)

PHOTOGRAPHIC RELEASE OF PROPERTY/EVIDENCE

The following procedures will apply to the photographic release of property/evidence:

- A photograph is taken of the property/evidence, or when possible, the property/evidence and the owner together.
- Additional photographs are taken of any unique marks, distinguishing characteristics, or serial numbers of the property/evidence.
- All photographs shall have the case number displayed on or in it, and downloaded on the department computer.
- A Property Release Form will be filled out, including the signature of the person receiving the property/evidence.
- If possible, a photo copy or digital photo copy of the identification of the person receiving the property/evidence will be made. If this process is not practical, the identification will be noted by the releasing officer.
- The original copy of the Property Release Form and photo copy identification will be given to the Property/Evidence Custodian. If taken, the digital photo copy will be downloaded to the “R” drive on the Department computer.

Where a victim is unknown or cannot respond to the scene or station for the property/evidence within a reasonable time, the property/evidence will be stored in accordance with state and local regulations.

All serialized items subject to release must be cleared by the California Department of Justice Automated Property Systems (California Penal Code Section 11108).

EXCEPTION TO PHOTOGRAPHIC RELEASE OF PROPERTY/EVIDENCE

The procedures for the photographic release of property/evidence will apply to all property/evidence, except property/evidence that is being held as evidence in connection with an investigation or prosecution, as follows:

- Explosive, hazardous or illegal substances
- Narcotics
- Property/evidence confiscated by search warrant
- Firearms or weapons used in the commission of a crime
- Any property/evidence that is illegal to possess under Federal, State, or other local laws
- Items held for investigation of a capital offense
- Any food, beverage, prescription or non-prescription medicines, medications and other similar items susceptible to contamination which have been out of the possession and control of the owner for ANY period of time
- Items which may be in need of C.S.I.
- Items, the ownership of which is in question
- Any item the Prosecutor deems necessary for the successful prosecution of the case
GUIDELINES FOR TIMELY DISPOSITION OF PROPERTY/EVIDENCE

Excess Prisoner Property:
- 60-days after release
- 30-days after a notice has been sent to last known address

Found Property:
- All found property must be held for 90-days.
- If value is over $250.00, it must be advertised in paper of general circulation (California Civil Code Sections 2080.1 & 2080.3)

Stolen or Embezzled Property:
- 90-days upon conviction or dismissal of case with notice to owner
- 180-days upon conviction or dismissal of case without notice to owner (California Penal Code Section 1411)

Time Limits for Prosecution of Offenses
Crimes Punishable by:
- Death - At any time (P.C. 799)
- 8 years plus in state prison - 6 years (P.C. 800)
- Up to 8 years in state prison - 3 years (P.C. 801)
- Fraud or theft by public official - 4 years (P.C. 801.5)
- No State Prison - 1 year (P.C. 802)

PROPERTY/EVIDENCE ACQUIRED THROUGH THE CIVIL PROCESS

All property/evidence seized for asset forfeiture proceedings will be handled by the Los Angeles County District Attorney’s Office, Asset Forfeiture Unit. The Detective Bureau Sergeant shall complete all paperwork and notifications necessary, according to state and federal laws. (CALEA 84.1.8)

APPROVED:

Greg Savelli
Chief of Police
PURPOSE

This policy establishes the specifications for each type of uniform authorized for wear by officers engaged in uniformed operations. This policy establishes the criteria and procedures for the wearing of each type of uniform.

GENERAL UNIFORM

This uniform consists of and shall conform to the following criteria:

A. The shirt, long or short sleeve, may be a wash-and-wear, form-fitting, polyester and/or wool blend material. It shall be black in color, epaulet style, with two flap pockets on the chest. It shall have a button-up front; however, a hidden zipper closure may be added. The shirt must have military creases. The top button of the shirt may be left unbuttoned. The sleeves of the long sleeve shirt must be worn down and with the cuffs buttoned.

B. A crewneck undershirt is required when the uniform shirt is worn open-necked. The undershirt shall be plain black in color, crewneck style with a black neckband. The undershirt may be a T-shirt style or thermal wear style, long or short sleeve; but, at no time shall the undershirt sleeve extend below the uniform sleeve. At no time shall a stained, soiled, or faded undershirt be acceptable for wear with the uniform.

C. The uniform trouser will be of the same color and consist of the same material as the uniform shirt. Back pockets will be plain with no flaps.

D. Ties will be worn as an option with the long sleeve shirt, or as directed by the Chief of Police. The authorized tie is black in color with a four-in-hand knot. The width of the tie shall be three (3) inches at its widest point and the bottom of the tie will not be more than three (3) inches above the belt. A clip-on tie conforming to the listed standards is authorized. An approved tie bar must be worn.

E. Socks, worn with low-top shoes, must be black with no pattern.

F. High or low-quarter military style shoes or black on black soft-soled shoes may be worn. Shoes will be plain toe style, black in color with black strings. No decorative stitching, clasps, or buckles are allowed.
G. Military style boots may be worn. They must be black in color with a rounded toe design. No decorative stitching, clasps or buckles are allowed. Boot strings shall be black in color.

Only City or department logos or markings shall be worn on uniform items. Applicable uniform accessories and insignia will be worn in accordance with the guidelines established for sworn police personnel. Exception: the name plate shall be worn such that the bottom of the name plate shall be parallel to and in line with the top of the pocket.

**OPTIONAL UNIFORMS**

Police Service Officers may wear the following uniform pieces, subject to the listed restrictions. Any optional uniform pieces must be purchased at the officer’s expense.

A. Polo shirt. The shirt must be black in color, with collar, and shall be free of branding or logos of any type. A Department-issued cloth badge will be centered on the left chest area of the shirt. A black cloth name tape, bearing the officer’s last name shall be displayed, centered on right chest area of the shirt. The name tape shall be of the same style and design as that worn on the standard officers’ duty jacket. The polo shirt may be worn with either the standard uniform trousers or the optional uniform shorts.

B. Uniform shorts. The shorts must be black in color and constructed of a durable polyester blend material, or equivalent. While standing, the shorts leg shall extend to no less than one inch (1”) nor more than five inches (5”) above the kneecap. The shorts may be worn with either the standard short-sleeved uniform shirt or with the polo shirt. Only black low-top shoes and crew socks may be worn with the shorts.

C. Black on black athletic shoes and black athletic socks must be worn when wearing the uniform shorts. The shoes and socks shall adhere to the same standard as that specified for the sworn police officer’s Beach Patrol uniform in Policy O3.04 in this manual.

APPROVED:

[Signature]

Sharon Papa
Chief of Police
PURPOSE
This policy establishes the procedures and clarifies the responsibilities for the Department’s recruitment process.

POLICY
It is the policy of the Hermosa Beach Police Department not to discriminate against any employee or applicant because of age, gender, race, national origin, religion, color, ancestry, marital status, sexual orientation, physical or mental disability, medical condition, and/or Association Membership or activity. Additionally, the Department expects and requires all employees to treat one another with dignity and respect. Harassment of fellow employees is a violation of law. No employment decision may be made based upon an employee’s submission to or rejection of such conduct. It is the responsibility of any employee who believes that they are the victim of such harassment, whether sexual, racial, ethnic or religious, to report the conduct to their Division Commander, the Chief of Police, Personnel Director or the City Manager in a timely manner. For more information on harassment reporting procedures, please refer to Policy A1.09, Administrative Memorandum P-7, located in this manual.
(CALEA 31.2.3)

DEFINITIONS
The following terms establish the criteria for determining the proper application category for all prospective police officer candidates applying to this Department.

**Entry-level:** These are applicants who have no prior police experience and who have not obtained P.O.S.T. certification for the completion of the police basic academy.

**Academy Recruit:** These are applicants that are currently attending a P.O.S.T certified basic police academy. Recruits are expected to successfully complete all requirements of and graduate from the police basic academy.

**Pre-service:** These are applicants who possess current P.O.S.T. certification for the completion of the police basic academy, but are not currently employed as police officers with a P.O.S.T. certified agency or who, if currently employed as police officers, have not yet successfully completed a P.O.S.T. certified Field Training Program.

**Lateral:** These are applicants who possess current P.O.S.T. certification for the completion of the police basic academy, are currently employed as police officers with a P.O.S.T. certified agency, and who have successfully completed a P.O.S.T. certified Field Training Program. Additionally, any applicant who possess a valid and current P.O.S.T. Basic
certificate and who have successfully completed a P.O.S.T. certified Field Training Program also qualify as a lateral applicant.

**RECRUITMENT RESPONSIBILITIES**

Due to the size of the Department, recruiting efforts are employed on an as-needed basis to fill actual or projected vacancies.

The ultimate responsibility for the recruitment of “Entry-level” officers rests with the City’s Personnel Department; however, this Department will actively participate in the recruitment process. The Administrative Sergeant will be the primary liaison with the City’s Personnel Department for all recruitment issues.

This Department has the ultimate responsibility for the recruitment of “Academy recruit”, “Pre-service” and “Lateral” police officer candidates.  
(CALEA 31.1.1)

**RECRUITER TRAINING REQUIREMENTS**

Individuals assigned to recruitment activities will receive training and demonstrate knowledge in personnel matters. These matters shall include: Department recruitment needs and commitments, career opportunities, salaries and benefits, training, community needs/concerns and cultural awareness, candidate selection process (written, oral, and physical testing requirements and procedures involved in conducting background investigations), characteristics that disqualify candidates, medical requirements, and recruitment programs of other jurisdictions. Individuals assigned to recruitment activities will also be knowledgeable regarding equal employment opportunity and federal and state compliance guidelines.

Additionally, individuals assigned to recruitment activities should be able and willing to attend recruitment activities and events that occur outside of their regular assigned shift hours.  
(CALEA 31.1.2)

**EQUAL EMPLOYMENT OPPORTUNITY**

Recruitment steps will be directed towards the goal of approximating within the sworn ranks the demographic workforce of the local community. Statistics on the composition of the workforce within this community are available from the U.S. Department of Labor’s Bureau of Labor Statistics or via other government or private entities. The available workforce may be determined by considering several factors, such as; the residential makeup, those working in the local community, and applicant demographics.

This Department is an Equal Opportunity Employer. Applicants to this Department are protected under the following Federal laws: Title VII of the Civil Rights Act of 1964, Americans with Disabilities Act of 1990, Age Discrimination in Employment Act of 1967, and the Equal Pay Act of 1963. In addition, this Department will adhere to the guidelines established pursuant to California Government Code sections 45050 – 45054.  
(CALEA 31.2.1; 31.2.3)
JOB ANNOUNCEMENTS AND PUBLICITY

This Department’s job announcements and recruitment notices for all personnel will be published in accordance with the City of Hermosa Beach Personnel Rules and Regulations for Civil Service Employees, and will minimally:

a. provide a description of the duties, responsibilities, requisite skills, educational level, and other minimum qualifications or requirements
b. advertise job vacancies through electronic, print, or other media, including the internet
c. advertise the agency as an equal opportunity employer on all employment applications and recruitment advertisements
d. advertise official filing deadlines

Job announcements will be posted via the City’s Personnel Department; however, this Department will attempt to seek a broader dissemination and greater exposure of recruitment information by distributing flyers at:

a. area police academies
b. job fairs and career days
c. local community service organizations (i.e. Chamber of Commerce, Kiwanis, Rotary Club, etc.)

(CALEA 31.3.1; 31.3.2)

MAINTAINING APPLICANT CONTACT

During the recruitment process, this Department or the Personnel Department will maintain contact with applicants for all positions from initial application to final employment disposition. All phases of the process will be expedited as much as possible to ensure the Department does not lose qualified applicants. At the completion of each phase, those candidates who pass will be immediately contacted and have an appointment set for the next phase.

Applications for all positions will not be rejected for minor omissions or deficiencies that can be corrected prior to the testing or interview process.

(CALEA 31.3.3; 31.3.4)

APPROVED:

Sharon Papa
Chief of Police
PURPOSE

This policy outlines the criteria and methodology for the selection of persons applying to positions with this Department.

SELECTION PROCESS

All elements of the selection process for sworn positions within this Department will use only those rating criteria or minimum qualifications that are job related. These elements will be administered, scored, evaluated, and interpreted in a uniform manner within the classification. (CALEA 32.1.2; 32.1.3)

At the time of their formal application, candidates for all positions will be informed, in writing, of:

a. all elements of the selection process
b. the expected duration of the selection process
c. this Department’s policy on reapplication

The estimated duration of the selection process will be between six and eight weeks, unless stated otherwise in the application flyer. Applicants deemed to be ineligible for appointment, or not selected for employment, may reapply anytime an applicable position is posted. (CALEA 32.1.4 b, c)

The City’s Personnel Department will notify, in writing, non-sworn applicants and all “Entry-level” police officer candidates who are determined to be ineligible for appointment. The Administrative Sergeant will notify, in writing, all other candidates who are determined to be ineligible for appointment. Such notification should be conducted within 30 days from determination of ineligibility. (CALEA 32.1.5)

ELEMENTS OF THE SELECTION PROCESS

The elements of the selection process for sworn personnel, and “Academy recruits” shall be as follows and occur in sequence, if applicable:

A. Screening of Applications
B. Written Examination
C. Physical Agility Test
D. Oral Board Interview
Screening of Applications – The minimum qualifications include: high school diploma or GED, U.S. citizenship, valid California driver’s license, and be at least 21 years of age at time of appointment. An “Academy recruit” must be at least 20 ½ years of age at the time of appointment and must be at least 21 years of age upon graduation from the police academy.

Written Examination – This test will be administered by the City’s Personnel Department and will be administered in accordance to the current P.O.S.T. guidelines. This test is not required for “Academy recruits”, “pre-service”, and “lateral” candidates. Only candidates who pass the Written Examination will be invited to participate in the Physical Agility Test.

Physical Agility Test – The test will consist of the current P.O.S.T. – approved course. This test will be administered by the City’s Personnel Department. This test is not required for “Academy recruits”, “pre-service”, and “lateral” candidates. Only those candidates who pass the Physical Agility Test will be invited to participate in the Oral Board Interview.

Oral Board Interview –
The City’s Personnel Department will appoint the Oral Board for “entry-level” candidates. This board will consist of (3) three panelists and can include evaluators not employed by this Department.

The Chief of Police or his/her designee will appoint the Oral Board for “Academy recruits”. This board will consist of (3) three panelists, including (2) two full-time supervisor personnel (rank of Sergeant or above) and (1) one member of the City’s Personnel Department.

This Department’s Administrative Sergeant will appoint the Oral Board for “pre-service” and “lateral” candidates. This board will consist of (3) three panelists consisting of (1) one sworn employee of this Department, (1) one sworn employee not employed by this department, and (1) community member.

Candidates may be required to respond to a written essay. Candidates will be required to respond to a predetermined set of interview questions that are asked of all the candidates with each respective Oral Board. Upon completion of the Oral Board Interview, the “entry-level” candidates’ scores shall be forwarded directly to the City’s Personnel Department; the “Academy recruit” scores shall be calculated by the City’s Personnel Department member participating in the applicant’s oral board; the “lateral” and “pre-service” applicants’ scores will be submitted to the Administrative Sergeant, who shall then forward the results to the City’s Personnel Department.

The Personnel Department shall then submit all candidates’ results to the City’s Civil Service Commission for certification and eligibility ranking in the appropriate band (entry-level, “Academy recruit”, pre-service, or lateral), in accordance with the City of Hermosa Beach Personnel Rules and Regulations for Civil Service Employees (Civil Service Rules). Once certified, these results will be submitted to the Chief of Police via the Administrative
Sergeant. Per the Chief of Police’s direction and in accordance with the City’s Civil Service Rules, the top-ranking candidates in each band may be invited to continue in the selection process.

**Background Investigation** – The candidate will be required to provide the background investigator with all the necessary documentation as noted in Policy S2.13 – Background Investigations.

**Chief’s Interview** – Candidate finalists will be interviewed by the Chief of Police. This test is not included in the official candidate scoring. This interview is designed to allow the Chief of Police to become familiar with each of the applicant finalists and thus may vary from candidate to candidate. The Chief of Police may then elect to extend a Conditional Offer of Employment to the candidate on the condition of the candidate’s successful completion of the psychological and medical examinations.

**Psychological Examination** – This will be conducted by a licensed professional to determine if the candidate is free from job-relevant psychopathology, including personality disorders. This examination will consist of a minimum of two psychological tests and a clinical interview.

**Medical Examination** – The candidate shall receive a medical suitability examination conducted by a licensed physician. The examination shall, in addition to testing general health, also include vision and hearing tests, and a drug screening.

(CALEA 32.1.1; 32.1.4 a; 32.2.7; 32.2.8)

**SELECTION PROCESS FOR NON-SWORN PERSONNEL**

The selection process for other, non-sworn personnel shall consist of the following:

A. Screening of applications to meet minimum qualifications.
B. Oral interview utilizing a uniform set of questions.
C. Background investigation consisting primarily of verification of qualifying credentials, a criminal history check, DMV check, reference checks with previous employers, and verification of personal references.

(CALEA 32.2.1)

**OATH OF OFFICE**

All police officers, prior to assuming sworn status, will take and subsequently abide by an oath of office to enforce the law and uphold the U.S. Constitution and the Constitution of the State of California.

**PROBATIONARY PERIOD**

Upon hire, all employees shall serve an initial probationary period. The probationary period shall consist of either six (6), twelve (12), or eighteen (18) months of continuous full-time credited service, as designated by the Personnel Department at the time of examination announcement. Sworn Police Officers shall serve a mandatory twelve (12) month probationary period with a possible extension of six (6) months if determined appropriate by
the Chief of Police. Time required to complete the P.O.S.T. Basic Academy training or equivalent shall not be credited service for the completion of the probationary period. In the case of “Academy recruit”, the candidate will be considered a probationary employee. Upon graduation from the academy, an “Academy Recruit” will be promoted to the position of probationary Police Officer and will begin a 12-month probationary period.  
(CALEA 32.2.10)

**RECORDS MAINTENANCE**

The City’s Personnel Department will be responsible for maintaining the original copies of all applications for all positions within this department, except for “lateral” and “pre-service” police officer applicants. “Lateral” and “pre-service” applications will be maintained by the Administrative Sergeant.

Testing materials for “entry-level” police officer applicants and “Academy recruits” will be maintained and secured with the Personnel Department. Testing materials for “lateral” and “pre-service” police officer applicants will maintained and secured with the Administrative Sergeant. Reports pertaining to each candidate’s medical and psychological examinations will be maintained by the testing physician. A letter indicating the test was administered and the test results will be placed in the candidate’s background file.

Background packages on successful candidates will be secured as part of the employee’s personnel file.

Background packages on unsuccessful candidates will be secured and stored in the Police Department archives in accordance with the Records Retention Schedule maintained by the City of Hermosa Beach pursuant to City Resolution #98-5909.

Access to any of the testing material or test results, and to any applicant or employee file, is restricted. Specific authorization is required in order to access these records.  
(CALEA 32.1.6; 32.1.7; 32.2.3; 32.2.9)

**APPROVED:**

[Signature]

Sharon Papa  
Chief of Police
PURPOSE

This policy establishes job-valid and non-discriminatory criteria for all personnel of the Hermosa Beach Police Department which allows the Department to lawfully disqualify persons who do not meet the job requirements of this Department’s standards.

POLICY

The purpose of the background investigation is to verify the absence of past behavior indicative of unsuitability to perform the duties of a peace officer. It shall be the policy of this Department to employ the California Commission on Peace Officer Standards and Training (P.O.S.T.) list of “Job Dimensions,” which are used as a professional standard in background investigations. These job dimensions, described in detail in the P.O.S.T. Background Manual, are as follows:

A. Moral Character – includes Integrity; Impulse Control/Attention to Safety; and Substance Abuse and Other Risk-taking Behavior
B. Handling Stress and Adversity – includes Stress Tolerance; Willingness to Confront Problems; Problem Solving Abilities; and Judgment Under Pressure
C. Work Habits – includes Desire for Self-improvement and Appearance
D. Interactions with Others – includes Interpersonal Sensitivity and Interest in People
E. Intellectually-based Abilities – includes Communication Skills; Learning Abilities; and Observational Skills
F. Job-specific Requirements – includes Physical Ability; Operation of a Motor Vehicle; and Credibility as a Witness in a Court of Law or Administrative Hearing

TRAINING

A trained, P.O.S.T. certified background investigator will conduct a comprehensive background on every recommended applicant for the position of police officer with this Department. The Administrative Sergeant will be responsible for conducting the background investigations of all other Department personnel, excluding the Chief of Police. The Administrative Sergeant shall be trained in the collection of required information. (CALEA 32.2.2)

SWORN POLICE OFFICERS

During the initial phase of the background process, verification is required of all qualifying credentials and that the applicant conforms with requirements of P.O.S.T. Regulation 1002 and the California Government Code which, in part, specifies that, as a minimum, every peace officer shall be:
1. a citizen of the United States or a permanent resident alien who is eligible for and has applied for citizenship;

2. at least 18 years of age;

3. fingerprinted for purposes of search of local, state, national, and firearm clearance fingerprint files to disclose any criminal record;

4. a high school graduate, pass the General Education Development (GED) test, or have attained a two-year or four-year degree from an accredited institution;

5. free from any felony convictions; and

6. of good moral character, as determined by a thorough background investigation.

To accomplish this task, all applicants will submit the following documentation (if applicable):

1. Driver’s license
2. DMV driver’s license history printout
3. Social Security card
4. Birth certificate
5. High School Diploma, or GED certificate with test scores
6. High School transcripts
7. College diploma
8. College transcripts (include all colleges attended)
9. Academy certificates and awards
10. Marriage certificate
11. Divorce certificate
12. Bankruptcy records
13. Proof of Selective Service registration
14. Military separation papers (DD214)
15. Proof of automobile liability insurance for each vehicle owned and operated
16. Credit report
17. Personal History Statement (POST 2-251)
18. Pre-Investigative Questionnaire
19. Autobiography
20. Two notarized releases of liability

The background investigation will include:

1. Fingerprints processed through DOJ and FBI for any criminal history and verification of firearm clearance.

2. Driver’s license and driving record check.

3. Contact with all law enforcement agencies where the applicant has listed residency or previous employment within the past ten years and request a records check.

4. Contact with the basic training academy (if applicable) to determine if any disciplinary problems exist.
5. Contact with employers for the past ten years, including current employer, to verify employment history and request an employment recommendation.

6. Credit history check.

7. Interview with the applicant’s spouse or significant other.

8. Interviews with two or more residential neighbors and at least three personal references.

9. Pursuit of any relevant information received from steps (1) through (8) (CALEA 32.2.1)

**ILLEGAL USE OR POSSESSION OF DRUGS**

The following examples of illegal drug use or possession will be considered automatic disqualifiers of Police Officer applicants, with no exceptions:

1. Within seven years prior to application for employment, any adult use or possession of any drug classified as a hallucinogenic.

2. Within one year prior to application for employment, any adult use or possession of marijuana.

3. Within three years prior to application for employment, any other illegal adult use or possession of a drug not mentioned above.

4. Any illegal adult use or possession of a drug while employed in any law enforcement capacity, military police, or as a student enrolled in college-accredited courses related to the criminal justice field.

5. Any adult manufacture or cultivation of a drug or illegal substance.

6. Failure to divulge to the police department during the background investigation any information about personal illegal use or possession of drugs.

7. Any drug test of the applicant, during the course of the hiring process, where illegal drugs are detected.

The following examples of illegal drug use or possession will be considered in relationship to the overall background of that individual and may result in disqualification:

1. Any illegal use or possession of a drug as a juvenile.

2. Any illegal adult use or possession of a drug that does not meet the criteria of the automatic disqualifiers specified above.

3. Any illegal or unauthorized use of prescription medications, including steroids.

**NON SWORN PERSONNEL**

Applicant pre-employment background required documentation, at a minimum will include:

1. Completed non-sworn personal history statement;

2. Two notarized releases of liability;

3. Birth certificate;
4. Social Security card;
5. Driver’s license;
6. High School diploma or GED; and
7. P.O.S.T. certificate, if applicable

The background investigation will include:

1. Fingerprints processed through DOJ and FBI for any criminal history
2. Driver’s license check
3. Contact with law enforcement agencies where the applicant has listed residency or employment for the past three years for a records check
4. Contact with the last employer, including current employer, to verify employment history and request an employment recommendation
5. Interviews with three or more personal references
6. Pursuit of any relevant information received from steps (1) through (5) that require more intense scrutiny to resolve job-relevant issues.

**POLYGRAPH EXAMINATION**

All police officer applicants will be required to complete a polygraph examination during the background investigation. The examination will be administered by a currently licensed and certified examiner. The questions asked to the applicant will be drawn from the applicant’s submitted responses on the Pre-Investigative Questionnaire. The results of the polygraph examination are to be used only as an investigative aid. An indication of deception during the polygraph examination, in and of itself, shall not constitute grounds for rejection of the applicant’s candidacy.

(CALEA 32.2.4; 32.2.5; 32.2.6)

**COMPLETION OF THE BACKGROUND INVESTIGATION**

The results of the background investigation must be submitted in writing to the Chief of Police for the purpose of evaluation to determine whether or not the candidate is suitable.

The written narrative, with the verified public and applicant-supplied documents, form the background package. This package will be retained by the Department as a source of authenticated information on personnel for present and successive administrators. These documents will be retained in accordance with the procedure specified in Policy S2.12 (Selection of New Officers and Employees).

(CALEA 32.2.3)

**APPROVED:**

[Signature]

Greg Savelli
Chief of Police
PURPOSE

This policy will serve to delineate responsibilities, policies, and procedures for training agency personnel.

DEFINITIONS

Career Development – A structured process that is utilized by the Department to provide opportunities for individual growth and development at all levels.

In-Service Training – Training in addition to recruit training, which may include periodic retraining or refresher training, specialized training, career development, promotional training, advanced training, and shift briefing training.

Basic Academy Training – Training received at a P.O.S.T. certified Basic Academy.

Advanced Training – Update training given to more senior officers.

Specialized Training – Training to enhance skills, knowledge, and abilities taught in either recruit or other in-service programs. Specialized training may address supervisory development training or may address job-specific skills.

Briefing Training – Training conducted by the shift supervisor that addresses legal updates, review of Department policies and procedures, issues of concern, observed deficiencies, or planned events.

Department Training – In-house update training conducted by Department certified instructors on such topics as defensive tactics, firearms certification, use of force, CPR/First Aid, NIMS/SEMS, sexual harassment, and cultural diversity.

Remedial Training – Personalized training to correct a specific deficiency, which is usually identified by either testing or evaluation during training, internal investigations, or supervisory evaluation.

RESPONSIBILITIES

The Support Services Lieutenant will be assigned the responsibility as the Department’s Training Manager. The duties include:
1. Ensuring required training programs are attended, and that all training is documented in Department training files.
2. Reviewing and approving all lesson plans for Department training.
3. Coordinating training needs with the Operations Lieutenant to ensure Department staffing needs are met.
4. Identifying areas requiring update or in-service training for Department personnel.

The Operations Lieutenant will administer the Department’s Field Training Program and serve as the Field Training Program Manager. The Operations Lieutenant will ensure all procedures established in the Department’s Field Training Program manual are followed. The Operations Lieutenant will identify areas requiring retraining based on Internal Affairs investigations and the annual ‘use of force’ report.

The Administrative Sergeant, in conjunction with the Support Services Lieutenant, will ensure all available training is posted and officers are assigned to training equitably, based on Department and employee needs. The Administrative Sergeant will provide training bulletins to supervisors for presentation at briefing that address legal updates.

The Administrative Sergeant, in coordination with the Assistant to the Chief, will handle all travel and training requisitions and will serve as the Department’s P.O.S.T. contact point, for compliance and certification processing.

The Field Training Sergeant’s responsibilities include:

1. Coordinate the assignment of Field Training Officers to probationary officers assigned to the Field Training Program (trainees).
2. Review trainees’ Daily Observation Reports and Monthly Reports to ensure performance objectives are completed.
3. Brief the Field Training Program Manager on the progress of probationary officers’ training, particularly remedial needs.

**TRAINING COMMITTEE**

The Department will have a Training Committee which will assist in developing and evaluating training needs and serve as a focal point for input from varies units within the Department. The Training Committee will be comprised of the following individuals, appointed by the Chief, and will report to and serve at the discretion of the Chief of Police. (CALEA 33.1.1 a, b, e)

1. Support Services Lieutenant (Training Manager)
2. Operations Lieutenant
3. Field Training Coordinator (Sergeant)
4. Training Sergeant
5. Captain

The Committee will meet as needed and has the authority to make recommendations to the Chief of Police for individual and department training programs.
C. The Committee will provide input for planning, development, coordination, scheduling, implementation and evaluation of training programs, as well as updates to the Department Training Program. (CALEA 33.1.1 c, d)

REQUESTING TRAINING

Employees shall be entitled to request training courses that are directly related to their job assignment. Request for training courses will be routed through the individual’s appropriate chain of command, commencing with the individual’s immediate supervisor. If approved, the training will be scheduled at a time that is convenient to the Department.

Employees may elect to attend voluntary training when off duty or on leave. Employees electing to attend such voluntary training will not be compensated by the Department. Supervisors may allow employees to switch shifts, reschedule work hours, or use leave time to accommodate classes, permitted they have the approval of their Lieutenant or the Chief of Police. Shift changes or schedule adjustments will not be permitted if it requires the payment of overtime or other Department compensation, except with the approval of the Chief of Police.

TRAINING PLAN

The Department will maintain a training plan. This plan will list mandatory, essential, and desirable training for each rank, position, or assignment. Employees assigned or promoted to new assignments must complete all mandatory training courses prior to being assigned or granted additional training. This training plan is subject to periodic review and/or modification as directed by the Support Services Lieutenant.

ATTENDANCE

Employees shall attend all assigned training courses. When an employee is unable to attend an assigned training course due to illness, court subpoena, or other emergency, he or she must notify the Administrative Sergeant as soon as possible. The Administrative Sergeant will, if possible, reschedule the employee for a future course presentation or similar training.

Documentation of completed training shall be submitted to the Administrative Sergeant for update of the employee’s training records. Acceptable documentation may include a certificate of completion, letter of certified training, or a memorandum from the course presenter. The Administrative Sergeant will update all employees’ training records following completion of training. Additionally, those employees successfully completing P.O.S.T. certified training will also have their records updated by P.O.S.T. (CALEA 33.1.2; 33.1.6)

REIMBURSEMENT

Employees who attend an assigned training course will be reimbursed for travel and/or per diem as authorized by P.O.S.T., State, or Department policy, and pursuant to the Hermosa Beach Police Officers’ Association Memorandum of Understanding (MOU) with the City.
**Days off Adjustment**

For the purpose of uniformity, all schools, seminars, workshops, etc., shall be considered to be 8-hour working days. The workweek shall be considered Sunday through Saturday. In order to adjust for employees working 10 or 12 hour days, the following policies shall be instituted in order to achieve uniformity among department personnel attending training:

A. Employees who attend Department training, regardless of the duration of that training, may be required by Department management to report to the workplace prior to such training and/or to return to the workplace at the conclusion of such training.

B. Training requiring less than 6 hours shall be taken on an hour-to-hour basis.

C. Training requiring attendance of more than 6 but less than 12 hours shall be treated as a complete work day.

D. Training requiring attendance of 2 to 3 days shall be taken on a day-for-day basis.

E. For employees working a 4/10 or 5/8 schedule, training requiring attendance of 4 days shall be considered as 1 workday equaling 1 training day.

F. For employees working a 3/12 work schedule, training requiring attendance of 4 days shall be considered as 1 workweek, whether or not the employee is working a short or long workweek.

Pursuant to Article 14, subsection H, of the MOU, any time spent in excess of the normal work shift will not be counted as working time and is not compensable in any manner.

**Vehicle Usage for Training Transportation**

Due to the limited number of Department vehicles, employees attending training are encouraged to utilize their personal vehicles. The Department retains the option of furnishing a City credit card or providing mileage reimbursement.

Whenever possible or practical, sworn officers should use marked police vehicles for attendance at local classes where there is a reasonable likelihood of security for the vehicle. Unless specifically authorized, the vehicle must be returned to the station at the end of each day. Employees with assigned Department vehicles should use their assigned vehicle to attend training. If needed, a City credit card may be obtained through the office of the Chief of Police for the purpose of obtaining fuel.

If the employee is attending a P.O.S.T. approved school and the use of a personal vehicle is necessary, mileage reimbursement will be granted according to the current P.O.S.T. guidelines. For any other training where the use of a personal vehicle is necessary, mileage reimbursement shall be according to the current City Finance Department guidelines.

Recruit officers assigned to the Basic Academy shall report directly to the course site as their duty assignment, providing their own transportation unless the Department makes other travel arrangements. No travel allowance shall be authorized for attending the Basic Academy.
Travel Time Allowance

The following schedule will be adhered to in determining travel time to Department-approved schools, seminars, etc. “Miles” is the round trip distance from the Hermosa Beach Police Station to the course site.

- 0 to 140 miles – No travel time authorized
- 141 to 320 miles – One (1) day total travel time is authorized for each round trip
- 321 to 620 miles – Two (2) days total travel time is authorized for each round trip

When air transportation to a course site is approved, no travel time will be authorized. The Administrative Sergeant shall make all flight arrangements and will make every effort to arrange convenient flights for attendees. In the event of a trip delay, or if convenient flights are not available, travel time may be granted on a case by case basis as determined by the Support Services Lieutenant.

Accommodations

The arrangements for accommodations at away schools shall be the responsibility of the Administrative Sergeant. Funding for accommodations shall occur with consideration given to:

- P.O.S.T. reimbursement policies
- S.T.C. funding priorities
- City budget constraints

Meal Allowance

Resident trainees shall be reimbursed for each breakfast, lunch, and dinner. Meals will be reimbursed for the time actually at the course site or while en route. (Example: an employee departing for a course at 1400 hours would be reimbursed for dinner only on that day.)

Employees commuting to their training classes shall be reimbursed for lunch only, with the following exceptions:

1. Police recruits attending the Basic Academy
2. Training where the Department requires sack lunches
3. Where lunch is already provided at the training course

Meal reimbursement allowances for both P.O.S.T. and S.T.C. – certified training courses shall be according to the most current P.O.S.T. and S.T.C. guidelines. Receipts are required for all other courses. Receipts will be submitted to the Administrative Sergeant for processing. (CALEA 33.1.3)
BASIC ACADEMY TRAINING

Police recruit trainees are required by law (Penal Code section 832) and P.O.S.T. regulations [Regulation 1005(a) and section D-1, Procedure 1-1 through 1-3] to attend basic training at a P.O.S.T. – certified Basic Academy.

Police recruit trainees will not be assigned to any capacity in which the officer is allowed to carry a weapon or is in a position to make an arrest until completion of academy training as prescribed by law.

Depending on availability, this Department will assign recruit trainees to any P.O.S.T. – certified Basic Academy within this region.

The academy will provide each recruit with orientation materials at the time the academy begins. The Administrative Sergeant will provide each trainee with a copy of the Department’s Policy and Procedures Manual and General Orders before the trainee begins the academy and insure the trainee understands what is expected of him/her before, during, and after the academy. Training in the Department’s policies, procedures, rules and regulations, and general orders will occur during the Field Training Program after the completion of academy training.

The Administrative Sergeant will maintain contact with and track the recruit’s progress during the academy training. The Administrative Sergeant will act as liaison with the academy staff and provide Department input as needed.

The Department will be responsible for compensating the Basic Academy operator for the costs associated with each recruit’s academy training. The Department will also provide any additional training materials specifically requested by the academy for the instruction of the trainee.

(CALEA 33.2.3; 33.2.4; 33.4.1; 33.4.2)

POST ACADEMY TRAINING – FIELD TRAINING PROGRAM

Upon completion of the Basic Academy, all recruits will begin the Field Training Program. The Field Training Program is a twenty-week, P.O.S.T. – approved training program that commences with a one-week orientation period, continues with sixteen weeks of structured instruction by a Field Training Officer (FTO), and concludes with a three-week period of performance evaluation. (Refer to the Hermosa Beach Police Department Field Training Program Manual for specifics regarding the Field Training Program operation.) Newly-hired “Pre-service” officer candidates are also required to begin this program immediately upon hire. Field Training will include:

1. A curriculum based on tasks of the most frequent assignment-associated duties of officers who complete recruit training.

2. Use of evaluation techniques designed to measure competency in the required skills, knowledge, and abilities.

Newly-hired “Lateral” applicants will be required to begin a truncated version of the Department’s Field Training Program. This program is structured to accommodate the
“Lateral” candidate’s previous law enforcement training and experience. The Field Training Program (Lateral Entry) begins with a one-week orientation period, continues with a period of at least four weeks of structured instruction by a FTO, and concludes with a two-week period of performance evaluation. [Refer to the Hermosa Beach Police Department Field Training Program Manual (Lateral entry) for specifics regarding the Field Training Program operation.]

All FTOs must meet the experience criteria described in the Field Training Program Manual. Prospective FTOs are required to submit their candidacy requests to the Field Training Sergeant who will then forward the request to the Field Training Program Manager. The Field Training Program Manager, along with the other members of the command staff, will have final authority in determining the suitability and selection of FTOs. Those selected as FTOs must satisfy the required P.O.S.T. training requirements described in the Field Training Program Manual.

Field Training Officers will report directly to the Field Training Sergeant while they are working as FTOs. All evaluations will be completed in a timely manner by the FTOs and will be reviewed by the Field Training Sergeant.

During the training period, the Field Training Sergeant will conduct periodic group meetings with the Field Training Officers to review each trainee’s progress and discuss any problems or additional training which may be needed to assist the trainee. The Field Training Sergeant may request a special meeting with the Field Training Program Manager at any time.

All trainees must successfully complete each phase of the Field Training Program before a letter of completion will be signed by the Field Training Sergeant and forwarded to the Field Training Program Manager.

Trainees requiring additional training may be extended in the Field Training Program for a period of time agreed upon by the FTOs, Field Training Sergeant, and the Field Training Program Manager. If it is the consensus of the FTOs and Field Training Sergeant that a trainee is not making expected progress, documentation to that effect will be submitted to the Field Training Program Manager for recommendations and action. (CALEA 33.4.3)

DEPARTMENT – ADMINISTERED TRAINING

All Department training programs will have lesson plans approved by the Support Services Lieutenant. All lesson plans submitted for approval will include the following:

A. A statement or outline identifying the purpose of the training, establishing performance objectives and relating the relevance of the training to critical job tasks.

B. The content of the training and specifications of the appropriate instructional techniques (lecture, group discussion, “hands-on” training, etc.).

C. Identification of any tests to be utilized, or methods for evaluating participants.

D. A listing of the time allotted for each topic and the instructor(s) assigned to teach them.
All Department instructors who teach P.O.S.T. – certified courses must have obtained P.O.S.T. certification as an instructor for that particular course. P.O.S.T. – approved courses of instruction will be taught pursuant to P.O.S.T. guidelines.

The Assistant to the Chief will maintain records for all Department – administered training courses. These records will include:

- A. Course title and content (lesson plan)
- B. Roster of attendees (including those from outside agencies, if applicable)
- C. Total hours of training
- D. Individual performance or test results, if applicable

(REMEDIAL TRAINING)

Remedial training will be provided to any employee who has been identified by his/her supervisor to be deficient in any area of required competence. Remedial training can be provided through additional training by a department supervisor, Field Training Officer (FTO), or required attendance at a P.O.S.T. in-service training course.

At the time the need is identified, the employee’s supervisor will establish a timetable for the completion of any remedial training. All remedial training recommendations must be approved by the Support Services Lieutenant. The need for, and type of, remedial training must be documented.

Probationary employees must satisfactorily complete remedial training as a condition of continued employment.

(BRIEFING TRAINING)

The primary purpose of shift briefing training is to keep officers informed of current events affecting patrol operations and procedures. It is also designed to supplement the officers’ other training by keeping them up to date in between formal retraining sessions. Topics for briefing training may include, but are not limited to:

a. Events/Activity from previous shift
b. New equipment/demonstrations
c. General Orders or other policy updates
d. Training bulletins
e. Legal updates
f. P.O.S.T. training videos (or other authorized training videos)
g. Current events or other issues affecting shift patrol operations, including Directed Patrol requests

In accordance with Section 802.15 of this policy (Shift Briefing), the shift Watch Commander will conduct briefing at the beginning of each shift. The Watch Commander will also be responsible for conducting briefing training. This training may be given by the Watch Commander or other designated personnel. All officers assigned to the shift will attend briefing training.
ANNUAL RETRAINING

All sworn personnel will complete an annual retraining program, which will include legal updates, review of core policies, and any revisions to the Department’s Policy and Procedures Manual and General Orders. The Administrative Sergeant will be responsible for updating the department’s training calendar and ensuring that all applicable training is conducted to meet the needs of the Annual Retraining program. Employees will provide written acknowledgement (by signature) upon receiving required training.

(CALEA 33.5.1)

ADVANCED AND IN-SERVICE TRAINING

P.O.S.T. procedure 1005(d)(1) requires that each sworn officer receive at least 24 hours of P.O.S.T. – certified training every two years. Sworn employees assigned to specialized positions will be required to attend related P.O.S.T. – certified courses for the purpose of improving their skills and enhancing their potential for upward mobility.

Additionally, the Administrative Sergeant will schedule sworn officers to attend advanced officer schools. Such training may consist of:

a. Legal Update
b. Search and Seizure law
c. Civil Liability
d. Shoot/Don’t Shoot, or other discretionary decision-making instruction
e. New police concepts, procedures, or technology
f. Any other course designed to enhance overall abilities and proficiencies

Civilian employees will attend P.O.S.T. or other certified training applicable to their assignment. Civilian supervisors will attend a P.O.S.T. or other certified civilian supervisory course.

SPECIALIZED TRAINING

Specialized training is required for proficiency in a variety of assignments. Assignments requiring specialized training are:

1. Canine Teams
2. Mounted Enforcement
3. Traffic Operations/Motor Officer
4. Field Training Officer
5. Range Master/Armorer
6. Defensive Tactics Instructor
7. Investigations
8. Any other assignment where the Chief of Police deems specialized training is appropriate

Such training should include and take into consideration:

1. Requirements or legal mandates
2. Department policy and procedures specifically related to function or assignment
3. Skill development or enhancement
4. Management, administration, supervision, personnel policies and support services of the function or assignment
5. Supervised on-the-job training

Additionally, certain specialized assignments may require periodic retraining necessary to maintain proper certification(s). For many assignments, this is accomplished through periodic update training (such as Field Training Officer). This retraining shall be accomplished as mandated by Department policy or P.O.S.T. or other State requirements and will be documented in the employee’s training file.

(CALEA 33.6.1)

**TRAINING UPON PROMOTION**

P.O.S.T. procedure 1005(b)(1) requires newly-promoted sworn supervisors to attend a P.O.S.T. – certified supervisory course within 12 months of the promotion date. The Supervisory Course includes training in supervisory and management roles and responsibilities, oral communications, personnel evaluations, media relations, training and counseling, and internal communications.

P.O.S.T. procedure 1005(c) requires newly-promoted lieutenants to attend a P.O.S.T. – certified management course within 12 months of the promotion date. The Management Course includes training in management roles and responsibilities, personnel management skills, leadership styles and decision-making, organization and sergeant development, and legal responsibilities.

(CALEA 33.8.2)

**NON-SWORN (CIVILIAN) PERSONNEL TRAINING**

All civilian personnel will receive training upon hire or transfer/promotion to a new assignment that requires specialized training. PSO’s and PSO Supervisors perform records and jail functions. Records and jail personnel receive pre-service and in-service training and any additional training as directed by Department policy and State and Federal mandates, or as deemed necessary. Necessary training required due to promotion must be completed within twelve months from the date of promotion.

Newly-hired civilian employees will receive information regarding:

1. Department policies and procedures
2. The Department’s role, purpose, and goals
3. Responsibilities and rights of employees

(CALEA 33.7.1; 33.7.2; 33.8.2)

**ACCREDITATION FAMILIARIZATION AND TRAINING**

All newly-hired Department personnel will receive familiarization training in the accreditation process within thirty days after beginning employment or within thirty days of completing the Basic Academy.

During the self-assessment phase associated with achieving initial accreditation and re-accreditation, all Department personnel will receive information regarding the accreditation
process. All Department personnel will receive training just prior to the on-site assessment outlining the process and procedures for the assessment.

Within one year of being appointed to the position, the accreditation manager will receive specialized accreditation manager training that includes the essential components of the accreditation process, the standards manual, file maintenance, and the panel review process. The accreditation manager will attend at a minimum one CALEA conference during each assessment period. (CALEA 33.5.3; 33.5.4)

**CAREER DEVELOPMENT**

As part of the Department’s performance evaluation process, all supervisors will conduct career development sessions with their subordinates. During these sessions, career development opportunities will be discussed and will be documented in the employee’s evaluation. Notations should be made on specific goals and accomplishments to be worked towards during the next review period and the specific training plan or other learning experiences/opportunities recommended for the next review period.

These sessions are designed to assist employees in planning their career paths through the utilization of formal education opportunities and job-specific training courses to improve their skills, knowledge, and abilities. (CALEA 33.8.3)

**APPROVED:**

Sharon Papa  
Chief of Police
A relationship of trust and confidence between members of the Department and the community is essential to effective law enforcement. Law enforcement officers and Department Members must be free to exercise their best judgment and to initiate enforcement action in a responsible, lawful and impartial manner without fear of reprisal.

Penal Code Section 832.5 requires that any department that employs peace officers establish a procedure to investigate citizens’ complaints against its personnel and make a written description of the procedure available to the public. Every person has a right to file a complaint and all alleged or suspected violations of law, ordinances, Department orders, policies and rules must be investigated.

The Hermosa Beach Police Department acknowledges its responsibility to establish a complaint system and disciplinary procedures, which not only will subject the officer or Department Member to corrective action when there is improper conduct, but also will protect the officer or Department Member from unwarranted criticism when official duties are properly discharged.

**POLICY**

It is the policy of this Department to investigate or inquire about all complaints against the Department or its Members, including anonymous or third party complaints, and provide prompt, just, open and expeditious disposition of complaints regarding the conduct of Members of this Department.

(CALEA 52.1.1)

A copy of the Personnel Complaint Procedure shall be maintained in the Watch Commander’s office and shall be provided to members of the public upon request. Additionally the Department will compile annual statistical summaries, based upon records of Internal Affairs Investigations, which are made available to the public and Department Members.

(CALEA 52.1.4, 52.1.5)

**CLASSIFICATION OF COMPLAINTS**

All complaints will be classified in either of two (2) ways:

1. Administrative Review
a. The review of an incident or violation of Department policy to determine what action, if any, is necessary or if a recommendation to the Chief of Police for an internal investigation is warranted.

b. Administrative reviews are usually initiated internally by Department personnel. Examples include disciplinary measures and reviews within the purview of Sergeants and Lieutenants.

c. Administrative Reviews are usually documented on a memorandum form.

(CALEA 52.2.1 a)

2. Internal Affairs Investigation

a. An investigation into an allegation of misconduct initiated by a citizen’s complaint or any investigation into an internal allegation of serious misconduct by a Member of the Department. These investigations also include anonymous complaints.

b. Internal Affairs Investigations will be assigned for investigation by the Chief of Police. Complaints assigned to be investigated shall have the nature of the complaint determined by the Support Services Division Commander prior to being forwarded to the Internal Affairs investigator.

c. Internal Affairs Investigations shall be documented on a Hermosa Beach Police Department Personnel Complaint Form, prior to being forwarded to the Internal Affairs Investigator.

(CALEA 52.2.1b)

DEFINITIONS

• Complaint – A statement made alleging that a Department Member (sworn or non-sworn) has engaged in an act constituting misconduct. Complaints can be made by members of the public, City employees, and Departmental personnel.

• Complainant – The person who files a complaint with the Department alleging misconduct by a Member or Members of the Department, and includes any aggrieved party and any person or group who assists in filing the complaint.

• Disposition – The status assigned to a case by the Chief following the conclusion of the investigation.

• Internal Affairs Investigation – An investigation of incidents and plausible suspicions of lawbreaking and/or professional misconduct concerning Police Officers or other Department Members.

• Member (Department Member) – Both sworn (Police Officers) and non-sworn civilian employees of the Department (includes temporary and part-time positions); and,
Reserve Police Officers, Community Services Officers, and Community Services Administrative Personnel.

- Misconduct – Under these procedures, it is shown by a preponderance of the evidence that a Department Member has violated:
  1. Any rule, regulation, policy, procedure, or lawful order of the Department.
  2. Any law, whether codified by city/county statute, state or federal statute, or constitutional provision.

- Rules and Regulations – Administrative acts that are designed to regulate Departmental standards of conduct and appearance.

- Suspension – The temporary removal of a Department Member from active employment for a defined period of time.

- Witness – A person who can produce evidence relevant to an alleged violation.

- Supervisory Inquiry – A supervisory inquiry is a routine, preliminary contact with a Department Member that is conducted to ascertain whether a formal investigation needs to be initiated. Such an inquiry should NOT be conducted when the supervisor has sufficient reason to believe that the contacted Department Member accused of possible misconduct could be the subject of disciplinary action. Under no circumstances should an interrogation be conducted at this level.

**RECEIVING COMPLAINTS**

Complaints shall be accepted from any source, at any time, whether made in person, by mail, by telephone or by electronic mail, and may originate from within or outside the Department.

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

The supervisor or other Department Member receiving the complaint may attempt to remedy the problem with the complainant at the time the complaint is made. However if the complaint cannot be rectified informally, then a written complaint shall be taken.

A request for clarification or explanation of a particular procedure is not a complaint. Requests for clarification or explanation should be handled by the on-duty Watch Commander, on-duty Police Supervisor, or higher ranking Officer.

All complaints shall be documented using the Hermosa Beach Police Department Personnel Complaint Form.
Complaint Origin

- Department Members receiving a complaint shall refer the complainant directly to the on-duty Watch Commander or available Police Supervisor who will accept the complaint.

- If a complainant makes a written complaint, or will make a written complaint, the Department Member will accept the complaint, and:
  
  1. If possible, request that the complainant complete the complaint using the Hermosa Beach Police Department Citizen Complaint Form.
  
  2. If the compliant is already documented, the Department Member shall accept the complaint, as written.
  
  3. Sign and time/date stamp the submitted complaint (“Employee Receiving Complaint” section; “Date/Time Received” section)
  
  4. Make a copy of the submitted complaint and provide the complainant with a copy
  
  5. Immediately seal the submitted written complaint in an envelope; sign, date/time stamp the sealed envelope; and, deliver the envelope (complaint) to the on-duty Watch Commander or other available Police Supervisor.

- The contents of the complaint will be kept confidential by the Department Member receiving the complaint. Failure to do so could result in disciplinary action.

- If the complainant will not make a written complaint, a written summary will be completed by the on-duty Watch Commander or available Police Supervisor. The complainant interview (written summary completion) shall be digital audio recorded (pursuant to section 13.1 Digital Audio/Video Recording).

- Anonymous complaints will be investigated to the extent possible, given the information provided. The initial investigation process of such complaints is considered administrative in nature.

- A parent or legal guardian is authorized to lodge a complaint on behalf of their juvenile dependant.

- If the on-duty Watch Commander or other Police Supervisor is not available, it is not advisable to request that a citizen return at another time. However, emergency situations may dictate that the on-duty Watch Commander or other Police Supervisor will not be immediately available. In this event, the Department Member receiving the complaint shall:
1. Request that the complainant complete the identification (name of complainant) and contact information (address and phone numbers) sections on the top of the Hermosa Beach Police Department Citizen Complaint Form (if the complainant will not or cannot complete this, the receiving Department Member will complete these sections of the form).

2. Sign and time/date stamp the partially completed complaint form (“Employee Receiving Complaint” section; “Date/Time Received” section).

3. Make a copy of the partially completed complaint form and provide the complainant with a copy.

4. Inform the complainant that the on-duty Watch Commander or first available Police Supervisor will contact the complainant as soon as possible.

5. Deliver the partially completed form to the on-duty Watch Commander or other available Police Supervisor as soon as possible.

- Any on-duty Watch Commander or other Police Supervisor provided with a partially completed Hermosa Beach Police Department Citizen Complaint Form shall contact the complainant citizen using the information provided on the form as soon as possible, and take whatever action appropriate according to Policy and Procedure.

Accepting complaints

On-duty Watch Commanders or Police Supervisors accepting complaints will:

- Screen the complaint to make sure that Department personnel are involved. This should be done when possible during a recorded interview of the complainant and submission of a written report of the interview.

- Ascertain if there is validity to the complaint, as opposed to a lack of understanding of agency procedures. Sometimes a complaint may be resolved by a simple explanation of agency procedures.

- If the complaint cannot be resolved at this level, the supervisor will forward the complaint to the Support Services Division Commander. The Support Services Division Commander will review the complaint and forward it to the Chief of Police for determination or assignment of investigation or supervisory inquiry. The forwarded complaint should include any and all reports associated with the incident that led to the complaint and any reports related to the complaint. (CALEA 52.2.2)

- In the event of a major violation, the on-duty Watch Commander or Police Supervisor will NOT conduct an interrogation of the subject Department Member(s). The on-duty Watch Commander will take whatever action is appropriate and required given the severity of the situation (arrest, suspension, temporary relief of duty, etc.), and immediately notify the Operations Division Commander, Support Services Division
Commander, Captain, and the Chief of Police of the nature of the complaint and the action taken.
(CALEA 52.2.7)

- If relieved of duty, the on-duty Watch Commander will relieve the Department Member of his/her badge, identification, and service weapon (Police Officers). If the weapon is owned by the officer, it will be the responsibility of the supervisor to admonish the officer that his authority to carry a weapon is not in effect during the suspension. Under no circumstances will an officer deemed or suspected to be under the influence of any intoxicant or controlled substance be permitted to retain a weapon.

**INVESTIGATION RESPONSIBILITIES**

The Chief of Police may designate any sworn officer, licensed private investigator, or an attorney to conduct any Internal Affairs Investigation.

Criminal investigations will be bifurcated and conducted by the Los Angeles County Sheriff’s Department or the Los Angeles County District Attorney.

The Support Services Division Commander will immediately notify the Chief of Police of the receipt/acceptance of any complaint either by telephone, email or by bringing the complaint form to the Chief for review.

The assigned Investigator will notify the complainant in writing of the receipt of the complaint. Additionally, the Investigator will periodically advise the complainant of the status of the investigation.
(CALEA 52.2.4)

At the time the complaint is assigned for investigation by the Chief of Police, it will be assigned a case number obtained from the Administrative Assistant. The original complaint will then be filed by case number with all other completed investigations and a copy of the complaint, containing the assigned case number, will be given to the assigned Investigator. The complaint will then be tracked by the Administrative Assistant through the investigation process, until its completion.

Complaints received directly by the Chief may be assigned for investigation at the Chief’s discretion.

At no time will an investigation be assigned to an individual who is either a party in the complaint or a primary witness.

The individual assigned to perform an Internal Affairs Investigation has the authority to report directly to the Chief of Police on the findings of the investigation and will provide updates throughout the investigation as necessary or requested.
(CALEA 52.1.3)
Notifying Parties of a Complaint

- The Complainant

1. The complainant will be given a copy of the completed complaint form at the time the complaint is filed.
2. The assigned Investigator will notify the complainant in writing of his/her receipt of the complaint for processing and will periodically provide the status of the investigation.
3. At the conclusion of the Investigation, the Chief of Police will provide the complainant with a written complaint disposition.
   (CALEA 52.2.4 a-c)

- The Subject (of the complaint) Department Member(s)

1. The Department Member(s) shall be notified in writing of the complaint as soon as practical and will be advised of the nature of the complaint; date and time of the incident, and any related DR number. However, if circumstances dictate that such notification would jeopardize the investigation, the Chief of Police may decide not to notify the involved Department Member(s) until such time as it is prudent to do so.
   (CALEA 52.2.5)
2. The Department Member(s) and Witness Department Member(s) shall comply with any lawful written or verbal order given as it relates to the Internal Affairs Investigation. The Department Member(s) and Witness Department Member(s) will be given a copy of any written order. The Department Member(s) and Witness Department Member(s) presented with written orders will sign and acknowledgment that they have received the order and will comply with the contents of the order. This will include notification of the investigation and notification of interview dates and times.
3. After disposition by the Chief of Police, the Department Member(s) will be notified as soon as practical.

Department Member Rights - During an Investigation

- The Public Safety Officers Procedural Bill of Rights Act, Government Code Sections 3300 – 3311 et seq. (AB301) applies to all administrative investigations into allegations of Department Member misconduct by sworn (Peace Officers/Police Officers) and specific non-sworn (Police Services Officers) Members employed by the Hermosa Beach Police Department. Hermosa Beach Police Department Police Service Officers (PSOs) are Correctional Officers pursuant to California Penal Code Section 830.5. Nothing in policy S2.15 shall supersede the rights afforded Peace Officers (California Penal Code Section 830.1) or Correctional Officers (California Penal Code Section 830.5) in sections 3300 – 3311.
• In a criminal investigation, the Department Member has a right not to answer questions that would incriminate him/her, and they are entitled to all the rights of any other suspect.

• Sworn and non-sworn Department Members who are the subject of an investigation are entitled to a representative of their choice during any interview or interrogation. This does not apply to Witness Department Members.

• In an administrative investigation, the Department Member does not have a right to refuse to answer questions within the scope of the investigation. Prior to any interrogation or interview the subject sworn or non-sworn Department Member will be read the Department “Interrogation Admonition” Form. The subject Department Member will be admonished per “Miranda” and “Lybarger”.

• The interview of any Department Member shall be conducted at a reasonable hour, preferably when the Member is on duty, unless the urgency of the investigation dictates otherwise. If such an interview occurs during off-duty hours of the Department Member being interviewed, the Member shall be compensated for his/her off-duty time.

• The Department Member shall be permitted to take notes and to bring his/her own recording device and record any and all aspects of the interview.

• No Department Member shall be compelled to submit financial disclosure statements or be subject to examination using instruments (polygraph, etc.) for the detection of deception. (CALEA 52.2.6 d, e)

• Searches:

  1. City owned desks, lockers, storage space, rooms, offices, equipment, work areas and vehicles are the sole property of the City of Hermosa Beach, subject to inspection deemed necessary by the Chief of Police or other authority.

  2. No officer shall have his/her locker or other space for storage that may be assigned to him/her searched except:

     a. In his/her presence;
     b. With his/her consent;
     c. If a valid search warrant has been obtained; or
     d. He/she has been notified that a search will be conducted.

• A Department Member shall NOT be required (unless subject to a random test procedure) to submit to a medical or laboratory examination, to a field sobriety examination, to a blood, breath or urine test for the purposes of determining the presence of a narcotic, drug, or alcohol unless:
1. There is a reasonable and articulated suspicion that the Department Member ingested or absorbed by the body in any other manner an alcoholic beverage, narcotic, or drug. (CALEA 52.2.6 a)

- A Department Member will be required to participate in a photo or live lineup when it is a necessary element of the investigation.

- Any telephone call made or received on a Department telephone is the business of the Chief of Police and not confidential. Due to the very nature of the complex problems that face law enforcement and the need for accuracy in reporting, those using Hermosa Beach Police Department telephones shall reasonably expect monitoring and/or recording of incoming and outgoing calls.

- Reserve Police Officers (California Penal Code, Section 832.6), while on-duty and during the course and scope of duties, will be imparted the same status as that of full-time Police Officers. In the event of any off-duty incident which reflects on the reputation of the Department, the Chief of Police shall have complete discretion on a case-by-case basis.

- Community Services Officers, and Community Services Administrative Personnel, shall be afforded all rights and privileges under the Memorandum of Understanding (MOU) between the City of Hermosa Beach and the California Teamsters Public, Professional and Medical Employees Union Local 911 (Teamsters Local 911).

**INVESTIGATION PROCEDURES**

All Internal Affairs Investigations shall be conducted in such a manner as to ensure compliance with all applicable laws, ordinances and MOUs between the City of Hermosa Beach and concerned Department Members’ labor associations/organizations/ unions.

These procedures shall not apply to any investigation or interrogation of a Department Member in the normal course of duty, counseling, instruction, or informal verbal admonishment by, or other routine or unplanned on-duty contact with, a Police Supervisor or other Department Member, nor shall these procedures and requirements apply to an investigation concerned solely and directly with alleged criminal activities.

All interviews or interrogations concerning the investigation shall be recorded.

The complainant and all witnesses will be interviewed when practical. If the complainant or witnesses do not cooperate with the investigator for the purposes of being interviewed, this will be noted in the investigative report.

It is the responsibility of the assigned Investigator to thoroughly and objectively investigate the case and submit a completed investigation report as provided under these procedures.
The Internal Affairs Investigation may be tolled at the discretion of the Chief of Police in accordance with any provision of 3304 of the Government Code as it relates to the tolling of investigations. The complainant will be notified in writing of the tolling in accordance with applicable law.

The Investigator assigned to investigate a complaint against Department Member(s) shall conduct a thorough, accurate and objective investigation. The Investigation will be completed in a timely manner and in accordance with the time provisions of 3304(d) of the Government Code. Every effort will be made to complete most investigations within ninety (90) calendar days from the date the complaint was approved for investigation by the Chief of Police. Any extension of the ninety (90) calendar day time period requires the specific approval of the Chief of Police. An initial extension of thirty (30) calendar days may be granted and the Investigator must state in writing the reason(s) for the extension. Additional extensions of fifteen (15) calendar days each may be granted. The accused Department Member shall be notified in writing by the assigned Investigator of an extension within seven (7) days after the extension was granted. Extenuating circumstances must be present for every extension. (CALEA 52.2.3)

The investigative file shall be organized into the following three (3) sections:

1. Complaint – This section of the report shall consist of a summary of the complaint as made by the complainant. Each alleged act of misconduct, as set forth in the complaint, shall be itemized. Reference shall be made to those rules, procedures, orders, statutes, or constitutional provisions that would be violated if the allegations are taken as true.

2. Investigation – This section shall consist of a chronological summary of the investigation, including pertinent facts obtained through interviews with the complainant, accused Department Member(s), and all available Witnesses. Summaries of written statements made by the above persons, description and analysis of physical evidence obtained, and all other information relevant to the investigation, should be included.

3. Classifications – Shall be completed by the reviewing authority. The results of the investigation of any allegation, including the observations and conclusions of the investigator, shall be placed in this section. This shall include one of the dispositions as noted below. Also, the reason for the findings in connection with each allegation shall be set forth in this section. (CALEA 52.2.8)

Each allegation in the complaint will be classified by the Support Services Division Commander with one of the following dispositions:

- Unfounded – When the investigation indicates the alleged action did not occur.
- Exonerated – When the investigation indicates the act occurred but it was justified, lawful, and proper.
• Not Sustained – When the investigation discloses insufficient evidence to clearly disprove or prove the allegations.

• Sustained – When the investigation discloses that the act complained of occurred and constitutes misconduct.

• Misconduct Not Based On Original Complaint – When the investigation discloses misconduct that is not part of the original complaint. When misconduct, neither based on, nor directly related to, the original complaint is revealed; a new Personnel Complaint with a new complaint number shall be prepared recording the new allegations and investigated in accordance with this procedure.

Upon receipt of a completed investigation, the Chief of Police shall:

• Order further investigation, if necessary and articulate the area of further investigation.

• Determine if any violation of law, Department policy or rules and regulations has occurred. The Chief is not bound by the findings in the investigation by a subordinate, but may make new and separate findings based on the investigation results. (CALEA 52.2.8)

• Make a decision for disciplinary action or other disposition, based on the findings and the Department Member’s record of service.

• Ensure the subject Department Member is presented with the written results and disposition of the investigation, as well as and the Chief’s recommendations. (CALEA 52.2.8)

• Provide the Department Member with the opportunity to review the investigative file and sign their acknowledgement on the Personnel Complaint form.

• Direct that the results and disposition concerning the investigation of any sustained complaint be preserved in the Department Member’s personnel file.

**EXERCISE OF RIGHTS**

Department Members shall not be subjected to punitive action, or denied promotion, or threatened with any such treatment because of their lawful exercise of the rights granted to them under Government Code §3300, or any exercise of any rights under any existing administrative grievance procedure.

Nothing in this section shall preclude the Chief of Police from ordering a Department Member to cooperate with other agencies involved in criminal investigations. If the department Member fails to comply with such an order, the Department may officially charge the Department Member with insubordination.
EXTERNAL INVESTIGATION

Any Department Member contacted by an outside investigating agency on matters concerning arrests, incidents, or allegations against the Department or its personnel shall report the contact immediately to the Support Services Division Commander.

The Support Services Division Commander shall immediately inform the Captain and Chief of Police.

The Chief of Police has sole and absolute discretion in such matters. The Chief of Police may designate a Department representative to be present when any statements are given to an outside agency.

Nothing in this section prevents any Department member from retaining legal counsel.

MAINTENANCE OF INTERNAL AFFAIRS RECORDS

Investigative reports and records of all complaints against the department or Department Members will be maintained in a locked file in the area designated by the Chief of Police. These records shall remain confidential in accordance with PC 832.7. (CALEA 52.1.2)

Every sustained case which has resulted in a written reprimand, suspension, loss of pay, demotion in rank, or termination, shall require a written explanation of the disciplinary action taken, along with a summary of the complaint to be placed in the Department Member’s personnel file. This shall become a permanent part of the affected Department Member’s personnel file.

If there are two (2) or more Department Members involved in a citizen’s complaint, individual summaries shall be prepared by the Support Services Division Commander for each Department Member regarding his/her involvement and the disposition, which will be placed in each Department Member’s personnel file. Each Department Member involved in a citizen’s complaint will receive a copy of the summary.

Once completed and filed, only those designated by the Chief of Police shall have access to an Internal Affairs record or file, except where:

- Access is required by law or court order; or
- Information contained in the file is relevant to a subsequent investigation.

Per P.C. 832.5, all citizen complaints must be maintained by the Department for a period of at least five (5) years. Administrative reviews and other government records must be maintained for a period of at least two (2) years. Internal Affairs Investigations will be purged in accordance with applicable laws and city policy after five (5) years.

A list of investigation files will be provided to attorneys representing the Department in civil litigation for clearance prior to being purged. A Request for Destruction of Records will be submitted to the City Attorney for final approval.
APPROVED:

Greg Savelli
Chief of Police

Attachment A: Complaint Process Flow Chart
Hermosa Beach Police Department Internal Affairs Complaint Process

ATTACHMENT A
S2.15 Investigations of Personnel Complaints
PURPOSE AND SCOPE

The purpose of the procedure is to offer standardized guidelines for Officers to follow for preparing consistent, high quality reports of incidents and events, which occur on or within the jurisdiction of the Hermosa Beach Police Department.

It shall be the policy of this Department to prepare a report for all incidents or events that Officers of this agency are called upon to investigate. While not all calls for service will require a report, Officers should produce reports whenever possible to maximize the opportunity to record and preserve information, evidence or any other relative data that may become of greater value at a later date.

EVENTS/INCIDENTS REQUIRING REPORTS

This Department will document every incident in the following categories that is alleged to have occurred in our jurisdiction:

- Citizen reports of crime
- Citizen complaints
- Incidents resulting in an employee being dispatched or assigned
- Criminal and non-criminal cases initiated by law enforcement employees
- Incidents involving arrests, citations or summonses

Officers shall respond to calls for service and investigate activity observed while on patrol, and prepare a report on the event or incident whenever any of the following has been established:

- When a person reports a criminal act or an Officer determines a criminal act has occurred
- When evidence indicates a criminal act may have occurred, and there is no victim available to verify the source of the incident
- When a hazardous condition is observed or reported
- When Officer(s) render medical assistance or victims requiring care are transported to a hospital
- When unusual or suspicious activity is reported where, in the Officers’ opinion, additional investigation is recommended (refer also to SAR Policy O3.38 in this manual).
• To record a traffic accident where an involved party requests a report, an involved party is injured, or there is dispute over the at-fault status of the parties involved, or a Department and/or City vehicle or property is involved
• To record any event where the Department may be required to address circumstances of sensitive material or issues
• When an Officer makes an arrest, regardless of the disposition of the arrest
• When so directed by a Supervisor or Division Commander
• When an incident has occurred and the Officer concludes that the best interests of the Department will be served by preparing a report

(CALEA 82.2.2)

**Reporting Format**

Officers of this agency shall use only those report forms and formats as authorized by the Chief of Police.

All reports are assigned a distinct and individual case number (DR # - Divisional Record Number). Only one (1) number is assigned to any report and numbers are not reissued. Example: #00-0001, the first two (2) digits reflect the year of occurrence and the remaining four (4) are issued sequentially starting at 0001 on January 1st every year.

(CALEA 82.2.3)

All reports shall be prepared using the following guidelines:

• All reports shall be completed using correct grammar, spelling and tense
• All reports shall be accurate, honest and factual
• All reports shall be written in first-person
• All reports shall be prepared using the Records Management System (RMS) TIBURON computer program format
• Reports/Incidents authorized by the Chief of Police may be written on authorized hard-copy forms in lieu of RMS TIBURON
• Traffic Collision reports may be written on hard-copy CHP-555 forms, or utilizing the CARS program

**Report Structure**

The RMS TIBUROM case reporting software has prompt screens to allow for the entry of all required crime/incident information for the report. The prompt screens include all required information.

• Prompt screens are programmed with all required information for report completion
• Reports will not be successfully accepted into the RMS TIBURON system until ALL mandatory information (required fields) are completed

The narrative section of the report will be used to enter the Officer’s account of the crime or incident, as well as any supplemental narratives. More detailed instructions for the narrative
content are provided in the official Hermosa Beach Police Department Report Writing Manual.

The Narrative consists of the Officer’s chronological documentation of the events that occurred. A supplemental report shall be used when pertinent information needs to be documented after the original report has been filed or when an assisting Officer needs to file his or her own narrative.

**Report Writing**

Officers are reminded that their reports often times offer the only source of assembled information as to what occurred in the incident, and within a particular time period.

To ensure that the Department meets the expectation of providing accurate and timely information to its respective allied agencies and associate parties, Officers are required to accomplish the following:

- Officers shall complete reports as soon as possible, preferably immediately after concluding the at-scene investigation.
- Officers will then confine their report writing on computer to the report writing room or where approved by the Watch Commander.
- Unless authorized by the Watch Commander, reports shall be completed and turned in prior to the end of the Officer’s shift. An Officer shall notify the Watch Commander as soon as practicable when they foresee not being able to complete a report by the end of their shift. When responsible for multiple reports, Officers shall turn in each report when completed and endeavor to not turn in multiple reports at the end of their shift.
- Watch Commanders shall not authorize critical reports to be held over unless necessary notifications have been made and officially approved, any hazardous condition has been mitigated, and/or critical information has been entered into the CLETS.
- Officers are reminded to proof read their work for accuracy and completeness.
- Officers may, and are encouraged to, consult with Investigators, Detectives, Supervisors or other Officers with a particular expertise when preparing more complex reports.

**Supervisory Review – Watch Commander Approval**

Watch Commanders shall review all reports to ensure accuracy and thoroughness.

Critical Issues that must be reviewed include:

- Overall completeness and correctness.
- Proper form usage.
- Complete identifying/contact information on all involved parties.
• Inclusion of necessary elements for all crimes being reported.
• Headers and narrative structure consistent with policy.
• Documentation of probable cause leading to any Officer’s actions.
• Crime scene investigation, where appropriate.
• Detailed account of evidence/property stolen or recovered.
• Proper grammar, tense, punctuation, and spelling.
• Presence of all required computer printouts.

**Routing Procedure**

Officers, upon completing their assigned report(s), shall:

- Submit the report(s) - “OA” (Owner Approved) through the RMS TIBURON system; or,
- Place the hard-copy report(s) in the “Completed Reports” basket in the Watch Commander’s office.

Watch Commanders shall process the report(s):

- The “OA” report(s), as “SA” (Supervisor Approved) through RMS TIBURON system; or,
- Reject the “OA” report(s), as “UA” (Un-Approved) thus returning the report(s) to the reporting officer via the RMS TIBURON system for correction(s) and/or revision(s); or,
- By approval signature in the proper area(s) of the hard-copy report; or,
- Returning the hard-copy report(s) to the reporting officer utilizing the “Hold” basket in the Watch Commander’s office.

The Watch Commander shall complete the Hermosa Beach Police Department Daily Report Log for each assigned shift, listing each completed report by DR/Case number, and type of report.

The Watch Commander will specify on the Hermosa Beach Police Department Daily Report Log, whether the report is a RMS TIBURON report (check the box) or hard-copy report by turning in the hard-copy report(s) to the on-duty PSO in the Records Bureau, and entering the Watch Commander’s serial # in the “Time in: WC Serial #” box on the form.

The on-duty PSO shall indicate receipt of the form and/or hard-copy report(s) by utilizing the “Received PSO ID#” box on the form.

Records Bureau personnel will review the approved reports for required data entry making sure all standards are met.

The Records Manager (PSO Supervisor) prints each report that is “SA” (Supervisor Approved). The Records manager then checks proper transfer of the report into the RMS
TIBURON system – making any corrections, as necessary; or, returning the report to the Supervisor that originally approved the report.

The Records Manager then “freezes” the report in the RMS Tiburon SYSTEM (“FR” label); sends the printed copy to the Records Bureau for filing in the appropriate DR # folder; and routes a copy of the report to the printer in the Detective Bureau.

The Records Bureau files the original printed report in the corresponding DR # folder in archives.  
(CALEA 82.1.5, CALEA 82.2.4)

The Detective Bureau retrieves the report from their networked printer and provides the report to the Detective Sergeant for review and investigative distribution.

The assigned Detective utilizes RMS TIBURON to compose investigative and follow-up investigative reports. Detectives, upon completing their assigned report(s), shall:

- Submit the report(s) - “OA” (Owner Approved) through the RMS TIBURON system.

The Detective Sergeant shall process the report(s):

- The “OA” report(s), as “SA” (Supervisor Approved) through RMS TIBURON system; or,
- Reject the “OA” report(s), as “UA” (Un-Approved) thus returning the report(s) to the reporting Detective via the RMS TIBURON system for correction(s) and/or revision(s).

(CALEA 82.2.1)

**REPORTS BY PHONE, MAIL OR INTERNET**

The Hermosa Beach Police Department does not accept reports by telephone, mail, or Internet.

**Exception:** Reports referred from other jurisdictions taken in that jurisdiction as “Courtesy Reports”. When received, these referral reports will be assigned a Hermosa Beach Police Department DR # and subject to the normal routing procedures listed above in this policy.  
(CALEA 82.2.5)

APPROVED:

Greg Savelli  
Chief of Police
PURPOSE

To establish what qualifies as a specialized assignment and collateral duties for sworn personnel and define how those duties are assigned.

POLICY

It shall be the policy of this Department to select individuals for specialized assignments and collateral duties based on their skills, knowledge and abilities.

PROCEDURE

I. Specialized Assignments

A. Those assignments that involve full time participation with specific enforcement responsibilities.
   1. Detective (including Detective Sergeant)
   2. Administrative Sergeant
   3. Motor Officer
   4. Community Lead
   5. Special Investigations Unit
   6. LA IMPACT
   7. K-9 Handler

B. Specialized Assignments are of a temporary duration and shall be for a period of four (4) years without extension. Exception: the Community Lead assignment(s) shall be filled as part of the shift rotation.

C. Officers considered for a Specialized Assignment must be off probation and should not have been subject to discipline in the previous twelve (12) months. Selection for a Specialized Assignment will be based on the officer’s demonstrated desire and ability to perform the functions of that specialty. For example, candidates for investigative positions should meet or exceed expectations regarding investigative skills, evidence gathering, and report writing in his/her annual evaluation. Candidates for Motor Officer should meet or exceed expectations regarding traffic enforcement (writing citations, DUI enforcement, etc). Training and experience may also be considered.
D. Openings for Specialized Assignments will be announced by the appropriate Division Commander via posted memo and email. Any qualified officer seeking a Specialty Assignment shall submit an interest memo to the appropriate Division Commander through his/her immediate supervisor. The interest memo shall include a description of the officer’s training, experience, and any specific achievements that are applicable to the position. The Chief of Police will review the interest memos and each candidate’s most recent evaluation. Based on this review the Chief may assign officers to the open positions. Per MOU Article 27 the right to assign and re-assign shall be vested solely with the Chief of Police.

II. Collateral Duties

A. Police Sergeants and Police Officers may be assigned collateral duties in addition to their primary assignment.

B. Collateral duties shall be based on the needs of the department as determined by the Chief of Police.

C. Open Assignments – those that involve participation or supervision on an ongoing and part time basis.

1. Range Staff
2. Terrorist Liaison Officer
3. Use of Force Instructor
4. Mutual Aid, Area G, and TLO Supervisor
5. IT Liaison and Use of Force Supervisor
6. VIP, Chaplain, and Crisis Response Team Supervisor
7. FTO Supervisor
8. Range supervisor
9. SBRCA Liaison
10. PIO

D. Restricted Assignments – those assignments that involve fulfilling a specific task during a patrol shift(s). These assignments shall be compensated with “special duty pay” as per the MOU Article 28.

1. FTO
2. Acting Watch Commander

III. Review of Collateral Duty Assignments

A. Annually the Chief will review each collateral duty assignment for the purpose of determining whether it should be continued. This review will include:

1. A listing of all collateral duty assignments;
2. A statement of the purpose of each collateral duty; and,
3. An evaluation of the reasons for initially implementing the collateral duty assignment.

(CALEA 16.2.1)

B. Any openings for collateral duties in the Department will be filled in the following manner:

1. For the assignment of FTO or Acting Watch Commander, any individuals who meet the minimum criteria for the position and have an interest in the position will submit a memorandum to their immediate supervisor. The memorandum will be forwarded through the Division Commander to the Chief of Police for a decision.

2. The selection of who will be assigned as an FTO or Acting Watch Commander will be based on an analysis of the skills, knowledge and abilities of the interested candidates. This could include training, specialized skills and length of experience.

3. The Chief will select individuals for all other collateral duties based on their qualifications, the needs of the Department and recommendations from the Lieutenants and Sergeants in the Department. Individuals who have an interest in a particular collateral duty should notify their immediate supervisor so they will be considered for the next opening.

(CALEA 16.2.2, 33.4.3)

IV. Rotation of Collateral Duties

A. Rotation of collateral duties allows for a greater number of officers to receive specialized training and allows for an expanded pool of employees prepared to assume the responsibilities of a number of positions.

B. Because of the training required, most assignments will be for a period of time sufficient to allow for the best use of the expertise gained from time in the position. However, assignment of some collateral duties will be rotated based on the individual’s current primary assignment. For example, if the FTO Supervisor transfers to the detective bureau then the responsibility for the FTO program shall be transferred to a patrol sergeant. Individuals may voluntarily rotate out of collateral duties with the approval of the Chief of Police.

(CALEA 16.2.3)

APPROVED:

Greg Savelli
Chief of Police
PURPOSE AND SCOPE

To provide detailed instructions to be followed in the event of a Department Member's Line-of-Duty death or Serious/Critical injury, including the provision of emotional support and assistance for the deceased/injured Department Member's survivors.

POLICY

It is the Policy of the Hermosa Beach Police Department to provide liaison assistance to the immediate survivors of a Department Member who dies in the Line-of-Duty.

In the case of Serious/Critical injury, relevant directives shall be adhered to as outlined in this Policy. This would include the provision of tangible and intangible emotional support during this traumatic period of adjustment, as well as a clarification and comprehensive study of survivor benefits.

Funeral arrangements for the deceased Department Member will be provided if requested by the survivors. The final decision for all arrangements rests with the survivors and NOT the Department.

The Chief of Police may implement parts of this Policy for the death of a civilian Department Member, or cases of off-duty and/or natural death of a Department Member, including Department retirees.

DEFINITIONS

**Line-of-Duty Death:** Any action, felonious or accidental, which claims the life of a Hermosa Beach Police Officer or Department Member, who is performing work-related functions, either on or off-duty. Under some circumstances, cases involving the natural death of an officer while on-duty may qualify for certain benefits.

**Line-of-Duty Serious/Critical Injury:** Bodily injury that involves a substantial risk of death, unconsciousness, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty, serious loss of blood, amputation of a leg, arm, hand or foot, burns to most of the body, or any serious condition that requires hospitalization.

**Department Member:** Both sworn (Police Officers) and non-sworn civilian employees (Police Services Officers – PSOs) of the Department (includes temporary and part-time positions);
and, Reserve Police Officers, Community Services Officers (CSOs), and Community Services Administrative Personnel.

**Survivor:** Immediate family members of the deceased or serious/critical injured Department Member include spouse, children, parents, siblings, fiancée/fiancé, and/or significant others identified by the family or known to the Department.

**Notification Officer:** The Chief of Police may elect to act as Notification Officer; otherwise this duty rests with the deceased or serious/critical injured Department Member's Division Commander. The Division Commander may delegate authority to another Department Member to perform this duty; however, the responsibility for insuring that proper personal notification is completed rests with the Division Commander.

**Hospital Liaison Officer:** A Police Sergeant appointed by the Chief of Police or appropriate Division Commander. This Officer ensures the expedient accomplishment of tasks for the Serious/Critical injured Department Member, survivors, and all hospital operations.

**Department Liaison Officer:** A Police Sergeant appointed by the Chief of Police or appropriate Division Commander. This Officer ensures the expedient accomplishment of tasks in support of the funeral and survivors.

**Public Information Officer (PIO):** Under the direction of the Chief of Police, the PIO will handle all press relations matters.

**Family Liaison Officer:** A Police Sergeant or Police officer appointed by the Chief of Police, this Officer should have good knowledge of the survivor’s family relationships in order to effectively serve as a facilitator between the survivors and department during the funeral.

**Department Chaplain:** A member of the Hermosa Beach Police Department Chaplain Program appointed by the Chief of Police to meet the personal and spiritual needs of Department personnel and Hermosa Beach citizens on an as-needed or requested basis. Chaplain(s) may be called upon by the Chief of Police to serve as a survivor’s support advocate(s) if deemed appropriate or requested by the family. The entire Hermosa Beach Police Department Chaplain program may be activated at the discretion of the Chief of Police.

**Benefits Coordinator:** A Police Sergeant or Police Officer appointed by the Chief of Police, coordinating with the City benefits staff as required. It is the responsibility of the Benefits Coordinator to maintain a current list of federal, state, and private organizations which provide benefits and assistance.
ASSIGNMENTS/RESPONSIBILITIES

The on-duty Watch Commander shall adhere to the Hermosa Beach Police Department Notification Policy in the event of a Line-of-Duty Death or Line-of-Duty Serious/Critical Injury.

Furthermore, it shall be the responsibility of the Chief of Police and appropriate Division Commander to facilitate all assignments and coordination of tasks involved in any Line-of-Duty Death or Serious/Critical Injury. These assignments shall be made accordingly considering the timeliness and sensitive nature of the tasks at hand.

Assignments are outlined in the DEFINITIONS section of this Policy.

PROCEDURES

NOTIFICATION OFFICER

It shall be the responsibility of the respective Notification Officer to properly inform the deceased or serious/critical injured Department Member’s survivors. The Notification Officer will also notify the Department Chaplain(s), and, if appropriate, request the Department Chaplain(s) accompany the notification team. The Department Chaplain(s) may be ordered to the Department to be available for immediate bereavement or support counseling for Department Member’s or other City employees who express a need for such counseling.

In the event of a Line-of-Duty Death or Serious/Critical Injury, the monitoring of police frequencies will be extensive by the media. Communications regarding any notifications should be restricted to land-line telephones whenever possible. Cellular phones are acceptable, however vulnerable to eavesdropping technology.

If the media has somehow obtained the Department Member’s name, they should be contacted by the Chief of Police immediately, and requested/advised to withhold the information, pending proper notification of the survivors.

The Notification Officer will adhere to the following guidelines:

- If there is an opportunity for the survivors to get to the hospital prior to the demise of the Department Member, DO NOT WAIT for the appropriate delegation to gather – get the survivors to the hospital as expeditiously and safely as possible.

- The name of the deceased or serious/critical injured Department Member must NEVER be released to the media before the immediate survivors living in the area are notified.

- If an immediate survivor has a known medical problem, medical personnel should be dispatched to coincide with the arrival of the Notification Officer at the residence.
• Notification MUST ALWAYS occur in person and never alone. If possible, the Chief of Police, Police Chaplain, close friend, family priest, minister or pre-designated person, or other Police survivor should accompany the Notification Officer; however, notification should not be delayed if such delegation cannot gather in a timely manner.

• Notification should NEVER be made on the doorstep. Ask to be admitted into the home. Survivors should gather in the home and be seated. Inform them slowly and clearly of the information you have on the incident, making sure you use the Department Member's name during the notification.

• If the Department Member has already died, relay that information using words like "died" and "dead", rather than "gone away" and "passed away". Never give the survivors a false sense of hope.

• The Notification Officer may be acutely affected by the death or serious/critical injury. The Notification Officer should understand that showing emotions is natural and perfectly acceptable.

• Reactions of the survivors may include hysteria, anger, fainting, physical violence, etc. – and must be dealt with using the utmost sensitivity.

• If the survivors wish to go to the hospital, they should be transported by police vehicle. It is highly recommended that the survivors NOT drive themselves to the hospital. Should there be significant resistance and the survivors insist on driving, a Department Member should accompany them in the family car (and drive, if allowed).

• If young children are in the home, the Notification Officer may delegate a Department member to facilitate child-care needs. This may depend on the wishes of the survivors. In any case, the survivors’ needs supersede that of the Department. The children may accompany the survivors or be placed in another relative’s home. Any such transportation needs shall be arranged by the Notification contingency.

• If notification of immediate survivors must be made beyond the four (4) contiguous counties in the Southern California area (Ventura County, Kern County, San Bernardino County, and Orange County) notification protocol will be at the sole discretion of the Chief of Police. The Chief of Police may order a personal death or serious/critical injury notification visit by the local law enforcement agency in that area. Arrangements should be made to facilitate simultaneous telephone contacts between the Notification Officer (and aides) and the survivors.

• The Notification Officer will submit a written list of all notifications made to the Chief of Police.

• The Notification Officer will assign a uniformed Police Officer to the home of survivors. The survivors will be informed that this is done out of respect for the Department Member and family. A uniformed Police Officer will be stationed at the
home 24-hours a day until the Department Liaison Officer determines that one is no longer needed. The survivors may refuse this service.

- The Chief of Police will notify City officials as soon as possible.

**ASSISTANCE FOR AFFECTED DEPARTMENT MEMBERS**

Department Members at the scene or arrived at the scene of the incident after a Department Member was severely/critically injured or killed should be relieved as soon as possible.

Any Department Members who may have been emotionally affected by the serious/critical injury or death of another Department Member will attend a Critical Incident Stress Debriefing held by a trained mental health professional as soon as practical.

**ASSISTING THE SURVIVORS AT THE HOSPITAL**

**HOSPITAL LIAISON OFFICER**

The Hospital Liaison Officer is responsible for coordinating the activities of survivors, Department Members, the press, and others. These responsibilities include:

- Arrange with hospital personnel to provide appropriate waiting areas for survivors, the Chief of Police and any Command Staff, the Notification Officer, the Department Liaison Officer, and only those requested by the immediate survivors.

- Arrange a separate area for fellow Department Members and friends to assemble.

- Establish a press staging area.

- Ensure that medical personnel relay pertinent information regarding the Department Member’s condition to the survivors on a timely basis and before such information is released to others.

- Notify the appropriate hospital personnel that all medical bills relating to the severe/critical injured or deceased Department Member be directed to the City of Hermosa Beach. Survivors should NOT receive any such bills or correspondence at their places of residence. This effort may require the Department Liaison Officer to re-contact the hospital billing department during regular office operating hours to ensure that proper billing takes place.

- Arrange transportation for survivors back to their places of residence.

If possible, the survivors should be immediately provided the opportunity to visit the serious/critical injured Department Member prior to death. The Hospital Liaison Officer or designee should prepare the survivors for what they will see in the emergency room or other facility, and should accompany them unless requested not to do so. Medical personnel should
advise the family of visitation policies, and in the event of death, explain why an autopsy is necessary.

The Hospital Liaison Officer or designee shall remain at the hospital when the survivors are present.

DO NOT BE OVERLY PROTECTIVE OF THE SURVIVORS. This includes sharing specific information on how the Department Member met his/her death or serious/critical injury, as well as allowing the survivors time with the serious/critical injured Department Member or remains afterwards.

DO NOT make suggestions that a survivor be sedated unless such medication is requested.

Under these circumstances, the expression of raw emotion by anyone, including Department Members, is perfectly understandable.

The Chief of Police or designee should be present the entire time the family is at the hospital in order to arrange whatever assistance the family may need at the time.

A uniformed Police Officer(s) shall be stationed at the emergency room or hospital room door until relieved.

**SUPPORT FOR THE SURVIVORS DURING THE FUNERAL**

**FAMILY LIAISON OFFICER**

The Chief of Police will meet with the Department Member’s survivors at their home to determine their wishes regarding Departmental participation in the preparation of funeral services. All possible assistance shall be rendered.

With the survivors’ approval, the Chief of Police will designate a Family Liaison Officer, and a Benefits Coordinator; along with the roles each will play in their time of distress and mourning. The designations shall be announced in writing Department-wide, and all referrals are made according to areas of responsibility.

Communications may require additional employees or overtime to field incoming phone calls. A record should be made of all incoming calls, and callers should be directed to the appropriate liaison according to responsibility.

The Family Liaison Officer is not a decision maker; a role of “facilitator” between the survivors and the Department is a more appropriate title. The Department will modify the Family Liaison Officer’s schedule to accommodate this temporary assignment, and provide a Department cellular phone. Responsibilities of the Family Liaison Officer:

- Ensure that the needs of the survivors come before the wishes of the Department.
• Assist the survivors with funeral arrangements and make them aware of what the Department can offer if they decide to have a Police funeral. If they choose a Police funeral, brief the survivors on Police funeral procedures and police protocol.

• Apprise the survivors of information concerning the death and continuing investigation. Departments traditionally "hold their cards close to their chest" with this type of information, particularly in sensitive homicide cases. The Funeral Liaison Officer should coordinate with investigating officers and prosecutors to ensure that the family receives the maximum information allowable during the first few days. Being "kept in the dark" is a common complaint of survivors.

• Provide as much assistance as possible, including overseeing travel and lodging arrangements for out-of-town survivors, arranging food for the survivors, meeting child-care and other transportation needs, etc.

• Be constantly available to the survivors.

• Reporting to the Department Liaison Officer.

• Determine which public safety, church, fraternal and labor organizations will provide in terms of financial assistance for out-of-town survivors’ travel, food, and funeral attendees following the burial, etc.

• Notify Concerns of Police Survivors (C.O.P.S.), Southern California Regional Office:

<table>
<thead>
<tr>
<th>Mary Huffman</th>
<th>Cell: (951) 870-9997</th>
</tr>
</thead>
<tbody>
<tr>
<td><a href="mailto:maryststop@aol.com">maryststop@aol.com</a></td>
<td>Home: (951) 734-8538</td>
</tr>
</tbody>
</table>

The Family Liaison Officer will arrange for:

- Honor Guard
- Rifle Salute
- Bugler
- Flag-folding Ceremony
- Missing-man helicopter formation
- Bagpipe salute

An excellent resource is the Los Angeles Police Department’s (LAPD) Family Support Group:

<table>
<thead>
<tr>
<th>977 North Broadway</th>
<th>Main: (213) 485-0703</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suite 409</td>
<td>Fax : (213) 485-6625</td>
</tr>
<tr>
<td>Los Angeles, Ca 90012</td>
<td><a href="mailto:info@lapdfsg.org">info@lapdfsg.org</a></td>
</tr>
</tbody>
</table>

This support unit can be extremely helpful in many aspects of early planning. Most of these services are provided free of charge.
DEPARTMENT LIAISON OFFICER

The Department Liaison Officer directs the funeral activities of the Department and visiting Police Departments according to the wishes of the survivors.

The Department Liaison Officer is responsible for:

- Oversight of arrangements for travel and lodging for out-of-town survivors.
- Expedient provision for all necessary Department resources.
- Obtain an American Flag. If the survivors request presentation by the Chief of Police – notify the Chief of Police.
- If the survivors desire burial in uniform, select/appoint an officer to obtain a uniform with all accoutrements (excluding weapon) and deliver to the funeral facility.
- Assign Police Officers and/or other Department Members for usher duty at the church.
- Arrange for the delivery of the Department Member’s personal belongings to the survivors.

With the assistance of the Family Liaison Officer, meet with the following persons to coordinate funeral activities and establish an itinerary:

- Survivors
- Chief of Police and Division Commanders
- Funeral Director
- Family priest or minister
- Cemetery Director
- Honor Guard
- Attending dignitaries (if any)
- Ensure that surviving parents are afforded recognition and that proper placement is arranged for them during the funeral procession.
- Assign an Officer to remain at the survivors’ home during the viewing and funeral, if requested.

Maintain a roster of all Departments sending personnel to the funeral, including:

- Name and address of agency
- Name of Police Chief
- Number of Officers and vehicles responding
- Assist in making necessary accommodations (food, lodging, etc.)
Assign a Sergeant and Traffic Officer to act as coordinators for traffic-related activities involved with the funeral. The responsibilities of the traffic coordinators include:

- Coordinating parking at the services
- Coordinating the route for the procession including traffic control needed for the route
- Coordinating parking at graveside services
- Coordinating the assignment of patrol vehicles and other department vehicles used during the service. This includes the cleaning of the vehicles

The assigned Sergeant and Traffic Officer shall utilize the Hermosa Beach Police Department Funeral Protocol outlined in the Ceremonies and Logistics Planning section of this policy.

Arrange for routine residence checks of the survivors’ residence for six (6) to eight (8) weeks following the funeral. Depending on the location, other agencies may need to get involved in this effort. This is necessary since large amounts of money may be acquired by the survivors and they may be spending a lot of time away from home dealing with legal matters.

Make arrangements for a Department representative (usually the Benefits Coordinator) to keep in contact with the survivors on a regular basis. This gesture will assure them that they and the deceased Department Member have not been forgotten or abandoned.

**PUBLIC INFORMATION OFFICER (PIO)**

Issue a teletype message and email to include the following (as applicable):

- Name of deceased or serious/critical injured Department Member
- Date and time of death or serious/critical injury
- Circumstances surrounding death or serious/critical injury
- Funeral arrangements – state if private or Police funeral
- Uniform to be worn
- Expressions of sympathy in lieu of flowers
- Contact person (including phone number) for visiting departments to indicate their desire to attend or obtain further information

The PIO may be delegated by the Chief of Police or a Command Staff Officer to assist other Liaison Officers as deemed necessary.

**LONG-TERM SUPPORT FOR THE SURVIVORS**

**BENEFITS COORDINATOR**

The Chief of Police designates a Police Sergeant to act as Benefits Coordinator. The Benefits Coordinator will gather information on all benefits/funeral payments available to the survivors. The Benefits Coordinator has the Department’s full support to fulfill this responsibility to the survivors and is completely responsible for filing the appropriate
benefit(s) paperwork and following through with the survivors to ensure that the benefits are being received.

The Benefits Coordinator is responsible for:

- Filing worker’s compensation claims and related paperwork.
- Contacting the appropriate PERS coordinator and City payroll personnel without delay to ensure that the beneficiaries receive death and retirement benefits as well as any remaining paychecks and payment for remaining annual compensatory time on account.
- Gathering information on all benefits/funeral payments available to the survivors.
- Setting-up any special trust funds or educational funds.
- Contact other Police assistance organizations to ensure that any and all entitlements are paid to the beneficiaries. These agencies may also offer legal and financial counseling.
- Making a clear distinction between benefits (which are financial payments made to the family to ensure financial stability following the death of an officer) and funeral payments (which are funds specifically earmarked for funeral expenses).
- Preparing a printout or other documentation of the benefits/funeral payments due the family, listing named beneficiaries, contacts at various benefits offices, and when they can expect to receive the benefit.
- Meeting with the survivors within a few days following the funeral to discuss the various benefits. The prepared printout and other documentation should be provided to survivors at that time.

1. If there are surviving children from a former marriage, the guardian of those children should also receive a printout of what benefits the children will be receiving.

2. Attention should be addressed regarding revocation of health benefits. The majority of health care providers allow a 30-day grace period before being canceled from the coverage or imposing monthly payments upon survivors.
• Meeting with the survivors in about four (4) to six (6) months to ensure that they are receiving their benefits.
CONTINUED SUPPORT – SURVIVORS

Members of the Department must remain sensitive to the needs of survivors long after the Department Member’s death or serious/critical injury. The grieving process has no timetable and survivors may develop a complicated grief process.

Survivors should continue to feel a part of the “Police Family.” They should be remembered and invited to HBPD activities and ceremonial remembrances of their deceased/seriously injured loved one.

The Family Liaison Officer or subsequent appointee by the Chief of Police acts as the long-term liaison with the survivors to ensure that close contact is maintained.

Members of the Department should be encouraged to keep in touch with the survivors. Close friends, co-workers, and Department officials should arrange with survivors visits from time-to-time, as long as the survivors express the desire for such contacts.

The Chief of Police should observe the Department Member’s death or serious injury date with a note or card to the survivors or seriously injured Department Member along with flowers to the gravesite or residence.

Holidays may be especially difficult for the survivors. Increased contact with the survivors and additional support is important during these times. The Family Liaison Officer should see to these needs.

If criminal violations surround the death or serious injury of the Department Member, the Family Liaison Officer will:

- Keep constant contact with survivors to keep them abreast of criminal proceedings. The family should NEVER learn of developments in the case from the media prior to learning of them from the Department.

- Introduce the survivors to the Victim’s Assistance Coordinators at the Los Angeles County District Attorney’s Office.

- Arrange for Investigators to meet with survivors at the earliest convenience prior to and after trial proceedings to answer any and all questions.

- Accompany the survivors to any criminal proceedings – if they so desire. Introducing them to prosecutors, and answering any questions they may have concerning the criminal trial.

- Cooperation with outside peer support groups.

- Ensure that the survivors do not feel totally isolated by the Department.
The Chief of Police, Family Liaison Officer, or Officer designated by the Chief of Police, works with community groups and government leaders toward the establishment of any appropriate memorial, plaques, or memorabilia.
(CALEA 22.2.4)

HERMOSA BEACH POLICE DEPARTMENT FUNERAL PROTOCOL
CEREMONIES AND LOGISTICS PLANNING

When planning a funeral for a deceased member of the Hermosa Beach Police Department, where a uniformed ceremony is desired or appropriate, it can be anticipated that large numbers of personnel will attend. Certain logistical and operational concerns should be addressed. The following are guidelines and should not be considered to be all inclusive but are designed to provide insight and assistance.

After determining the funeral location, parking and traffic control must be established.

The Chief of Police should be briefed regarding family concerns and wishes. Information concerning other officials or dignitaries attending should also be discussed. Additionally a "VIP" room shall be set aside at the memorial site for command staff and dignitaries.

Seating for the City's VIPs attending the service should be prearranged and reserved. This would most appropriately be near the front section of the church or funeral home.

Following the services, an appropriate location (VIP room) should be designated for the ranking officers and family to await the procession of the coffin to the funeral hearse.

The procession (cortege) should normally consist of a motorcycle escort, the hearse, family limousines, Chief of Police's vehicle, police vehicles, followed by the rest of the procession. A marked police unit shall be the last vehicle in the procession.

If the cemetery is some distance from the funeral home or church, consideration of the size and speed of the procession is important. Delays and inconveniences to private citizens should be minimized wherever possible. This is a legitimate operational concern and can be accomplished through explicit instructions to the escort vehicles or by placing an officer in the funeral hearse.

An appropriate location for the Chief of Police to stand during the graveside ceremony should be designated and made known to the command staff.

In the event that a firing team is being used, the family members should be reminded of the volley of shots so as not to startle them.

Prior to the services, ascertain who is to receive the American and State flags on behalf of the family at the conclusion of the graveside ceremony.
DUTIES/ ASSIGNMENTS

A designated Sergeant shall coordinate the motorcade route and all parking arrangements. The Sergeant shall prepare maps showing the motorcade route, areas of potential problems and parking plans of the church/chapel and graveside. Additionally a security plan will be necessary for the chapel and graveside.

The Family Liaison Officer will work in conjunction with the funeral director and make arrangements for selecting and training ushers (traditionally officers from outside agencies).

The Honor Guard Sergeant shall be responsible for:

1. Planning the formations at the church/chapel and graveside
2. Arranging for the Bugler
3. Giving orders to the detachment during the ceremony.
4. Responding to the church/chapel and the graveside and preparing a diagram laying out the positions of the formations and seating arrangements.

DRESS UNIFORM

The dress uniform shall be worn at all funerals. All personnel attending shall conform to the standards specified by Department announcement or directive. Department notices made prior to the funeral shall direct personnel if certain uniform restrictions are requested.

The dress uniform shall consist of class A type long sleeve uniform with necktie and black banded badge. Headgear will be worn only by those in the Honor Guard or specifically directed to do so.

PALLBEARER TEAM

In a non-military service, it shall be the family's preference whether the pallbearers and honorary pallbearers are selected from family, friends or co-workers. In any instance, Department personnel acting as pallbearers shall be in uniform or in appropriate civilian clothing unless the family insists otherwise.

The Lead Pallbearer is selected by the family and will be responsible for the selection of a six-member team. Family preferences, if any, shall be given first consideration in the appointment of the team members.

A. The pallbearers will not wear headgear during the services at the church/chapel.

B. Upon the arrival of the hearse, the pallbearers will accept the casket and follow the Honor Guard into the church/chapel, placing the casket on the stand and then take their seats.
C. After the services, the pallbearers do not pass in review of the casket, but will remain in the church/chapel until everyone exits. They will again take the casket and follow the Honor Guard back to the hearse.

D. The pallbearers will ride together in a limousine and in the first police unit behind the Honor Guards vehicle.

E. Upon arrival at the graveside, the pallbearers will again accept the casket from the Hearse and follow the Honor Guard to the graveside and place the casket on the stand. The pallbearers will then face the casket and remain at attention throughout the ceremonies, following the commands of the Honor Guard through taps.

F. After the flag folding ceremony, the Honor Guard Sergeant will present the flag to the highest ranking officer of the department (normally the Chief of police). The Chief of Police will present the American flag to the predetermined family member.

G. The pallbearers will then remove their gloves and place them on the casket, (only for an officer who has been killed in the line of duty). The pallbearers will then march to a predetermined position until dismissal.

HONOR GUARD

The Honor Guard will consist of a complement of officers and a sergeant leader. The sergeant will be responsible for selection and training of the team.

A. At the church, the Honor guard will form a corridor into the church/chapel with an equal number of members on each side.

B. The team will precede the casket into the church/chapel.

C. Upon entering the church/chapel, the honor guard will stand on each side of the casket's resting place, at parade rest. When those present pass in review, the Honor Guard will stand at attention.

D. The Honor Guard will precede the casket when leaving the church/chapel. Once outside, the Honor Guard will again form a corridor through which the pallbearers will pass with the casket.

E. The Honor guard will ride in the unit immediately behind the vehicle containing the casket.

F. Upon arrival at the graveside, the Honor Guard will be covered and will precede the casket to the graveside.
G. The Honor Guard will assume a position in the first row of the uniformed officers and will follow the commands of the Honor Guard Sergeant until dismissed.

H. Honor Guard uniform shall consist of White Gear belt, cord and gloves.

I. A Firing Team can be provided by the Los Angeles Police Department upon request.

FUNERAL CEREMONY

The military aspect of the funeral will usually begin at one of the following places: church/chapel, cemetery gates or graveside. It may begin at any designated place and is initiated when the Honor Guard receives the casket.

All officers present will be in formation in their designated locations at least 15 minutes prior to the arrival of the hearse. An equal number of officers shall be formed in equal-numbered ranks according to the Honor Guard Sergeant's plan.

RECEIVING THE CASKET

The Honor Guard will be lined up in the first row of officers in an equal number on each side closest to the church/chapel. The pallbearers will be lined up in the first row of officers, an equal number on each side and close to the proposed parking area for the hearse.

Upon the arrival of the hearse and family vehicles, the Honor Guard Sergeant will call the detachment of officers to attention.

The pallbearers will receive the casket from the hearse and the Honor Guard Sergeant will order the detachment to present arms. All officers will render the hand salute and hold this position until the casket and the family passes into the church/chapel at which time the Honor Guard Sergeant will order the detachment to "Order Arms".

PROCESSION ORDER

Procession into the church or chapel shall be:

A. Minister/Chaplain
B. Honor Guard
C. Pallbearers with casket
D. Family
E. Firing Team
F. All other officers and civilians

All uniformed personnel will remain standing at attention until they are instructed to be seated by the minister/chaplain. After the services have been concluded, all uniformed personnel will pass in review, saluting the casket as they exit the church/chapel.
Uniformed personnel will again form in the front of the church/chapel in the same manner as when the casket arrived.

Procession out of the church or chapel shall be:

A. Firing Team
B. All officers
C. Minister/Chaplain
D. Honor Guard
E. Pallbearers
F. Family
G. All others in attendance

As the minister/chaplain exits the church, the Honor Guard Sergeant will call the Detachment to "attention." As the casket comes into view the Honor Guard Sergeant will order the detachment to "Present Arms." All officers will render a hand salute until the casket is placed in the hearse, at which time the "Order Arms" command will be given.

**CEMETERY SERVICE**

All officers, upon arrival at the cemetery, will assume their positions in the formation near the gravesite. The Honor Guard Sergeant prior to the service will determine the position of the formation.

The Honor Guard sergeant will call the detachment to "attention" as Pallbearers remove the casket from the hearse.

The procession to the gravesite will be:

A. Minister/Chaplain
B. Honor Guard
C. Pallbearers
D. Family

As the procession approaches the detachment of officers, the Honor Guard Sergeant will give the command to "present Arms" at which time the uniformed personnel will render the hand salute until the casket has been placed at the gravesite and the command is given to “Order Arms”.

The command to stand at "Parade Rest" will then be given. Officers will remain in this position during the services. After the minister/chaplain finishes, the Honor Guard Sergeant will call the detachment to "attention," followed by the twenty-one gun salute and then taps played by the bugler. Upon completion of "taps," the order will be given to "Order Arms."

The Honor Guard will then fold the flag and present it to the Chief of Police or the highest ranking officer of the Department who will then present it to the next-of-kin. The Honor Guard Sergeant at this time will dismiss the detachment.
DONATIONS AND TRUST FUNDS

All collected and donated funds for the decedent's family shall be sent immediately to the memorial fund coordinator for proper recording and safekeeping. The coordinator shall disburse or make arrangements to set up a trust fund if directed by the family.

APPROVED:

[Signature]

Greg Savelli
Chief of Police
PURPOSE

This policy establishes the required operational lighting and safety equipment for emergency vehicles, whether conspicuously marked or unmarked, operated by this Department.

DEFINITIONS

Standard Patrol Vehicle: Any distinctively marked police patrol vehicle assigned primarily to field patrol operations and specifically authorized and certified by the vehicle’s manufacturer for high-speed pursuit operation.

Special Purpose Vehicle: Any distinctively marked police vehicle assigned primarily to field patrol operations that is authorized for continuous on-road operation but not specifically authorized and certified by the vehicle’s manufacturer for high-speed pursuit operation.

Unmarked Vehicle: Any police vehicle, not distinctively marked, but otherwise authorized for emergency operation when driven by a sworn police officer, used primarily for other than field patrol operations.

EMERGENCY LIGHTING AND SIREN REQUIREMENTS

All police department vehicles that are authorized for emergency operation shall be minimally equipped with a forward-facing, steady-burning red light and siren in accordance with California Vehicle Code sections 21055 and 25252. Additionally, all distinctively marked patrol vehicles and unmarked vehicles may be equipped with additional emergency and non-emergency lighting equipment as allowed for by the California Vehicle Code. (CALEA 41.3.1)

PATROL VEHICLE MARKINGS AND IDENTIFICATION

All police department vehicles that are assigned primarily to field patrol operations shall be distinctively marked. Each vehicle will be painted black except for the doors and roof, which shall be painted white. Both the driver and passenger side of the vehicle shall be prominently marked with lettering and/or insignia identifying the vehicle as a police vehicle assigned to the City of Hermosa Beach. Additionally, each such vehicle shall be marked with unit-specific identification. Such identification shall be graphically displayed on both front fenders, adjacent to the A-pillar, and on the vehicle’s roof.

Special purpose vehicles not authorized for continuous on-road operation are exempt from the standard marking and identification requirements.
PRISONER TRANSPORT SYSTEMS

All standard patrol vehicles shall be equipped with securable prisoner transport systems. Special purpose vehicles and unmarked vehicles may be so equipped; however, such systems are not required. These systems shall minimally consist of the following:

A. Metal prisoner safety barrier separating the rear passenger area from the front driver/passenger area. The barrier should contain a Plexiglas or metal mesh (or combination thereof) upper portion so that the driver’s view to the rear is less obstructed. The lower portion of the barrier should extend to the floorboard to prevent under seat “pass through” access.

B. Hard plastic prisoner “safety” seat(s) with incorporated safety belt(s) in compliance with Federal NHTSA requirements.

C. Rear power window switches (or manual cranks) must be deactivated/removed and interior rear door handles disabled.

Note: Any full width upper prisoner barrier shall be equipped with acoustic features/modifications to allow for verbal communication between the prisoner and the officer(s).

If so desired, each such vehicle may also be equipped with security bars placed over the rear passenger door windows.

(CALEA 70.4.1; 70.4.2)

APPROVED:

Greg Savelli
Chief of Police
PURPOSE AND SCOPE

The procedure establishes guidelines for reporting and relaying terrorism related information and provides employees with awareness level guidelines for events involving chemical, biological, radiological, nuclear and explosive attacks.

LIAISON WITH EXTERNAL ORGANIZATIONS

The Hermosa Beach Police Department should maintain a liaison with other organizations for the exchange of information related to terrorism. This liaison may be in the form of direct contact with specific departments and/or through such organizations as the Joint Regional Intelligence Center (JRIC), Regional Terrorism Threat Assessment Center, Western States Information Network, California Office of Homeland Security, The FBI Terrorism Early Warning Group (TEWG), and United States Department of Homeland Security (DHS). The Terrorism Liaison Officer (TLO) is responsible for maintaining liaison with other organizations and dissemination of terrorist related information within the department.

(CALEA 46.3.1)

TERRORISM LIAISON OFFICER (TLO)

It is the policy of this Department to participate in multi-jurisdictional information sharing (as specified above) as part of Homeland Security efforts to detect and/or prevent acts of domestic of foreign terrorism.

The Department shall assign a Terrorism Liaison Officer (TLO). The designated TLO is the agency representative as liaison to any/all local, county, state and federal agencies dedicated to preserving Homeland Security measures.

The Terrorism Liaison Officer (TLO) sustains the following responsibilities:

- Attending regular Homeland Security meetings, briefings, seminars, etc. – as specified by the Operations Division Commander.

- Collecting, reporting, retrieving, and sharing of terrorism intelligence and materials, such as:
  1. Training bulletins
  2. Information on schools and cases
  3. Books, journals, periodicals, and video information
  4. Lists of official contacts
• Identifying and communicating with community stakeholders. The TLO shall review, filter, and then forward relevant intelligence information to other agencies, City departments, and/or individuals, when and where appropriate and approved by the Operations Division Commander.

• Conducting, coordinating and/or facilitating Departmental training regarding terrorism and/or terrorism related subjects.

• Provide appropriate information to the Public Information Officer (PIO) for media dissemination when such information is related to terrorism.

REPORTING TERRORISM RELATED INFORMATION

Any officer receiving information concerning possible terrorism activities will immediately notify the Watch Commander and complete a TEW/LAJRIC Lead Sheet. The Watch Commander will determine the validity of the information and the appropriate response from the department. This shall include notification as follows:

• Operations Division Commander
• TLO and TLO Sergeant
• Support Services Division Commander

The Operations Division Commander shall direct the Watch Commander and/or TLO to make appropriate notifications to the Los Angeles Terrorism Early Warning Group or other law enforcement agencies, and/or the appropriate state and federal agencies.

The Support Services Division Commander shall notify and direct the Detective Sergeant in any investigative procedures necessary.

Patrol Officers, detectives, and other police employees should look for and report the following and other suspicious items or events that may link a subject to terrorism:

• Unusual items in vehicles or residences
• Suspicious identification characteristics such as fraudulent or altered license, multiple IDs with names spelled differently
• Thefts, purchases or discovery of weapons, explosive materials or other tactical equipment
• Testing of security systems and responder behavior
• Advanced payments for apartment or vehicle rentals, payments in cash
• Credit card fraud, money laundering, counterfeit cigarette tax stamps
• Links between gangs and international organizations
(CALEA 46.3.2)

PROVIDING AWARENESS INFORMATION

The Hermosa Beach Police Department’s website provides terrorism awareness information and methods for reporting suspicious activity that may be related to terrorism.
(CALEA 46.3.3)
Chemical, Biological, Radiological, Nuclear and Explosive (CBRNE) Attacks

Chemical Weapons
Chemical agents can enter the body by inhalation of the chemical agents, absorption through the skin or eyes, injection into the body by flying glass or shrapnel, or by ingesting with food or water. A likely delivery method is in the form of a gas or as an aerosol spray. There are numerous chemical agents each with different symptoms and effects. The most common families of chemical agents are:

- **Nerve Agents**: Nerve agents attack the victim’s nervous system. Most belong to the family of chemicals known as organophosphates (OP) (organophosphates are also the basis of many insecticides, herbicides, and nerve gases). Many common pesticides belong to this family of chemicals. Nerve agents tabun (GA), sarin (GB), soman (GD), and VX are manufactured chemical warfare agents classified as nerve agents (all classified as WMDs). Nerve agents are the most toxic and rapidly acting of the known chemical warfare agents.

- **Blister Agents**: Blister agents (vesicants) also known as vesicants attack the skin of the victim resulting in blisters and skin burns. Mustard gas and Lewisite (an organic compound once manufactured in the U.S. and Japan as a chemical weapon) are common blister agents.

- **Blood Agents**: Blood agents attack the ability of the blood to hold and deliver oxygen. The victim suffocates. Cyanide gases and compounds are the most common types of these agents.

- **Choking Agents**: These chemicals attack the lungs causing them to fill with fluid. Chlorine gas and phosgene (CG) (phosgene was used extensively during World War I) are typical choking agents.

- **Incapacitating Agents**: These agents usually irritate the skin, mucous membranes, eyes, nose, lips and mouth. They may cause vomiting or intolerable pain. While they may lead to serious medical situations such as seizures or heart attacks, they are not designed to kill or cause permanent harm. Used alone, the intention is to temporarily incapacitate or harass the target, or force them to evacuate the area. However, incapacitating agents may be used in combination with other agents to force responders to remove their gas masks and other protective gear, so that they will be exposed to lethal doses of the other agent. Examples of incapacitating agents are pepper spray, tear gas, riot control agents and several military chemicals from different nations.

**Biological Weapons**
Biological weapons present a serious challenge for response planning. There is risk that a biological attack may not be detected until days, or even weeks after it happens. First responder resources, therefore, may be of little use at a bioterrorism incident unless it is detected promptly. There are two (2) types of biological weapons:
• **Pathogens:**
  These are disease-causing organisms, some of which can reproduce and keep spreading long after the attack. The potential for many thousands of casualties is possible but the more likely number is much less because of the difficulty of efficiently delivering the pathogenic agents to large numbers of people.

  Pathogens can be bacteria such as anthrax, viruses such as smallpox, or fungi like yeast and molds, mycoplasmas (a specific and unique species of bacteria - the smallest free-living organism known on the planet) that cause pneumonia and similar problems, or rickettsiae (causing diseases such as typhus and Rocky Mountain spotted fever). Plague, smallpox, anthrax, hemorrhagic fever, and rabbit fever are known to be probable biological weapons.

  Not all diseases are contagious, and many have a low mortality rate when properly treated.

• **Toxins:**
  Toxins are poisonous substances produced by living things. Many toxins are extremely lethal and small quantities can kill very large numbers of people. In many ways a toxin attack is more like a chemical attack than a biological one. Some possible toxin weapons are ricin (a poison found naturally in castor beans that has potential to be used as an agent of biological warfare and as a WMD), botulism toxin (botulism is a muscle-paralyzing disease caused by a toxin made by a bacterium to contaminate food), and aflatoxin (a poison produced by two (2) common fungi to contaminate food). Again, the difficulty for the terrorist is in finding an effective way to disperse or distribute the toxin.

**Radiological Dispersion Devices (RDD)**
An RDD or “dirty bomb” is an explosive intended to spread radioactive material from the detonation of conventional explosives. Radiation comes from the decay of radioactive isotopes of certain elements and compounds. Radiation can be in the form of alpha, beta, or gamma rays. All three are odorless and colorless and can be detected only with radiation detectors. The primary hazard will be from dust contaminated with radioactive sources. It will be very important for the first responder to use respiratory protection to avoid breathing in the radioactive dust particles.

**Explosives**
Terrorists make lethal explosives from readily available materials, many of which are uncontrolled and attract little attention. The availability of many of these materials, along with the widespread proliferation of techniques for making homemade explosive (HME) mixtures and IEDs (improvised explosive devices), enables terrorists to assemble weapons even when deprived of commercial or military explosives.

  • HMEs are packaged into IEDs of various shapes and sizes (e.g. pipe bombs and VBIEDs – vehicle born improvised explosive devices)
The effectiveness of most HME mixtures dissipates over time, so they must be deployed as an explosive device soon after their manufacture.

HMEs and their chemical precursors should be noted during searches of persons, vehicles and residences as suggestive of bomb-making and other pre-attack activity.

**CBRNE INDICATORS**

Patrol Officers, detectives, and other police employees should look for and report the following and other suspicious CBRNE-related indicators:

- Theft of large quantities of baby formula (may be used to grow specific cultures)
- Theft or solicitation of live agents, toxins or diseases from medical supply companies or testing and experimentation facilities
- Multiple cases of unexplained human or animal deaths
- Thefts of agricultural sprayers, crop-dusting aircraft, foggers or other dispensing systems
- Suspicious inquiries regarding local chemical or biological sales, storage or transportation points and facilities
- Inappropriate inquiries regarding heating and ventilation systems for buildings or facilities by persons not associated with service agencies

**CBRNE AWARENESS LEVELS**

In the event of a CBRNE attack, the Hermosa Beach Police Department’s primary objective is to secure and isolate the target area and assist the FBI in the criminal investigation of the incident. Department response to incidents involving CBRNE or other hazardous materials will be accomplished in accordance with the Hermosa Beach Police Department Policies and Procedures and the City of Hermosa Beach Emergency Operations Plan.

In the event of a terrorist attack, officers should use caution if the explosion seems to do little damage. A small explosive device might be used to disperse chemical, biological or even radioactive agents. Another purpose of a small device might be to bring large numbers of first responders, who are then subjected to a larger secondary device.

Another immediate problem for responders and victims is the potential for asbestos exposure. Older buildings may contain asbestos as insulation, pipe coverings, siding or roofing, flooring, adhesives, floor or ceiling tile and wall panels. Any explosion or collapse may cause this asbestos to become airborne in hazardous levels.

Immediately, the primary inhalation threat and decontamination problem will be dust particles. Any expedient breathing protection should be used - masks, wet towels, handkerchiefs, etc. - while exiting the area immediately.

**CBRNE EQUIPMENT AND AWARENESS TRAINING**

All equipment utilized by the Hermosa Beach Police Department will meet Cal/OSHA and NIOSH standards. The Respiratory Protection Manager will be responsible for the purchase of equipment that meet the standards and that all employees are properly trained and go through annual fit testing.
All First Responders will go through Weapons of Mass Destruction Awareness training as outlined by Police Officer Standards and Training requirements. This course is given to all basic police academy recruits and in advanced officer training classes.

The Hermosa Beach Police Department issues gas masks and CBRN canisters to all officers and sergeants. Additionally the department has on hand at the station Level “C” suits, gloves, booties and chemical tape (Chem-Tape) that can be deployed as needed. All officers wearing the Level C suits must go through mandatory training prior to wearing the suits. (CALEA 46.3.4)

APPROVED:

Greg Savelli
Chief of Police
PRESS/PUBLIC INFORMATION PURPOSE

The purpose is to establish the department's press/public information policies and to describe procedures and responsibilities for the release of information to the news media and the public.

POLICY

It is the policy of the Hermosa Beach Police Department that only designated members of the department shall provide information to the community and all news media. This information will be released in a fair and equal basis without jeopardizing the rights of crime victims or suspects; compromising the security of any investigation; breaching any confidential relationship; and in compliance with all applicable laws and regulations.

DESIGNATED MEMBERS

The Chief of Police shall designate a “primary” PIO (Press/Public Information Officer) for the department. This primary PIO will be the rank of Sergeant or higher. An officer or detective can be designated as a “secondary” PIO by the Chief of Police. The primary or secondary PIO will be responsible to coordinate information releases with the Chief of Police.

On incidents when the PIO (primary or secondary) is unavailable, the on-duty Watch Commander will be the designated department member to release information to the news media or public. In these incidents when the PIO (primary or secondary) is unavailable, it shall be the responsibility of the on-duty Watch Commander to coordinate with the Division Commander to determine who will represent the department and how the information will be released. The on-duty Watch Commander may be responsible for a Press Release at the direction of the Division Commander or the Chief of Police.

The PIO, or any person designated by the Chief of Police, shall arrange for, and assist at, media conferences involving any significant newsworthy event.

PRESS RELEASE

A Press Release is a verbal or written synopsis of an incident released to the news media that has been deemed newsworthy by the PIO (primary or secondary) or on-duty Watch Commander. It shall be the responsibility of the designated or assigned spokesperson to prepare and release the factual information upon approval by the Chief of Police.

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

I. **ARRESTEE INFORMATION**

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

II. **INCIDENT INFORMATION**

1. Time, substance, and location of all complaints or requests for assistance.
2. Time and nature of response/report.
3. Time, date, and location of occurrence.
4. Sex, race, age, and city of residence of victim.
5. The factual circumstances surrounding the crime or incident.
6. General description of any injuries or weapons involved.

In specific situations, the media may have the right to the name and address of the victim. The exception to this involves sexual assault, domestic violence and any case that the release would jeopardize an on-going investigation. In these cases, the name and address will be withheld.

*(CALEA 54.1.1 b, c, d)*

III. **ACCESS TO DEPARTMENT REPORTS**

To fulfill the requirements of statutory law and to keep the public informed on law enforcement-related topics, the PIO (primary or secondary) or on-duty Watch Commander shall release basic information to the media in a timely manner as set forth in this policy.

An Adult Booking Log shall be available for public or news media examination. The Adult Booking Log shall provide adult arrestee names, DOB, descriptions, date, time and location of arrest, charges, and custody status. The Adult Booking Log shall be made available at the Front Desk for public viewing. Copies of redacted Los Angeles County Booking forms organized in a folder will suffice for this purpose.

Media or citizens that want further information not contained in the Adult Booking Log shall be directed to contact the PIO (primary or secondary) or Division Commander.
IV. RESTRICTED INFORMATION (NOT TO BE RELEASED):

1. The names or identities of any juveniles (arrestee, suspect, victim, witness, etc.) shall not be released.

2. Copies of the suspect's "rap sheet" or any information obtained from "rap sheets" shall not be released. The exception is felony convictions may be released per Section 11142 PC.

3. The names of deceased persons shall not be released to the news media until the next of kin of the deceased is notified.

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

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

6. Residence addresses of department members shall not be released to the news media.

7. The intentional providing of false information to the news media by any member of the department is prohibited. No member of the department may deliberately misinform any representative of the news media.

8. Department personnel are accountable for "off the record" statements to the media.

9. The name of a victim of any crime defined by Section 243(e), 261, 264, 264.1, 273a, 273d, 286, 288a, or 289 of the Penal Code shall be withheld.

V. MEDIA ACCESS TO CRIME SCENES OR DISASTERS:

The on-duty Watch Commander or ranking department member present at a disaster or crime scene is responsible for providing relevant, timely, and accurate information to the news media pursuant to Policy O3.41 in this manual.

1. Disaster and accident scenes may be closed to the public pursuant to 409.5 PC; however, news media representatives are exempt from this restriction. As soon as a disaster or accident has been identified and secured, authorized media shall be permitted free access to the affected area after being advised of any existing danger. Department members shall not decline the rescue of news media personnel who are in danger, but they will not provide an escort into or out of dangerous areas. In general, 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 functions.

2. Crime scenes may be closed to all unauthorized persons including the news media. Crime scenes, which are located in the areas of public access, may be opened for media inspection after any search, preservation, and processing of evidence has been completed, and the scene is secured. Reporters and/or photographers shall be kept sufficiently distant from a crime scene being searched or preserved to protect it from being disturbed, or evidence from being destroyed or contaminated. News media representatives have no right of
access to private property greater than the general public and therefore are subject to any public access restrictions of the owner or person in charge of the property when a crime scene is located on private property.

3. "Authorized News Media" representatives are those persons possessing valid press passes issued by any bona fide news media organization.

(CALEA 54.1.1 a)

VI. MEDIA ACCESS TO PRIVATE RESIDENCES

Representatives of the media participating in a ride-along will not be permitted to accompany an officer into any residence. If a crime scene is contained within a private residence, the news media shall be denied access.

(CALEA 54.1.3)

VII. INFORMATION RELEASE AT MULTI-AGENCY INCIDENTS

For incidents involving the mutual efforts of the Hermosa Beach Police Department and any other department or agency, the ranking department supervisor present at the scene shall confer with the ranking personnel from all other departments or agencies involved to determine who shall be responsible for the release of information to the news media. Generally, the agency having primary jurisdiction shall bear responsibility for the dissemination of information.

(CALEA 54.1.1 f)

VIII. RELEASE OF POLICY AND PERSONNEL INFORMATION

Statements of department policy; official positions of the department; official responses to criticism of the department; comments critical in content of another department, agency, institution, or public official; or statements pertaining to pending or ongoing litigation involving the department shall be made only by the Chief of Police or designee.

The release of any information regarding an internal investigation of alleged misconduct by members of the department or disciplinary action taken as a result of any such investigation shall be made only by the Chief of Police or his designee. Pursuant to 832.7 PC, the names of department members subject to disciplinary action as a result of an ongoing or completed internal investigation and other details of the investigation may not be released.

The release of any information regarding the employment history or performance of department members, except verification of current assignment shall be made only by the Chief of Police or his designee.

Guidelines for release of personnel information are contained in 832.7 PC

(CALEA 54.1.1 e)

APPROVED:

Greg Savelli
Chief of Police
PURPOSE AND SCOPE

To establish procedures for entry, retrieval, and verification of information in the Records Management System (RMS), and the California Law Enforcement Telecommunications System (CLETS Network), that provides access to CJIS/DOJ, FBI/NCIC, DMV, and NLETS.

The policy of this Department is to have all employees follow uniform entry, retrieval, and verification procedures of automated records to optimize the accuracy of the information and cross-referencing capabilities. Department policy requires that Records Unit personnel and other authorized personnel must always login and logout of RMS and CLETS as required during the course of their on-duty shift.

PROCEDURE

Information is available to the Hermosa Beach Police Department through the Records Management System (RMS TIBURON).

- Via RMS TIBURON the Department maintains a Master Name File of all individuals involved in any type of police field interview or case report (i.e., traffic accidents, service calls, and criminal complaints).

- Records in RMS TIBURON will be maintained for service calls and crimes by type and location, minimally; in RIMS records will be maintained on all stolen, recovered, and evidentiary property files. Found property will be issued a unique, sequential case number and recorded in the found property spreadsheet and found property disposition book located in the front counter area.

- Searches can be performed by name, involvement summary, victim summary, gang affiliation, type of crime, and physical description for any range of dates.

- The Master Name File identifies and links all documents that reference any specific individual in the system.

- The Master Name File information can be multi-specified to provide a precisely defined report (i.e. all juveniles entered as suspects or victims or both, males or females or both, for bike theft, etc.).

(CALEA 82.3.1)
RMS TIBURON provides a Property/Evidence File that includes a unique Incident Number, Case Number, Location, Property Type, Property Status, Item Description, Serial Number and Item Disposition.

The Property/Evidence Custodian will be responsible for:

- Maintaining all records of the reporting, listing, returning and disposal of the Lost, Found, and Unclaimed Property in compliance with California Statutes.
- Maintaining the Master Evidence File to preserve the chain of custody, the delivery of items to the Los Angeles County Sheriff’s Crime Lab or District Attorney’s Office, and the final disposal of all Evidence in compliance with California Statutes.

All Department traffic records including: traffic collision data on reports, investigations, and locations; and traffic enforcement data on citations, arrests, dispositions and locations; are maintained and retrieved through the automated Moving Citation File and Case Management File in RMS. Records Unit personnel maintain and retrieve both automated information and hard copy information from the Case Reports File. These records are available to authorized personnel 24-hours a day.

Traffic citation books shall be kept in the Records Bureau. Officers will request traffic citation books from an on-duty PSO. The PSO will account for each citation book issued by recording the officer’s name the citation book was issued to, along with the corresponding beginning and ending citation numbers, into RMS. (CALEA 82.3.4 a, b, c)

Citations copies are disseminated as follows:

- Violator’s Copy is given to the individual cited
- Officer retains the Officer’s Copy
- Station and Court copies are processed through the Watch Commander to the Records Unit where:
  1. Court copies are logged and forwarded to the Court Liaison
  2. The Court Liaison forwards the Court Copy to the designated Los Angeles County Justice Center for final disposition
  3. Station copies are securely stored and filed by the Court Liaison in Numerical Order by date.

Voided Traffic Citations:

Traffic citations voided for any reason shall be marked in large letters across the citation with the word “VOID”. If the citation was voided after it was issued to the defendant, the citation must be turned in to the Court Liaison who will process the Officer’s Application and Order to Dismiss Citation Form and deliver it to court.

Traffic citations voided before being issued to the defendant should be turned in to the Watch Commander for processing in RMS by Records personnel.
Notification from Department patrol officers or recognized outside agencies of hazards, safety issues, and traffic volume are logged into CAD where they are assigned a specific incident number by RCC Dispatch personnel.

All traffic collision investigations/reports, citations, arrests, and hazards can be retrieved by either Incident type and/or Incident location.

Monthly all reportable traffic collision reports are submitted to the California Highway Patrol (CHP), a State agency, for inclusion in area traffic collision and enforcement analyses. (CALEA 82.3.2, 82.3.3, 82.3.5)

**RECORDING AND MAINTAINING ARREST INFORMATION**

All Case Reports of persons arrested are assigned a distinct and individual case number. Only one (1) number is assigned to any case and numbers are not reissued. Example: #00-0001, the first two (2) digits reflect the year of occurrence and the remaining four (4) are issued sequentially starting at 0001 on January 1st every year.

- The Case Report files of persons arrested consist of all identification information in the automated criminal history files plus fingerprints, photographs and criminal history printouts from other jurisdictions.

- Automated criminal history files on persons arrested by the Hermosa Beach Police Department shall include the following minimal information, if available:
  1. Name, Address, and Phone Number
  2. Date of Birth, Social Security Number, and CDL
  3. Narrative of Arrest Report and Statements

- On entry to the automated system by Records Unit personnel or Officers, all possible matches of prior and/or alias records on the arrestee will be presented as a search feature of the RMS.
  1. Arrestee’s can be tracked by Name and verified by Social Security Number, Date of Birth, and/or CDL.
  2. All subsequent arrests and queries will continue to be linked to the individual’s criminal history file by Social Security Number verification.

All arrests whether field processed or custodial require that the Officer be assigned a case number and complete the required automated information in RMS TIBURON on the subject arrested for the case report.

- Field arrests and Custodial arrests require the following:
  1. Los Angeles County Booking Form
  2. Officer’s Report
  3. Department Property/Evidence Forms (if applicable) (CALEA 82.3.6)
WARRANT AND/OR WANTED PERSONS FILE

The immediate availability of current records regarding active warrants and wanted persons is a valuable resource and, as such, the security and accuracy of these records must be safeguarded at all times.

- This automated information is available to authorized personnel 24-hours a day
- All entering, receiving, recording, verifying, and canceling information will be maintained by the following procedures:

1. The Los Angeles County Courts enter all active warrant notices for the entire county area into the National Crime Information Center NCIC system. NCIC, which is accessed through CLETS, is available for regional, state and federal inquiries. The Hermosa Beach Police Department uses the automated warrant files in NCIC - California Department of Justice (DOJ) (Wanted Persons System - WPS).

2. When a “Hit” has been confirmed on a Los Angeles County warrant and the warrant is served, Records Unit personnel will pull the warrant from the automated warrant files in NCIC at the Officers request.

3. When a “Hit” has been confirmed on any out of county or out of state warrants and the warrant is served at the direction of the agency with jurisdiction, Records Unit personnel will notify the appropriate agency with jurisdiction to pull the warrant from the automated warrant files in NCIC.

APPROVED:

Greg Savelli
Chief of Police
PURPOSE AND SCOPE

Department Policy for the management of all Department generated Law Enforcement, operational and information records and files. The Hermosa Beach Police Department Records Unit is comprised of the Police Services Supervisors and Police Services Officers (PSO’s). The Records Management System is maintained by the Hawthorne Police Department which grants access to the Hermosa Beach Police Department via designated computer ID addresses.

POLICY

This operating policy and procedure is to ensure adherence to the California Department of Justice (DOJ) and California Public Records, Government Code Section 6250-6265 regulations regarding the protection, storage, release, and maintenance of the Hermosa Beach Police Department records and files.

The Hermosa Beach Police Department uses an automated Records Management System (RMS) that links the communications center Computer Aided Dispatch (CAD) through the South Bay Regional Public Communications Authority (SBRPCA), law enforcement field reporting, police records, evidence, found/agency-owned property control, and investigative case management.

The Records Management System (RMS) is also linked to the County Justice Data Interface Controller (JDIC), and the State California Law Enforcement Telecommunication System (CLETS).

CLETS files interface with California Department of Justice Center files in Sacramento and Federal Bureau of Investigation National Crime Information Computer (NCIC) files in Washington, D.C.

The Department of Justice requires 24-hour coverage of these dedicated terminals by trained personnel.

CONFIDENTIALITY AND SECURITY OF RECORDS

DOJ regulations require that Police Records be restricted to personnel who have had background checks and fingerprint clearances from the DOJ and the FBI. Access to records will be limited to:
PSO Supervisors  
Records Personnel (PSO’s)  
Chief of Police  
Captain  
Division Commanders  
On-duty Watch Commander  
Investigations/Detective Sergeant  
Administrative Services Sergeant  
Administrative Assistant/Accreditation Manager  
City Prosecutor  
Court Liaison  
Chief’s Secretary  
Crime Analyst

Any person not listed above who wishes to enter the Records Unit for any reason must gain permission from the on-duty PSO Supervisor or watch commander. Routine requests for records services, copies of reports, and record checks shall be made through an on-duty PSO.

Equipment service technicians and custodians may only enter this area while directly supervised by authorized Department personnel.

Every Hermosa Beach Police Department employee will sign an Employee/Volunteer Statement Form that ensures the confidentiality of all department records and files. Security of the records and the integrity of the system are enhanced by utilizing outlined procedures. (CALEA 82.1.1)

**RELEASE OF INFORMATION**

The authority for establishing Department mandates on the security and release of criminal offender records (Criminal Offender Record Information (CORI)) is found in Title II, Chapter 1, California Administrative Code. Other authorities include Penal Code Section 11105, which specifies who has access to criminal history information and Penal Code Section 11140-11144 which establishes penalties for the misuse of “records”. California Vehicle Code 1808.21(a) regulates the release of Department of Motor Vehicle (DMV) records, and 1808.45 describes the penalties for misuse of DMV records or information.

Department personnel will refer to the following definitions regarding the release of police records:

- “Criminal Justice Agency” – Any person 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 (CORI).
- “Criminal Offender Record Information” (CORI) – Records and data compiled by criminal justice agencies for purposes of identifying criminal offenders and summaries of arrests, pretrial proceedings, the nature and disposition of criminal charges, sentencing, incarceration, rehabilitation and release.
• “Right to Know” – entitled and authorized to obtain CORI.
• “Need to Know” – CORI is essential to complete official duties.
• “Records Check” – obtaining the most recent rap sheet from the California Department of Justice.
• “Records Security Officer” – the employee of the Department who is given the authority and responsibility to enforce records security regulations (PSO Supervisor).

(CALEA 82.1.1)

DEPARTMENT POLICY AND PROCEDURE TO RELEASE/RECEIVE POLICE RECORDS

• Department employees in possession of criminal history records shall be responsible for the physical security of documents. Under no circumstances shall an employee disclose the contents of any criminal history record to any person, except as provided in this order.

• Authorized release of CORI is indicated only when both the right-to-know and need-to-know have been substantiated.

• Right-To-Know basis and criteria:
  1. Criminal offender record information will be released only to persons or agencies authorized by court order, statute, or decisional law to receive such information.
  2. One of the criteria for release shall be “Agencies Authorized to Receive California Department of Justice Rap Sheets.”

• Need-To-Know basis and criteria:
  1. Need-to-know is defined as the necessity to obtain CORI in order to execute official responsibilities. If the data is needed for official purposes such as a criminal investigation, arrest, booking, child endangerment or officer safety.
  2. Need-to-know is established when the requester certifies verbally or in writing to an official the need for the information.

• Security, Review, and Audit Trail Requirements of Criminal Offender Records Information in CLETS.
  1. All criminal offender record information computerized or hard copy will be stored in a secure area and access to this file will be restricted to personnel authorized to release CORI.
  2. The computer terminal equipment for accessing CORI is located in various parts of the station facility. Access to CORI or DMV records is controlled by computer security access controls including authentication, authorization, and audit. All hard copy criminal history records are housed in the Records Unit filing system. The Department has 24-hour personnel coverage to prevent unauthorized access to these areas.
3. Inquiries for the criminal history information of an individual are restricted to authorized full access DOJ trained operators, in accordance with the methods outlined in CLETS policies, practices and procedures.

- Local criminal offender record information shall be reproduced or photocopied only within the physical facility of the Department by persons authorized to perform such reproduction.
- The PSO Supervisors shall comply with any reasonable request made by a representative of the Department of Justice relative to any security and privacy audit of this Department. (CALEA 82.1.7)

**PENALTIES FOR THE “MISUSE” OF CORI OR DMV RECORDS**

- Pursuant to CAC Section 702 Title II, Chapter I, authorized persons or agencies that violate the regulations regarding the security of CORI may lose access to CORI from the DOJ. California Penal Code Sections 11140-11141 state it is a misdemeanor to furnish, buy, receive or possess DOJ rap sheets without authorization by a court, statute, or decisional law. Employees who disregard Department policy concerning dissemination of CORI are subject to Department discipline.
- California Vehicle Code Section 1808.21 specifies that any residence address is confidential and will not be disclosed to any person except the courts, law enforcement agencies or other government agency.
- It is a misdemeanor to release DMV records or information for any purpose other than law enforcement queries, per Section 1808.45. Any employees who are responsible for the misuse of these records are subject to Department discipline. Violations may also result in criminal and/or civil action. (CALEA 82.1.1)

**JUVENILE RECORDS**

The PSO Supervisors will be responsible and accountable for the collection, maintenance, dissemination, retention, and destruction of juvenile records.

- All juvenile arrest and identification records will be collected, retained, disseminated, and destroyed in strict compliance with existing statutes, decisional law, and policies or orders by the Juvenile Court for the County of Los Angeles and the State of California.
- Juveniles will not be fingerprinted and photographed on a routine basis. If the Officer determines that fingerprinting and photographing of the juvenile offender could be necessary (e.g. serious offenses and felonies), the Officer shall obtain approval from the on-duty Watch Commander.
- As a method to distinguish juvenile records, and to control and maintain their restricted access, all juvenile arrest and/or identification records (fingerprints, photographs or physical descriptions) will be filed in red folders.
• Upon receipt of a Court Order to seal or expunge an official police record, the Records Unit Supervisor will be responsible for ensuring the prompt sealing or shredding of the indicated record(s).

(CALEA 82.1.2 a-e)

**RECORDS RETENTION**

All reports/records/files will be retained and destroyed consistent with State of California legal requirements and in accordance with the City of Hermosa Beach Records Retention Schedule.

• The original of all Case Reports will be maintained in numerical order in the Master Case Reports files.

• Under no circumstances will the original report be removed from the Records Unit, only copies will be routed to the appropriate personnel for follow-up as required.

• Personnel Files and Background Investigation Files on current employees are secured in the Office of the Chief of Police. Personnel Complaint Files are secured in the Administrative Assistant/Accreditation Manager’s office.

• The Investigators retain copies of all cases actively under investigation and those cases used for crime prevention training.

• Patrol operations and special events records, along with all “Use of Force” and “Pursuits” case copies are maintained in the office of the Operations Division Commander.

• The PSO Supervisors maintain records on property and items for safekeeping, and all evidence records.

• Warrants/wanted person and Communications records are under the custodial care of the PSO Supervisors.

(CALEA 82.1.3)

**UCR/NIBRS**

The Department’s Case Records and arrest information are confidential and not open to inspection by the general public (California Information Practice Act). Records personnel will comply with the following procedures:

• All requests from individuals outside law enforcement must be submitted in writing and the PSO Supervisor must approve the release of partial or complete copies.

• Traffic Accident reports or a copy of an individual’s statements will only be released to the person involved or their representative.

• When released, the authorized request form will be attached to the original case report.

On a monthly basis, the PSO Supervisor will compile and submit mandatory crime reporting data (Uniform Crime Report (UCR) and/or National Incident-Based Reporting System
(NIBRS) statistics) to the California Department of Justice (DOJ). These statistics will be collected according to Federal Bureau of Investigation (FBI) guidelines. These statistics are automatically compiled by the RMS program.  
(CALEA 82.1.4)

SECURITY ACCESS

The main server for the RMS application is behind a firewall that allows only the twenty-four designated computer IP addresses identified by the police department access. Each computer has a pre-selected security level for the RMS program. Only department personnel with the appropriate network ID and password can open these computers. The Records Unit will ensure the protection of the computerized records/reports/files with the following measures:

- All RMS computer files are backed up daily and the files are sent weekly to an off site secure location.

- The Department will ensure that all Department programs used are properly licensed. Employees will not introduce any non-authorized software or disks into the computer system or Department laptops or workstations. All computers will continually scan any disk or download for viruses.

- The computers have a configured functional use security level for the RMS program. The RMS application requires personnel to be identified as a user with a unique ID, password and security level. The security levels allow limited or unlimited access to the program. The system automatically requires passwords to be changed and verified every ninety (90) days.  
(CALEA 82.1.6d)

APPROVED:

Sharon Papa  
Chief of Police
PURPOSE AND SCOPE

The purpose of this policy is to outline the organization, administration, and management, of the Hermosa Beach Police Department's holding facility.

MANAGEMENT OF THE HOLDING FACILITY

The management of the holding facility is the responsibility of the Support Services Division Commander. Any problems with the facility or contents thereof shall be reported via intra-departmental memorandum and chain-of-command to the Support Services Division Commander.

The shift operation of the holding facility is the responsibility of the on-duty Watch Commander. The on-duty Watch Commander is responsible for overseeing security, arrestee accounting, and control inside the holding facility. The on-duty patrol Watch Commander will have departmental accountability for the temporary holding facility.

SECURITY

Security within the holding facility is a paramount concern to the organization. To ensure that a high level of security is maintained, only authorized department personnel are allowed access to the holding facility. Authorized personnel shall include sworn officers, sworn and non-sworn personnel directed to search an arrestee, and all persons authorized by an on-duty supervisor.

The only exceptions are:
- tours authorized by the department
- individuals authorized to make necessary repairs
(CALEA 72.1.2)

ARRESTEE ACCOUNTABILITY

The on-duty Police Services Officers (PSOs) are responsible for arrestee accountability while the individual is housed in the Hermosa Beach Police Department holding facility. This is necessary for the safety of the arrestees, department members, and the facility.
TRAINING

All PSO personnel shall be trained and certified as required by the State of California Corrections Standards Authority, Title 15. Retraining, including the use of fire suppression equipment, will be conducted as mandated by state law, or at least once every three years. (CALEA 72.1.1)

ARRESTEE RECORDS

All arrestee records/information are confidential in nature. This information shall be kept secured and not released to unauthorized persons. (CALEA 72.1.3)

APPROVED:

Sharon Papa
Chief of Police
PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the processing of detainees (persons arrested) placed in the Hermosa Beach Police Department holding facility.

PRELIMINARY DETAINEE PROCESSING

Prior to the processing of detainees the arresting/transporting officer shall complete a Hermosa Beach Police Department Booking Approval Form. This form shall be completed with the following minimum information:

- Date, time, DR number
- Arrest Location
- Arrestee name (if known – see below)
- Arresting Officer(s) name, serial number, agency
- Transporting Officer(s) name, serial number, agency
- Booking charges and/or warrant information

This minimum information shall be presented to the on-duty PSO, and approved (signature authorization) by the on-duty Watch Commander prior to the processing/booking of any detainee. In the event the on-duty Watch Commander is not in the station, verbal radio authorization may be obtained.

It is understood that in some cases a detainee’s proper identification cannot be initially obtained (due to intoxication or reluctance by the detainee to provide proper identification). In these cases a California Identification (CAL-ID) procedure shall be completed as soon as possible.

The on-duty PSO shall complete the Los Angeles County Unified Arrestee Medical Screening Form as soon as possible/practicable upon receipt of all detainees. The on-duty Watch Commander is responsible for review and signature authorization of this form pertaining to any/all medical conditions, the taking of any prescription drugs, mental or psychological disorders, and/or conditions when the detainee is under the influence of alcohol and/or drugs (in particular, sub-sections #2, #3, #4, #5 & #12). The on-duty PSO shall not complete any processing/booking until this form is signature authorized by the on-duty Watch Commander.

It is necessary to obtain a medical clearance prior to booking a prisoner into the Hermosa Beach Police Department Jail facility if the prisoner is in obvious need of medical care or reports that they have a serious medical condition. In all cases where an employee suspects
that a prisoner is in need of medical attention the Watch Commander must be notified immediately.

Serious medical conditions include, but are not limited to; traumatic injury, asthma, diabetes, epilepsy, heart trouble, high blood pressure, HIV/AIDS, hepatitis, tuberculosis, pregnancy, any condition for which they are taking prescription medication.

Medical Clearance can only be obtained from a Medical Doctor at Bayside Medical, Little Company of Mary Hospital, Torrance Memorial Medical Center, Harbor General Hospital, County USC Jail ward or any Los Angeles County Sheriff’s medical facility.

The Hermosa Beach Fire Department Paramedics should evaluate the prisoner if there is any question regarding his/her medical condition. After an evaluation by the Paramedics has occurred, one of the three courses of action listed below should be followed:

1. The Paramedics determine that the prisoner is in need of medical attention and the prisoner is transported to one of the authorized medical facilities listed above for a medical clearance to book or for extended medical care. The Paramedics will determine if the prisoner needs to be transported by ambulance or is safe to transport in a police vehicle.

2. The Paramedics determine that the prisoner has no medical problems or that the problems are so minor that minor first aid is all that is required. The prisoner may be booked into the Hermosa Beach Police Department Jail facility. In this case the Paramedics are not giving a medical clearance to book; they are making a determination that no medical condition exists for which a medical clearance to book is required.

3. If the Paramedics determine that the prisoner is not in need of immediate medical attention but does have a serious medical condition. The prisoner must be transported to one of the authorized medical facilities listed above for a medical clearance to book or for extended medical care. The Paramedics will determine if the prisoner needs to be transported by ambulance or is safe to transport in a police vehicle.

**The Paramedics can not give a medical clearance for booking.**

If a prisoner has a condition that requires a medical clearance to book and you are unable to secure one, the prisoner must be transported to a Los Angeles County Sheriff’s medical facility. If the Los Angeles County Jail facility will not accept the prisoner then he/she should be released on bail, cited out or released on their own recognizance (whichever is the most appropriate). Contact a Division Commander prior to releasing prisoner if there is likelihood that such release would endanger the public.

In a situation where a detainee is under the influence of alcohol and/or drugs, the on-duty Watch Commander shall take into consideration and determine the following:

- Degree or level of intoxication (alcohol) and/or drug influence
- Behavior and mental acuity of under the influence detainee
Consciousness level of the detainee

If, in the opinion of the on-duty Watch Commander and/or on-duty PSO, the detainee is intoxicated and/or under the influence to such a degree that the safety and welfare of the detainee may be in question, the on-duty Watch Commander shall summon the Hermosa Beach Fire Department Paramedics for emergency evaluation/treatment.

If the Hermosa Beach Fire Department Paramedics determine that the detainee’s state of intoxication and/or under the influence condition is to such a degree that the safety and welfare of the detainee may be in question, the detainee shall be transported to the department designated medical facility for:

- Clearance to book (by medical doctor)
- Emergency medical treatment (state of medical emergency)
  (in this situation, the detainee shall be released to the immediate custody of the medical facility for treatment – and not allowed in the Hermosa Beach Police Department Holding Facility)

In a situation where a detainee is injured or has trauma markings, bruises, lesions, or other visible injuries, the on-duty Watch Commander shall summon the Hermosa Beach Fire Department Paramedics for emergency evaluation/treatment.

If the Hermosa Beach Fire Department Paramedics determine that the detainee’s condition is to such a degree that the safety and welfare of the detainee may be in question, the detainee shall be transported to the department designated medical facility for:

- Clearance to book (by medical doctor)
- Emergency medical treatment (state of medical emergency)
  (in this situation, the detainee shall be released to the immediate custody of the medical facility for treatment – and not allowed in the Hermosa Beach Police Department Holding Facility)

In a situation where a detainee is demonstrating mental instability (not intoxicated or under the influence of drugs/controlled substance), as follows:

- Making threats of suicide or self-harm
- Making threats of harming others
- Other statements of death or suicide

The on-duty Watch Commander shall summon the Hermosa Beach Fire Department Paramedics for emergency evaluation. If so determined, the detainee shall be committed to an appropriate facility for 72-hour evaluation pursuant to California State Welfare and Institutions Code 5150.

(CALEA 72.5.2)

DETAINEE SEARCHES

All arrestees shall be searched as follows:

- Arresting/transporting officer – upon immediate entrance into facility
• PSO(s) conducting arrestee entrance/acceptance procedures

This procedure shall be conducted prior to being placed into the holding facility.

With the exception of basic clothing items, all property articles shall be removed from the detainee. The officer/PSO may remove any item that he/she feels might be used in a harmful manner by the arrestee.

Arrestees will be un-handcuffed as soon as safety and practicality allows. Prisoners shall be un-handcuffed prior to being locked in a cell.

**STRIP SEARCHES**

A “strip or visual body cavity search” will only be conducted with the prior written authorization of the Watch Commander, investigative supervisor, or other sworn personnel with the rank of sergeant or higher, pursuant to provisions outlined in California Penal Code Section 4030. (Refer to Policy S2.02 in this manual for detailed procedures)

The justification will be contained in a statement of facts written by the arresting officer, transporting officer, or PSO. The individual writing the statement of facts must have first hand knowledge that there is reasonable suspicion based on specific and particular facts (articulated in statement SUMMARY) to believe the arrestee is concealing a weapon or contraband, and a strip search will result in the discovery of the weapon or contraband.

Strip searches should be limited to arrestees who are charged with crimes involving:

- violence
- weapons
- controlled substances

After a review and approval, the Watch Commander will sign the “Strip Search Authorization Form,” thereby authorizing the search. The “Strip Search Authorization Form” is a separate document and will be maintained with the completed report.

The strip or visual body cavity search shall be conducted in such a manner conforming to California Penal Code Section 4030.  
(CALEA 72.5.1)

**DETAINEE PROPERTY INVENTORY**

The arrestee's property shall be inventoried by the arresting/transporting officer and PSO personnel upon arrival at the holding facility. An itemized list of the property taken from the arrestee shall be recorded on standardized Los Angeles County Booking Form. The receipt form should be signed by the arrestee with a copy placed with his property. In the event the arrestee is unable to sign the Booking Form, the PSO shall note that fact on the form. If the arrestee refuses to sign the Booking Form, the on-duty Watch Commander will be notified immediately for verification assessment.
Any complaint of property mishandling will be documented and forwarded to the PSO Supervisor and Support Services Division Commander.

All property taken from an arrestee shall be placed in a secured property locker located in the holding facility. If any of the arrestee's property is seized as evidence, the Property and Evidence booking procedure shall be followed and the appropriate box checked on Hermosa Beach Police Department Property Receipt Form.

Any and all money/cash shall be counted and placed in a Hermosa Beach Police Department “Money Envelope” and secured in the arrestee’s property locker.

In the event an arrestee is transported to the Los Angeles County Jail Facility, all bulk property taken from arrestee(s) (bicycles, backpacks, etc.) shall be booked by the arresting/transporting officer into Hermosa Beach Police Department’s property and evidence.

When the arrestee is released, he/she should inventory his/her property to ensure all items are accounted for. A property receipt form should be signed by the arrestee with a copy placed with the arrest report. In the event the arrestee is unable to sign the returned property, the PSO shall note that fact on the form. If the arrestee refuses to sign the returned property, the on-duty Watch Commander will be notified immediately for verification assessment.

Prior to releasing an arrestee or transferring him to another agency, the on-duty PSO officer shall confirm the arrestee's identity. This process shall be verified by the California Identification (CAL-ID) process. (CALEA 72.5.1, 72.5.2, 72.5.7)

**JUVENILE ARRESTEES**

Juvenile arrestees shall not come in contact with any adult arrestees. Refer to Hermosa Beach Police Department Booking Procedures.

**FEMALE ARRESTEES**

Female arrestees shall be placed in a holding cell out of sight and sound from male arrestees. (CALEA 72.5.3)

**INTOXICATED ARRESTEES**

Persons arrested for being under the influence of alcohol or other drugs or who are violent should be segregated.

These types of individuals shall be checked at least every 30 minutes by PSO personnel. The times the arrestee is checked shall be logged on the Hermosa Beach Police Department Welfare Check Sheet.

See Preliminary Detainee Processing above. (CALEA 72.5.4)
VIOLENT ARRESTEES

Arrestee(s) who appear, or are reported as being potentially violent with jail personnel, or other arrestees, shall immediately be segregated from other arrestees. The arresting/transporting officer(s) shall remain in the jail booking area with PSO personnel during the booking and/or processing of these arrestees. The arresting/transporting officer(s) shall NOT leave until the arrestee is secured in a holding cell.
(CALEA 72.5.4)

ARRESTEE FROM AN OUTSIDE AGENCY

The Hermosa Beach Police Department will accept prisoners from outside agencies when advance notification and prior arrangements have been made and approval has been obtained by the on-duty Watch Commander. If extenuating circumstances exist, and arrestees are delivered to the Hermosa Beach Police Department by an officer/employee of an outside law enforcement agency without making prior arrangement, PSO(s) shall require the officer/employee present proper identification and advise the circumstances surrounding the arrest/detention, thus verifying the person's authority to make the arrest/detention. The receiving PSO shall also contact the on-duty Watch Commander for verification of the arresting officer’s identity and authority to make the arrest/detention.
(CALEA 72.5.5)

GROUP/MASS ARRESTS

In the event of a group arrest that would exceed the maximum capacity of the Hermosa Beach Police Department holding facility, the excess arrestee(s) shall be transferred, as soon as possible, to the Los Angeles County Jail, Redondo Beach City Jail, Manhattan Beach City Jail, or released on a written promise to appear, if applicable.
(CALEA 72.5.6)

BOOKING PROCEDURE FOR LOS ANGELES COUNTY JAIL

The Hermosa Beach Police Department has temporary holding facilities only. All arrestees not being released from the Hermosa Beach Police Department holding facility, transferred to a medical/mental health facility, or transported to the Southwest District Court Jail Facility, shall be booked into the Los Angeles County Jail.

The appropriate booking form contains the arrest information and physical condition of the arrestee, which is completed by the on-duty PSO. The booking form also contains a property inventory and disposition section that is completed by the on-duty PSO.

DETAINEE DNA COLLECTION

California State Proposition 69 requires collection of DNA samples from:
- adults and juveniles convicted of any felony offense
- adults arrested for or charged with any felony offense
- adults and juveniles convicted of any sex offense or arson offense, or an attempt to commit such an offense (not just felonies)
• adults arrested for or charged with felony sex offenses, murder, or voluntary manslaughter (or the attempt to commit such offenses)

PSOs are charged with compliance with California State Proposition 69 pursuant to guidelines contained in the Collection Procedure Manual located in the Hermosa Beach Police Department Holding Facility.

APPROVED:

Greg Savelli
Chief of Police
PURPOSE

The purpose of this policy is to outline procedures for the supervision of arrestees and the specific rights arrestees have while in the Hermosa Beach Police Department holding facility.

MAGISTRATE

California Penal Code Section 825 states that an arrestee shall be taken before a magistrate without unnecessary delay. Since the Hermosa Beach Police Department holding facility is for temporary detention only, all arrestees requiring or demanding immediate appearance before a magistrate shall be booked in the Los Angeles County Jail. It is the responsibility of the Los Angeles County Sheriff's Office to deliver the arrestee to a magistrate.

BAIL FOR ARRESTEES

Procedures for accepting bail are contained within the Hermosa Beach Police Department Jail Manual.

ACCESS TO ATTORNEY

When an attorney for an arrestee arrives at the Hermosa Beach Police Department, the attorney and his personal effects shall be searched before coming into contact with the arrestee. The arrestee and his attorney shall be afforded a place of privacy to confer. PSO personnel will deactivate recording devices in the holding room in which the conference takes place. PSO personnel must notify the appropriate supervisor (i.e. Watch Commander, Detective Sergeant or Detective in charge, S.I.U., etc.) of the visit request before it takes place.

PSO personnel will note the conference between the arrestee and his attorney by completing the Hermosa Beach Police Department Prisoner Visiting Form No. S.4.22.

TELEPHONE CALLS

California Penal Code Section 851.5 states that an arrestee has the right to make at least three (3) completed telephone calls immediately upon being booked or no later than three (3) hours after the arrest. It is the responsibility of the on-duty PSO to ensure that the arrestee is given the opportunity to make the telephone calls and that the arrestee is aware that calls may be monitored by police department personnel.
If an arrestee is in the custody of a detective, the detective’s approval must be obtained prior to the arrestee completing any phone calls - prior to the expiration of the three (3) hour time limit.

**MEALS**

Arrestees shall not normally be detained in the holding facility longer than six hours; therefore, meals are not provided. However, if extenuating circumstances require a stay longer than six hours, a meal will be provided based on procedures contained in the Hermosa Beach Police Department Jail Manual.

If a transient or homeless arrestee is detained for any period of time, and they have been without food as a result of their circumstances, a meal may be provided. *(CALEA 72.7.1 a-f)*

**SUPERVISION**

All arrestees are monitored by PSO personnel. This monitoring is conducted on an on-going basis via closed circuit video recording. However, a physical observation of all arrestees will also be conducted by PSO personnel on an on-going basis which will not exceed thirty (30) minute intervals - recorded by signature/serial number on the Hermosa Beach Police Department Welfare Check Sheet.

A population count shall be performed by PSO personnel and recorded on the Hermosa Beach Police Department Daily Record Count form, conducted daily at 0400 hours.

The on-duty Watch Commander shall make regular jail checks (visual inspection) of each in-custody detainee. These checks shall start at the beginning of the scheduled shift - recorded by signature/serial number on the Hermosa Beach Police Department Welfare Check Sheet, and continue at non-specific intervals throughout the shift (completing at least two (2) such welfare checks). *(CALEA 72.8.1)*

Audio/video surveillance of the holding facility is primarily for the safety and welfare of detainees in monitoring any emergency needs. The surveillance equipment will be controlled to reduce the possibility of invading a detainee’s personal privacy; however, the placement of video cameras in the holding cells is determined by necessity and the physical configuration of the particular cell. *(CALEA 72.8.2)*

**SUPERVISION – OPPOSITE SEX**

The Hermosa Beach Police Department Holding Facility operates under specific guidelines of Title 15, California Code of Regulations - Minimum Standards for Local Adult Detention Facilities and for Local Juvenile Facilities. Refer to the Hermosa Beach Police Department Jail Manual. *(CALEA 72.8.3)*
RECEIVING MAIL/PACKAGES

Arrestees shall be permitted to receive mail, packages, and other correspondence while detained in the holding facility, in accordance with, and following the procedures outline in, the Hermosa Beach Police Department Jail Manual, Section 803.07 through 803.11.  
(CALEA 72.8.4)

VISITATION

It is the policy of the Hermosa Beach Police Department to provide for as many visits and visitors as facility schedules, space, and number of personnel will allow. Visits from family members and professionals are beneficial to jail staff and the inmate by helping to reduce the tension and anxiety of confinement. Police Service Officers will facilitate visiting privileges when possible, and in accordance with Article 6, Section 1062, Title 15 C.C.R. and Section 803.01 to 803.06 of the Hermosa Beach Jail Manual.
(CALEA 72.8.5)

TRUSTEES

The Hermosa Beach Police Department recognizes that the detention of court sentenced prisoners in a local jail facility serves many useful purposes for both the offender and the justice system. In keeping with philosophies underlying the incarceration of certain classes of court sentenced persons in local detention facilities, the Department participates in a Jail Services Program for the short-term incarceration of prisoners/trusties, as provided in the Hermosa Beach Police Department Jail Manual.

No sentenced inmate shall be incarcerated in the Hermosa Beach Police Department Jail Facility without a valid Commitment Order from the court.

Definitions:

- Trustee: a person sentenced to the Hermosa Beach Police Department Jail Facility after a court action.
- Jail Services Program: also known as the domiciled program – persons enrolled in this program are detained in twenty-four (24) hour sessions for the term of their commitment (until fulfilled).
- Commitment Order: also known as a remand order – any official document issued by the court that authorizes the incarceration and detention of a person in the Hermosa Beach Police Department Jail Facility for a prescribed term.

All Trustee Rules, Regulations, and Procedures are outlined in the Hermosa Beach Police Department Jail Manual – Trustee Procedures Manual, Section 811.0.

APPROVED:

Greg Savelli  
Chief of Police
PURPOSE AND SCOPE

The purpose of this policy is to outline medical and health care services provided to arrestees detained in the Hermosa Beach Police Department holding cells.

MEDICAL ASSISTANCE FOR ARRESTEES

In the event that an arrestee held in the Hermosa Beach Police Department holding facility is in need of emergency medical treatment, the Hermosa Beach Fire Department paramedics shall be called immediately to render medical aid.

Until the Hermosa Beach Fire Department paramedics arrive, the individual discovering the medical emergency shall render first aid, as necessary. All Hermosa Beach Police Department personnel and PSO personnel shall follow the Hermosa Beach Fire Department paramedics' recommendations regarding additional medical treatment for arrestees detained in the holding facility.
(CALEA 72.6.1)

FIRST AID KIT

A first aid kit shall be maintained in the holding facility. The on-duty PSO shall inspect the first aid kit on a weekly basis and restock as necessary.
(CALEA 72.6.2)

MEDICAL INFORMATION

The on-duty PSO shall complete the Los Angeles County Unified Arrestee Medical Screening Form as soon as possible/practicable upon receipt of all detainees. The on-duty Watch Commander is responsible for review and signature authorization of this form pertaining to any/all medical conditions, including whether the arrestee;

a. has any injuries or medical problems
b. possesses/requires prescribed medications
c. appears to be under the influence of alcohol or drugs
d. is currently a mental patient or is under the care of a mental health professional

The on-duty Watch Commander shall follow department procedure for the handling of detainees with medical conditions and/or detainees taking prescription medication. Disposition of detainees shall be determined by department policy and the on-duty Watch Commander in these cases.
The arresting officer and PSO shall document any/all unusual conditions in arrest reports and on the Los Angeles County Unified Arrestee Medical Screening Form.

In addition, the on-duty PSO shall complete the following forms, as necessary:

- Hermosa Beach Police Department Inmate Injury Report
- Hermosa Beach Police Department Jail Incident Report

These reports shall be approved by the on-duty Watch Commander and forwarded to the PSO Supervisor and Support Services Division Commander.

(CALEA 72.6.3 a, b, c, d; 72.5.2)

**ACCESS TO MEDICAL SERVICES**

It is important that arrestees know that emergency health care services are available to them. The procedures for requesting Hermosa Beach Fire Department paramedics shall be posted in the holding facility in English and Spanish.

In the event the arrestee is unable to read the posted sign, the procedure shall be explained orally, or in extreme cases, an interpreter obtained.

(CALEA 72.6.4)

**DISPENSING OF MEDICATION**

Hermosa Beach Police Department personnel SHALL NOT dispense ANY medication(s) to arrestees detained in the holding facility. If an arrestee is in need of constant medication, he shall be immediately transported to the Los Angeles County Jail Facility.

(CALEA 72.6.5)

APPROVED:

[Signature]

Greg Savelli
Chief of Police
PURPOSE AND SCOPE

The purpose of this policy is to outline the proper security and control measures to be utilized by all departmental personnel and Police Services employees while in the holding facility.

FIREARMS

Sworn officers of the Hermosa Beach Police Department and other law enforcement agencies shall not enter the holding facility with a firearm or other deadly weapons. The only exception to this policy would be in the event that an arrestee has armed himself with a deadly weapon and a sworn officer must arm himself with a firearm to subdue the prisoner.

ENTRY INTO OCCUPIED HOLDING CELLS

Sworn officers and PSOs should not enter an occupied holding cell alone unless they are being monitored via the closed circuit television by other PSO personnel, or a sworn officer.

When a female prisoner is to be strip searched by a female PSO, a sworn officer shall remain in the holding cell area. If the sworn officer is male, he shall remain out of view of the female prisoner being searched.

CONTROL OF HOLDING FACILITY KEYS

SECURITY DOOR
This may exclude instances where prisoners are being moved to another location or for other official business.

These doors are to remain unlocked and open unless occupied by a detainee.

The doors to the holding cells will remain unlocked and open when unoccupied – this deactivates the motion-activated video monitoring system within each separate cell. As a matter of standard operating practice, PSO personnel should verify that the locking mechanisms engaged properly after doors have been closed. (CALEA 72.4.4)

SECURITY CHECK OF HOLDING CELLS

It is the responsibility of on-duty PSO personnel to conduct a security inspection of an unoccupied holding cell prior to placing an arrestee in that cell. The security inspection shall include a search for weapons and contraband.

Upon removing an arrestee from a holding cell, thus making the cell unoccupied, the on-duty PSO officer shall conduct a security inspection of that cell.

In the event that a weapon or contraband is found during a security inspection, the on-duty Watch Commander shall be notified immediately or as soon as practical of the circumstances surrounding the incident. This incident will be documented and forwarded to the Support Services Division Commander. (CALEA 72.4.5)

WEEKLY SECURITY INSPECTION OF THE HOLDING CELLS

The assigned PSO shall conduct a weekly inspection of the holding cells/facility. This inspection shall include a search for weapons and contraband and a check of the locks, bars, lights, telephones, ventilator covers, sinks, showers, and toilets to ensure they are operating correctly and have not been tampered with.

The results of the inspection shall be documented on the Hermosa Beach Police Department Weekly Jail Safety and Sanitation Checklist and forwarded to the Support Services Division Commander. If defective/unsafe equipment is found, it shall be repaired or replaced immediately. (CALEA 72.4.6)
HOLDING FACILITY SURVEILLANCE

The holding facility is equipped with a video security surveillance system - monitored in the Watch Commander’s Office, the Records Bureau Office, the Chief’s Office, and the Briefing Room.

This equipment shall be maintained in working order at all times. The video from the surveillance cameras shall be maintained by the department for the required period of time as set forth by California law.

If a member of the Department requests a copy (DVD disk) of a specific incident for court purposes, the request shall be made to the Court Liaison Officer. Absent extenuating circumstance, the request shall be made at least five (5) court days in advance. The Court Liaison Officer shall maintain the requests for copies. The Court Liaison Officer also processes outside requests for video surveillance copies pursuant to Government Code and Penal Code restrictions.

It is the responsibility of the Department member obtaining a copy of a DVD disk, to return that copy as soon as practical. The Court Liaison Officer shall erase/destroy the DVD disk immediately.

TOOLS AND CULINARY EQUIPMENT

In the event that outside maintenance personnel make repairs in the holding facility, on-duty PSO personnel shall visually inspect the facility for tools immediately after the repair(s) is completed.

Meals for arrestees are prepared and served in accordance with the Minimum Standards for Local Detention Facilities: Title 15 guidelines. PSO personnel provide one-time use plastic utensils with meals provided to arrestees and record the issuance and collection of utensils on the Jail Welfare Check List. The Hermosa Police Department does not have kitchen facilities for arrestees; therefore, culinary equipment is prohibited in the holding facility. (CALEA 72.4.7)

PANIC ALARMS/ALERTING CONTROL POINT

For the safety of department employees and prisoners, there are emergency buttons connected to an alarm system positioned throughout the holding facility. This alarm shall also be maintained in working order at all times.

The Emergency Panic Alarm and Personal Alarm Activating devices shall be tested weekly by the assigned PSO. The results shall be documented on the Hermosa Beach Police Department Weekly Jail Safety and Sanitation Checklist and forwarded to the Support
Services Division Commander. If defective/unsafe equipment is found, it shall be repaired or replaced immediately.  
CALEA 72.4.8, 72.4.9)

ESCAPES AND OTHER UNUSUAL SITUATIONS

In the event that an arrestee escapes from the holding facility, PSO personnel will make immediate notification to Radio Communications (RCC) and the on-duty Watch Commander. Immediate action should be taken by sworn police personnel to apprehend the escapee. This may include setting up a perimeter around the affected area, a city and/or county wide radio broadcast, and the mobilization of other resources deemed necessary.

Any and all unusual situations occurring in the holding cell area shall be reported immediately to the on-duty Watch Commander by the employee discovering the incident. This shall also be reported to the Support Services Division Commander via telephone and email (immediate) and by a written Hermosa Beach Police Department intra-departmental memorandum. (CALEA 72.4.10)

THREATS TO FACILITY

Any received threats against the Hermosa Beach Police Department Holding Facility, personnel, or inmates, via any medium (telephone, email, written correspondence, etc.) shall be reported to the on-duty Watch Commander immediately. This shall also be reported to the Support Services Division Commander via telephone and email (immediate) and by a written Hermosa Beach Police Department intra-departmental memorandum. (CALEA 72.4.11)

APPROVED:

Sharon Papa  
Chief of Police
Hermosa Beach Police Department

S2.29 Holding Facility Safety and Sanitation

Effective 10/27/2009
Updated

Purpose and Scope

The purpose of this policy is to ensure that necessary safety, sanitation, and physical conditions of the holding facility are maintained.

Physical Plant

The following minimum conditions shall be maintained in the holding facility:

- General lighting shall meet recommendations from Illuminating Engineering Association of North America (IESNA) - Artificial light shall be provided sufficient for the prisoners to read or work without injury to eyesight.
- Circulation of purified air in accordance with state and local health standards
- Toilets, showers, and wash basins will be maintained in proper working order.
- Clean, sanitary fire-retardant bedding will be provided for detainees held in excess of eight hours. Bedding is not provided in the sobering cell. (CALEA 72.2.1 a, b, c, d, e)

Safety and Sanitation Inspection Process

Safety and sanitation in the holding facility is very important. It is the responsibility of all department employees to immediately report to the on-duty Watch Commander, any unsafe and/or unsanitary conditions occurring in the holding cell areas. The on-duty Watch Commander shall direct the ranking on-duty PSO to notify the Support Services Division Commander of such conditions via intra-departmental memorandum and chain-of-command.

The ranking on-duty PSO shall complete the Jail Safety and Sanitation Checklist on a weekly basis and maintain the filing of this report. A copy of the completed form will be routed to the PSO Supervisor and Support Services Division Commander for review and for any corrective measures that may be considered.

Vermin-Infested Arrestees

Arrestees infested with vermin (lice, crabs, etc.) shall be transferred to the Los Angeles County Jail as soon as possible. The in-take deputy at the Los Angeles County Jail shall be informed that the arrestee is infested with vermin so that he/she will receive proper medical attention.
A vermin-infested arrestee shall not be placed in the same holding cell or transported in the same vehicle with other arrestees. If a vermin-infested arrestee is placed in a holding cell, the on-duty PSO(s) will take appropriate action to clean and disinfect the cell with a non-toxic pesticide.

A visual vermin inspection will be completed on a weekly basis by the on-duty PSO(s). Documentation will be included in the weekly facility inspection form. Staff will also complete an informal visual inspection at the change of shifts, and if any vermin are seen it will be reported to the on-duty Watch Commander. (CALEA 72.3.3)

**FIRE SAFETY/EVACUATION PLAN**

The Hermosa Beach Police Department holding facility is currently equipped with smoke/heat detectors which are approved by the State Fire Marshal which are inspected semi-annually by the Hermosa Beach Fire Department.

In addition, a fire extinguisher which is approved by the State Fire Marshal is currently housed in the holding cell area.

The smoke/heat detector and the fire extinguisher should be visually inspected on a daily basis by the on-duty PSO(s) and tested weekly by the PSO Supervisor to ensure the equipment is maintained in working order (under National Fire Protection Association (NFPA) Standards, Section 72).

This test shall be logged on the Hermosa Beach Police Department Weekly Jail Safety and Sanitation Checklist. (CALEA 72.3.1 a, b)

In the event of an actual fire, Hermosa Beach Police Department personnel shall take immediate action to evacuate any and all prisoners to an area of safety, notify the Hermosa Beach Fire Department so that appropriate fire department personnel respond and attempt to extinguish the fire.

- Subsequent disposition and housing of any evacuated detainees shall be determined by the on-duty Watch Commander. The following options may be considered and implemented:
  - Transportation to and subsequent housing at the Redondo Beach Jail Facility
  - Transportation to and subsequent housing at the Manhattan Beach Jail facility
• Transportation to and subsequent housing at the Los Angeles County Jail Facility

Implementations of any of these options are time sensitive, and may require mutual aid activation.
(CALEA 72.3.2)

APPROVED:

Greg Savelli
Chief of Police
PURPOSE AND SCOPE

This policy provides guidance on the maintenance and release of department records. Protected information is separately covered in the Protected Information Policy. The Records Management System is maintained by the Hawthorne Police Department which grants access to the Hermosa Beach Police Department via designated computer ID addresses. (CALEA standard 82.1.6(b)). The Department of Justice requires 24-hour coverage of these dedicated computer terminals by trained personnel. (CALEA 82.1.6b)

POLICY

The Hermosa Beach Police Department is committed to providing public access to records in a manner that is consistent with the California Public Records Act (Government Code § 6250 et seq.).

CUSTODIAN OF RECORDS RESPONSIBILITIES

The Investigative/Administrative Division Commander shall be the designated Custodian of Records. The responsibilities of the Custodian of Records include but are not limited to:

a. Managing the records management system for the Department, including the retention, archiving, release, and destruction of department public records.
b. Maintaining and updating the department records retention schedule including:
   1. Identifying the minimum length of time the Department must keep records.
   2. Identifying the department division responsible for the original record.
c. Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records.
d. Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
e. Establishing rules regarding the processing of subpoenas for the production of records.
f. Ensuring a current schedule of fees for public records as allowed by law is available (Government Code § 6253).
g. Determining how the department's website may be used to post public records in accordance with Government Code § 6253.
h. Ensuring that all department current standards, policies, practices, operating procedures, and education and training materials are posted on the department website in accordance with Penal Code § 13650.

i. Ensuring that public records posted on the Department website meet the requirements of Government Code § 6253.10 including but not limited to posting in an open format where a record may be retrieved, downloaded, indexed, and searched by a commonly used internet search application.

j. Ensuring that a list and description, when applicable, of enterprise systems (as defined by Government Code § 6270.5) is publicly available upon request and posted in a prominent location on the Department’s website.

**PROCESSING REQUESTS FOR PUBLIC RECORDS**

Any department member who receives a request for any record shall route the request to the City Clerk who will forward the request to the Custodian of Records or the authorized designee.

I. REQUESTS FOR RECORDS

Any member of the public, including the media and elected officials, may access unrestricted records of this department, during regular business hours (Monday through Thursday between 7:00 am to 6:00 pm) by submitting a written and signed Public Records Request (PRR) that reasonably describes each record sought and paying any associated fees (Government Code § 6253).

The processing of requests for any record is subject to the following (Government Code § 6253):

a. The Department is not required to create records that do not exist.

b. Victims of an incident or their authorized representative shall not be required to show proof of legal presence in the United States to obtain department records or information. If identification is required, a current driver’s license or identification card issued by any state in the United States, a current passport issued by the United States or a foreign government with which the United States has a diplomatic relationship or current Matricula Consular card is acceptable (Government Code § 6254.30).

c. The Department upon a request for a copy of records, shall, within 10 days from receipt of the request, determine whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the agency and shall promptly notify the person making the request and the reasons for the determination. If more time is needed, an extension of up to 14 additional days may be authorized by the Custodian of Records or the authorized designee. If an extension is authorized, the Department shall provide...
the requester written notice that includes the reason for the extension and the anticipated date of the response.

1. When the request does not reasonably describe the records sought, the Custodian of Records shall assist the requester in making the request focused and effective in a way to identify the records or information that would be responsive to the request including providing assistance for overcoming any practical basis for denying access to the records or information. The Custodian of Records shall also assist in describing the information technology and physical location in which the record exists (Government Code § 6253.1).

2. If the record requested is available on the department website, the requester may be directed to the location on the website where the record is posted. If the requester is unable to access or reproduce the record, a copy of the record shall be promptly provided.

   d. Upon request, a record shall be provided in an existing electronic format (see subsection "a" above) utilized by the Department. Records shall not be provided only in electronic format unless specifically requested (Government Code § 6253.9).

   e. When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.

      a. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio or video, a copy of the redacted audio/video release should be maintained in the department-approved media storage system and a notation should be made in the case file to document the release and the reasons for the redacted portions.

   f. All record request denials will be evaluated by the City Attorney. If a record request is denied in whole or part, the requester shall be provided a written response that includes the statutory exemption for withholding the record or facts that the public interest served by nondisclosure outweighs the interest served by disclosure (Government Code § 6255). The written response shall also include the names, titles or positions of each person responsible for the denial.

**RELEASE RESTRICTIONS**

Examples of release restrictions include:

   a. Personal identifying information, including an individual’s photograph; Social Security and driver identification numbers; name, address, and telephone number; and medical or disability information that is contained in any driver license record, motor vehicle record, or any department record including traffic collision reports, are restricted except
as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722).

b. Social Security numbers (Government Code § 6254.29).

c. Personnel records, medical records, and similar records which would involve an unwarranted invasion of personal privacy except as allowed by law (Government Code § 6254; Penal Code § 832.7; Penal Code § 832.8; Evidence Code § 1043 et seq.).
   1. Peace officer personnel records that are deemed confidential shall not be made public or otherwise released to unauthorized individuals or entities absent a valid court order.
   2. The identity of any officer subject to any criminal or administrative investigation shall not be released without the consent of the involved officer, prior approval of the Chief of Police, or as required by law.

d. Victim information that may be protected by statutes, including victims of certain crimes who have requested that their identifying information be kept confidential, victims who are minors, and victims of certain offenses (e.g., sex crimes or human trafficking, Penal Code § 293). Addresses and telephone numbers of a victim or a witness to any arrested person or to any person who may be a defendant in a criminal action shall not be disclosed, unless it is required by law (Government Code § 6254; Penal Code § 841.5).
   1. Victims of certain offenses (e.g., domestic violence, sexual assault, stalking, human trafficking, adult abuse) or their representatives shall be provided, upon request and without charge, one copy of all incident report face sheets, one copy of all incident reports, or both, pursuant to the requirements and time frames of Family Code § 6228.
   2. Victims of sexual assault, upon written request, shall be provided a free copy of the initial crime report regardless of whether the report has been closed. Personal identifying information may be redacted (Penal Code § 680.2(b)).

e. Video or audio recordings created during the commission or investigation of the crime of rape, incest, sexual assault, domestic violence, or child abuse that depicts the face, intimate body part, or voice of a victim of the incident except as provided by Government Code § 6254.4.5.

f. Information involving confidential informants, intelligence information, information that would endanger the safety of any person involved, or information that would endanger the successful completion of the investigation or a related investigation. This includes analysis and conclusions of investigating officers (Evidence Code § 1041; Government Code § 6254).
   1. Absent a statutory exemption to the contrary or other lawful reason to deem information from reports confidential, information from unrestricted agency reports shall be made public as outlined in Government Code § 6254(f).
g. Local criminal history information including but not limited to arrest history and disposition, and fingerprints shall only be subject to release to those agencies and individuals set forth in Penal Code § 13300.

   1. All requests from criminal defendants and their authorized representatives (including attorneys) shall be referred to the District Attorney, City Prosecutor, or the courts pursuant to Penal Code § 1054.5.

h. Certain types of reports involving but not limited to child abuse and molestation (Penal Code § 11167.5), elder and dependent abuse (Welfare and Institutions Code § 15633), and juveniles (Welfare and Institutions Code § 827).

i. Sealed autopsy and private medical information concerning a murdered child with the exceptions that allow dissemination of those reports to law enforcement agents, prosecutors, defendants, or civil litigants under state and federal discovery laws (Code of Civil Procedure § 130).

j. Information contained in applications for licenses to carry firearms or other files that indicates when or where the applicant is vulnerable or which contains medical or psychological information (Government Code § 6254).

k. Traffic collision reports (and related supplemental reports) shall be considered confidential and subject to release only to the California Highway Patrol, Department of Motor Vehicles (DMV), other law enforcement agencies, and those individuals and their authorized representatives set forth in Vehicle Code § 20012.

l. Any record created exclusively in anticipation of potential litigation involving this department (Government Code § 6254).

m. Any memorandum from legal counsel until the pending litigation has been adjudicated or otherwise settled (Government Code § 6254.25).

n. Records relating to the security of the department’s electronic technology systems (Government Code § 6254.19).

o. A record of a civilian complaint, or the investigations, findings, or dispositions of that complaint if the complaint is frivolous, as defined by Code of Civil Procedure § 128.5, or if the complaint is unfounded (Penal Code § 832.7 (b)(8)).

p. Any other record not addressed in this policy shall not be subject to release where such record is exempt or prohibited from disclosure pursuant to state or federal law, including but not limited to provisions of the Evidence Code relating to privilege (Government Code § 6254).

q. Information connected with juvenile court proceedings or the detention or custody of a juvenile. Federal officials may be required to obtain a court order to obtain certain juvenile information (Welfare and Institutions Code § 827.9; Welfare and Institutions Code § 831).
SUBPOENAS AND DISCOVERY REQUESTS

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the District Attorney, City Prosecutor, City Attorney or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

RELEASE AND RECORDS TO BE MARKED

Each page of any written record released pursuant to this policy should be stamped in a colored ink or otherwise marked to indicate the department name and to whom the record was released.

Each audio/video recording released should include the department name and to whom the record was released.

When released, the authorized request form will be attached to the original case report.

SEALED RECORD ORDERS

Sealed record orders received by the Department shall be reviewed for appropriate action by the Custodian of Records or their designee. The Custodian of Records shall seal such records as ordered by the court. Records may include but are not limited to a record of arrest, investigation, detention, or conviction. Once the record is sealed, members shall respond to any inquiry as though the record did not exist (Penal Code § 851.8; Welfare and Institutions Code § 781).

When an arrest record is sealed pursuant to Penal Code § 851.87, Penal Code § 851.90, Penal Code § 851.91, Penal Code § 1000.4, or Penal Code § 1001.9, the Records Supervisor shall ensure that the required notations on local summary criminal history information and police investigative reports are made. Sealed records may be disclosed or used as authorized by Penal Code § 851.92.
Upon receipt of a Court Order to seal or expunge an official police record, the Records Unit Supervisor will be responsible for ensuring the prompt sealing or shredding of the indicated record(s).

SECURITY BREACHES

The Records Supervisor shall ensure notice is given anytime there is a reasonable belief an unauthorized person has acquired either unencrypted personal identifying information or encrypted personal information along with the encryption key or security credential stored in any Department information system (Civil Code § 1798.29).

Notice shall be given as soon as reasonably practicable to all individuals whose information may have been acquired. The notification may be delayed if the Department determines that notification will impede a criminal investigation or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.

For the purposes of this requirement, personal identifying information includes an individual’s first name or first initial and last name in combination with any one or more of the following:

- Social Security number
- Driver license number or California identification card number
- Account number or credit or debit card number, in combination with any required security code, access code or password that would permit access to an individual’s financial account
- Medical information
- Health insurance information
- A username or email address, in combination with a password or security question and answer that permits access to an online account
- Information or data collected by Automated License Plate Reader (ALPR) technology

I. FORM OF NOTICE

a. The notice shall be written in plain language, be consistent with the format provided in Civil Code § 1798.29 and include, to the extent possible, the following:
   1. The date of the notice.
   2. Name and contact information for the Hermosa Beach Police Department.
   3. A list of the types of personal information that were or are reasonably believed to have been acquired.
   4. The estimated date or date range within which the security breach occurred.
   5. Whether the notification was delayed as a result of a law enforcement investigation.
6. A general description of the security breach.
7. The toll-free telephone numbers and addresses of the major credit reporting agencies, if the breach exposed a Social Security number or a driver license or California identification card number.

b. The notice may also include information about what the Hermosa Beach Police Department has done to protect individuals whose information has been breached and may include information on steps that the person whose information has been breached may take to protect him/herself (Civil Code § 1798.29).

c. When a breach involves an online account, and only a username or email address in combination with either a password or security question and answer that would permit access to an online account, and no other personal information has been breached (Civil Code § 1798.29):
   a. Notification may be provided electronically or in another form directing the person to promptly change either his/her password or security question and answer, as applicable, or to take other appropriate steps to protect the online account with the Department in addition to any other online accounts for which the person uses the same username or email address and password or security question and answer.
   b. When the breach involves an email address that was furnished by the Hermosa Beach Police Department, notification of the breach should not be sent to that email address but should instead be made by another appropriate medium as prescribed by Civil Code § 1798.29.

II. MANNER OR NOTICE

a) Notice may be provided by one of the following methods (Civil Code § 1798.29):

1. Written notice.

2. Electronic notice if the notice provided is consistent with the provisions regarding electronic records and signatures set forth in 15 USC § 7001.

3. Substitute notice if the cost of providing notice would exceed $250,000, the number of individuals exceeds 500,000 or the Department does not have sufficient contact information. Substitute notice shall consist of all of the following:

   a) Email notice when the Department has an email address for the subject person.

   b) Conspicuous posting of the notice on the department’s webpage for a minimum of 30 days.
4. Notification to major statewide media and the California Information Security Office within the California Department of Technology.

   b) If a single breach requires the Department to notify more than 500 California residents, the Department shall electronically submit a sample copy of the notification, excluding any personally identifiable information, to the Attorney General.

**RECORDS RETENTION/DESTRUCTION**

All reports/records/files will be retained and destroyed consistent with State of California legal requirements and in accordance with the City of Hermosa Beach Records Retention Schedule.

**RELEASE OF AUDIO OR VIDEO RECORDINGS RELATED TO CRITICAL INCIDENTS**

Video and audio recordings related to critical incidents shall be released upon a proper public record request and subject to delayed release, redaction, and other release restrictions as provided by law (Government Code § 6254(f)(4)).

For purposes of this section, a video or audio recording relates to a critical incident if it depicts an incident involving the discharge of a firearm at a person by an officer, or in which the use of force by an officer against a person resulted in death or in great bodily injury (as defined by Penal Code § 243(f)(4)) (Government Code § 6254(f)(4)).

The Custodian of Records should work as appropriate with the Chief of Police or the Professional Standards Unit supervisor in determining what recordings may qualify for disclosure when a request for a recording is received and if the requested recording is subject to delay from disclosure, redaction, or other release restrictions. The final determination to release recordings shall be made by the Chief of Police or their designee.

**I. DELAY OF RELEASE**

Disclosure of critical incident recordings during active criminal or administrative investigations may be delayed as follows if disclosure would substantially interfere with the investigation, such as by endangering the safety of a witness or a confidential source:

1. Disclosure may be delayed up to 45 days from the date the Department knew or reasonably should have known about the incident.
2. Delay of disclosure may continue after the initial 45 days and up to one year if the Department demonstrates that disclosure would substantially interfere with the investigation.

*Resource Guide*
3. Any delay of disclosure longer than one year must be supported by clear and convincing evidence that disclosure would substantially interfere with the investigation (Government Code § 6254(f)(4)).

II. NOTICE OF DELAY OF RELEASE

When there is justification to delay disclosure of a recording, the Custodian of Records shall provide written notice to the requester as follows (Government Code § 6254(f)(4)):

a. During the initial 45 days, the Custodian of Records shall provide the requester with written notice of the specific basis for the determination that disclosure would substantially interfere with the investigation. The notice shall also include the estimated date for the disclosure.

b. When delay is continued after the initial 45 days, the Custodian of Records shall promptly provide the requester with written notice of the specific basis for the determination that the interest in preventing interference with an active investigation outweighs the public interest in the disclosure, and the estimated date for the disclosure. The Custodian of Records should work with the Chief of Police in reassessing the decision to continue withholding a recording and notify the requester every 30 days.

Recordings withheld shall be disclosed promptly when the specific basis for withholding the recording is resolved.

III. REDACTION

If the Custodian of Records, in consultation with the Chief of Police or authorized designee, determines that specific portions of the recording may violate the reasonable expectation of privacy of a person depicted in the recording, the Department should use redaction technology to redact portions of recordings made available for release. The redaction should not interfere with the viewer's ability to fully, completely, and accurately comprehend the events captured in the recording, and the recording should not otherwise be edited or altered (Government Code § 6254(f)(4)).

If any portions of a recording are withheld to protect the reasonable expectation of privacy of a person depicted in the recording, the Custodian of Records shall provide in writing to the requester the specific basis for the expectation of privacy and the public interest served (Government Code § 6254(f)(4)).
IV. RECORDINGS WITHHELD FROM PUBLIC DISCLOSURE

If the reasonable expectation of privacy of a person depicted in the recording cannot adequately be protected through redaction, and that interest outweighs the public interest in disclosure, the Department may withhold the recording from the public, except that the recording, either redacted or unredacted, shall be disclosed promptly, upon request, to any of the following (Government Code § 6254(f)(4)):

a. The person in the recording whose privacy is to be protected, or his/her authorized representative.

b. If the person is a minor, the parent or legal guardian of the person whose privacy is to be protected.

c. If the person whose privacy is to be protected is deceased, an heir, beneficiary, designated immediate family member, or authorized legal representative of the deceased person whose privacy is to be protected.

If the Department determines that this disclosure would substantially interfere with an active criminal or administrative investigation, the Custodian of Records shall provide the requester with written notice of the specific basis for the determination (Government Code § 6254(f)(4)).

The Department may continue to delay release of the recording from the public for 45 days with extensions as provided in this policy (Government Code § 6254(f)(4)(A)).

APPROVED:

[Signature]

Milton McKinnon
Acting Chief of Police
Records Maintenance and Release

I. RECORDS RETENTION/DESTRUCTION
All reports/records/files will be destroyed in the following manner:

A. Printed Material
   1. Printed material may be placed in Confidential Destroy bins and subsequently destroyed by a contracted vendor. Some divisions may have their own confetti shredders that they may use. "Strip cut" shredders are not to be used for Criminal Justice Information (CJI) or other confidential data.

B. Electronic Media
Electronic records on decommissioned servers or other storage devices are to be securely erased using Department of Defense (DOD) approved methods or the physical media destroyed. Electronic media may be reused, however the media should be securely erased first where practical.

(a) CD/DVD Media
   (a) Break/destroy media prior to disposal

(b) Hard Drives
   (a) Erase the drive using DOD approved methods
   (b) Use vendor provide utility for built-in "secure erase" function
   (c) Break/destroy the hard drive (drill several holes through platters, shred, smash to point where platters and PCBs are broken)

(c) Tapes
   (a) Erase using DOD approved methods (degauss)
   (b) Destroy (shred)

(d) Flashdrives
   (a) Break/destroy the device

Electronic Media may be placed in Confidential Destroy boxes where a vendor destroys them for us.

II. TRANSPORTATION
Printed material, electronic media, or containers with CJI may only be handled or transported by approved persons who have been finger print background checked.

III. STORAGE
Printed material, electronic media, or containers with CJI may only be stored at approved locations staffed by persons who have been finger print background checked.
CHAPTER 3
OPERATIONS
PURPOSE

This policy establishes the acceptable grooming standards for all employees of this Department while engaged in on-duty operations or when representing the Department.

MALE PERSONNEL

Male personnel shall conform to the following standards of appearance:

A. Hair shall be neatly and evenly trimmed. The hair shall at no point extend downward more than one inch beyond the hairline at the back of the neck and in no event extend over the shirt collar while in a normal standing posture.

B. Sideburns shall not extend below the bottom of the ear. The maximum width of the bottom of the sideburns shall not exceed one and one-half (1 ½) inches.

C. Mustaches shall be neatly trimmed and shall not extend more than one inch horizontally beyond the corners of the mouth or more than one-half inch below the lower lip.

D. Beards, goatees, or any partial style thereof are not permitted.

E. Earrings or facial jewelry is not permitted, either in uniform or civilian attire while on duty. Rings may be worn, limited to a maximum of one per hand. Rings may not be excessively large and shall not display any garish or inappropriate insignia.

FEMALE PERSONNEL

Female personnel shall conform to the following standards of appearance:

A. Hair shall be neatly and evenly trimmed. At no time shall hair be worn in such a manner that it obscures vision or creates a hazard to the employee’s safety.

B. Wigs and similar devices shall not be worn unless they conform to the rules specified above.

C. If cosmetics are used, they shall be applied conservatively and in good taste.

D. Fingernails shall extend no further than one-half (1/2) inch beyond the fingertip and shall not have any gaudy or extreme color of polish or design.
E. No gaudy or extreme jewelry shall be worn, either in uniform or civilian attire while on duty. Wrist/arm jewelry (i.e. bracelets, bangles, etc.) and other loose-hanging jewelry are not permitted while in uniform. Only stud-type earrings are permitted while in uniform. Rings may be worn, limited to a maximum of one per hand (wedding sets are considered on ring). Rings may not be excessively large and shall not display any garish or inappropriate insignia.

**TATTOO AND BODY PIERCING**

Employees shall not display or make visible, tattoos or other forms of body art and/or objects used to pierce the body, while on-duty.

The Department acknowledges that individuals employed by it prior to the adoption of this policy wear tattoos on areas below the elbow and below the knee. Employees with existing tattoos on these areas of the body hired before the implementation of this policy (December 7, 2004) are exempt from this policy in regards to these areas of the body unless the Chief of Police or his/her designee deems the tattoos to be offensive and in violation of the City’s Anti-Harassment Policy, section A1.09. If tattoos are deemed to be offensive, they must not be displayed while on-duty.

There are no exemptions for employees hired prior to the adoption of this policy that have objects of body piercing. Such employees are fully subject to this policy.

Additionally, an employee meeting the above exception shall not obtain and display any new or modified tattoos after December 7, 2004 while on-duty. If such tattoos are obtained and/or modified, then the employee is no longer exempt and is fully subject to this policy.

For employees fully subject to this policy, compliance can be effectuated by doing the following:

1. removal of the tattoo or body piercing object,
2. the wearing of a Department-approved uniform in a Department-approved manner such that the tattoo and/or object of body piercing is not visible during the performance of duties in the course and scope of employment,
3. the wearing of a Department-approved unobtrusive device which covers the tattoo and/or object of body piercing, such as, but not limited to, a bandage that does not impede the safe and efficient performance of duties.

**EXCEPTIONS TO THE GROOMING STANDARD**

Deviations from the grooming policy may be authorized for those officers assigned to undercover operations. Any officer working such a position shall consult with their appropriate Division Commander in order to determine the acceptable grooming standards for the assignment.
Deviations from the grooming policy may also be authorized for those employees who have a documented medical condition requiring it. The appropriate Division Commander shall be consulted prior to deviating from the grooming policy.

Deviations from the grooming policy are authorized for Community Service Officers who, prior to the effective date of this policy, have an established beard or goatee. Beards and goatees must be kept neat and clean at all times. If beards or goatees are removed for any reason, the CSO will be required to conform to the same standards of appearance as defined for male personnel in this policy. CSO’s hired after the effective date of this policy must also conform to the same standards of appearance as defined for male personnel in this policy.

APPROVED:

Greg Savelli
Chief of Police
PURPOSE

This policy establishes the general guidelines for the wearing of any Department uniform or component thereof, both in an on-duty and off-duty capacity. This policy also provides the general guidelines for the wearing of appropriate civilian or plain-clothes attire in an on-duty capacity by officers and civilian employees of this Department.

GUIDELINES

The following are the general guidelines for wearing the uniform or civilian attire:

A. The uniform, when worn, shall be a complete uniform as described in this chapter, with no unauthorized variations. No medals, pins, patches, or other adornments will be worn unless approved by the Chief of Police or otherwise authorized in writing as part of the uniform policy.

B. Under special conditions, Division Commanders may authorize the wearing of other than a regulation uniform for personnel under their command.

C. When sworn command staff personnel choose to wear a uniform, or when a uniformed patrol officer is assigned to temporary office duty, the complete “Sam Browne” equipment belt shall not be mandatory. In alternative, the officer may wear a black basketweave duty belt and a close-fitting holster. No extra ammunition, keepers, or other accessories will be required.

D. Officers working plain-clothes assignments will wear civilian business attire deemed appropriate for the requirements of the assignment. Officers must maintain a uniform-ready capability, and therefore must comply with the uniform regulations set forth herein. Division Commanders will determine what is suitable and appropriate for the officers under their supervision.

E. No identifiable part of the uniform will be worn while the employee is consuming any alcoholic beverages. (Note: alcohol consumption by any on-duty employee is prohibited, unless authorized by the appropriate Division Commander. Refer to sections 20.25 and 20.30 of the Rules and Regulations.)

F. Members authorized to carry firearms, when armed while in civilian clothing, should conceal their weapon in such manner that it is not exposed to public view. If carried exposed to public view, the handgun shall be properly holstered and the
officer’s badge shall be worn prominently-displayed within close proximity to the holstered weapon.

G. Non-uniformed civilian personnel will dress in suitable and appropriate attire while on duty. Division Commanders shall determine what is suitable and appropriate for the employees under their supervision.

(CALEA 26.1.1)

APPROVED:

[Signature]

Greg Savelli
Chief of Police
PURPOSE

This policy establishes the specifications for each type of uniform authorized for wear by Community Service Officers engaged in uniformed operations. This policy establishes the criteria and procedures for the wearing of each type of uniform.

POLICY

It is the policy that all members of this Department be neat and clean in appearance at all times while on duty. Members of the department will wear the approved uniform, equipment, and accessories at all times while on duty, including during court appearances. Officers shall carry their badge only when in uniform; carrying and displaying badge off-duty is against the law and subject to termination. The badge shall be displayed on the outermost garment in the place provided for the badge. No part of the uniform may be worn for off-duty activities.

Officers shall maintain uniforms and personal equipment in serviceable condition. Uniforms, and portions thereof, shall be clean, pressed, and shall not be noticeably patched, torn, or worn.

GENERAL UNIFORM

This uniform consists of and shall conform to the following criteria:

A. The shirt, long or short sleeve, may be a wash-and-wear, form-fitting, polyester or poly-wool blend material. It shall be light blue in color, epaulet style, with two flap pockets on the chest. It shall have a button-up front; however, a hidden zipper closure may be added. The shirt must have military creases. The top button of the shirt may be left unbuttoned. The sleeves of the long sleeve shirt must be worn down and with the cuffs buttoned.

B. A crewneck undershirt is required when the uniform shirt is worn open-necked. The undershirt shall be plain black in color, crewneck style with a black neckband. The undershirt may be a T-shirt style or thermal wear style, long or short sleeve; but, at no time shall the undershirt sleeve extend below the uniform sleeve. At no time shall a stained, soiled, or faded undershirt be acceptable for wear with the uniform.

C. The uniform trouser will be navy blue in color and consist of the same material as the uniform shirt. Back pockets will be plain with no flaps.

D. Ties will be worn as an option with the long sleeve shirt, or as directed by the Chief of Police. The authorized tie is black in color with a four-in-hand knot.
width of the tie shall be three (3) inches at its widest point and the bottom of the tie will not be more than three (3) inches above the belt. A clip-on tie conforming to the listed standards is authorized. An approved tie bar must be worn.

E. Socks, worn with low-top shoes, must be black or navy blue with no pattern.

F. Low-quarter military style shoes or similar style shall be worn. Shoes will be plain toe style, black in color with black strings. No decorative stitching, clasps, or buckles are allowed.

G. Military style boots may be worn. They must be black in color with a rounded toe design. No decorative stitching, clasps, or buckles are allowed. Boot strings shall be black in color.

H. Trouser belts that are not covered by an equipment belt (Sam Browne) will be black basket weave, one and one-quarter (1 ¼) inch to one and three-quarters (1 ¾) inch wide, with an appropriately-colored metal buckle. Officers wearing nylon gear may wear a black nylon belt underneath.

Only City or department logos or markings shall be worn on uniform items. Applicable uniform accessories and insignia will be worn in accordance with the guidelines established for sworn police personnel. Exception: the name plate shall be worn such that the bottom of the name plate shall be parallel to and in line with the top of the pocket.

**OPTIONAL UNIFORMS**

Community Service Officers may wear the following uniform pieces, subject to the listed restrictions. Any optional uniform pieces must be purchased at the officer’s expense.

A. Polo shirt. The shirt must be light blue in color, with collar, and shall be free of branding or logos of any type. The Department approved embroidered badge will be centered on the left chest area of the shirt. The officer’s last name shall be embroidered, centered on right chest area of the shirt. The polo shirt may be worn only with the optional uniform shorts.

B. Uniform shorts. The shorts must be dark blue in color and constructed of a durable polyester blend material, or equivalent. While standing, the shorts leg shall extend to no less than one inch (1”) below, and no more than five inches (5”) above, the kneecap. The shorts may be worn with either the standard short-sleeved uniform shirt or with the polo shirt. Black on black athletic shoes and black athletic socks must be worn when wearing the uniform shorts. The shoes and socks shall adhere to the same standard as that specified for the sworn police officer’s Beach Patrol uniform found in Policy O3.04 in this manual.

Approved:

Sharon Papa
Chief of Police
PURPOSE

This policy establishes the specifications for each type of uniform authorized for wear by police officers engaged in uniformed field operations. This policy establishes the criteria and procedures for the wearing of each type of uniform.

GENERAL POLICY

The official police uniform shall not be worn by any member of the Department who is not either a sworn peace officer or an approved reserve officer. The approved uniform shall be as described in this policy and shall be worn in the manner herein prescribed. It shall be maintained at all times in a clean and serviceable condition.

GENERAL POLICE UNIFORM

This uniform consists of and shall conform to the following criteria:

A. The shirt, long or short sleeve, may be a wash-and-wear, form-fitting, polyester or wool blend material. It shall be navy blue in color, epaulet style, with two flap pockets on the chest. It shall have a button-up front; however, a hidden zipper closure may be added. The shirt must have military creases. The top button of the shirt may be left unbuttoned. The sleeves of the long sleeve shirt must be worn down and with the cuffs buttoned.

B. A crewneck undershirt is required when the uniform shirt is worn open-neck. The undershirt shall be plain black in color, crewneck style with a black neckband. The undershirt may be a T-shirt style or thermal wear style, long or short sleeve; but, at no time shall the undershirt sleeve extend below the uniform sleeve. At no time shall a stained, soiled, or faded undershirt be acceptable for wear with the uniform.

C. The uniform trouser will be of the same color and consist of the same material as the uniform shirt. Back pockets will be plain with no flaps. “Sap pockets” are optional. Cargo pockets (one per leg) may be worn along the outside seam of the trousers. If worn, the cargo pocket must have a flap style closure and shall not be loaded such that the pockets bulge noticeably from the surface plain of the uniform. Motorcycle officers may wear a specified motor officer trouser (“motor breeches”) when operating a motorcycle.
D. Ties will be worn as an option with the long sleeve shirt, or as directed by the Chief of Police. The authorized tie is black in color with a four-in-hand knot. The width of the tie shall be three (3) inches at its widest point and the bottom of the tie will not be more than three (3) inches above the belt. A clip-on tie conforming to the listed standards is authorized. An approved tie bar must be worn.

E. Socks, worn with low-top shoes, must be black or navy blue with no pattern.

F. Low-quarter military style shoes shall be worn. Shoes will be plain toe style, black in color with black strings. No decorative stitching, clasps, or buckles are allowed.

G. Military style boots may be worn. They must be black in color with a rounded toe design. No decorative stitching, clasps, or buckles are allowed. Boot strings shall be black in color. Motorcycle officers may also wear a specified high-top boot when operating police motorcycles.

H. Trouser belts that are not covered by an equipment belt (Sam Browne) will be black basket weave, one and one-quarter inch (1 ¼”) to one and three-quarters inch (1 ¾”) wide, with an appropriately-colored metal buckle.

There are two style variations of the general police uniform: Class “A” and Class “B.” The Class “A” uniform is a more formal version of the general police uniform and is primarily worn for honorary and dignitary occasions (i.e. funerals, press conferences, etc.). The Class “B” uniform is primarily worn for standard patrol functions.

The Class “A” uniform consists of the long-sleeved uniform shirt, fully buttoned. Ties will be worn, complete with tie pin. Officers may elect to wear special dress shoes (corfam or patent leather), white gloves, award ribbons/insignia, Department-issued service pins, and formal headgear (campaign hat or service cover – optional or as designated). Uniform trousers with the optional cargo pockets will not be worn when the Class “A” uniform is worn for ceremonial events associated with Honor Guard details.

The Class “B” uniform consists of either the short-sleeve or long-sleeve uniform shirt, worn open collar. Officers may elect to wear Department-issued service pins with this uniform. Officers may wear a hat or headgear, subject to the restrictions set forth in this policy.

**UNIFORM ACCESSORIES AND INSIGNIA**

Unless otherwise noted, each uniform shirt shall display the following:

A. A Department-issued patch bearing the official insignia of the Hermosa Beach Police Department shall be displayed on each sleeve shoulder.

B. Each shirt will have a badge holder affixed to it, centered above the left chest pocket in line with the shirt crease, and positioned so that the bottom of the badge holder is approximately one inch (1”) above the top of the shirt pocket.

C. A name tag will be worn centered on the right chest pocket, with the top of the tag parallel to and in line with the top of the pocket. The tag shall be two and one half inches (2 ½”) in length and one-half inch (1/2”) in height. It shall be
silver with black engraved lettering, bearing the first initial and complete last name of the officer.

D. Sergeant chevrons will have a black background with three (3) stripes. Corporal chevrons will have a black background with two (2) stripes. Stripes shall be blue in color with a gold outline, centered on the sleeves of the uniform. The top of the chevron shall be approximately one-half inch (1/2”) below the shoulder patch.

E. Service stripes may be worn on the left sleeve of the long-sleeved uniform shirt, with the lower edge of the bottom service stripe approximately one and one-half inch (1 ½”) above and parallel with the top edge of the sleeve cuff. The service stripes shall be of the same color scheme as that of the chevrons. Each stripe shall represent five (5) years of service as a full-time, compensated officer as defined in Penal Code section 830, et seq.

F. When wearing the Class “A” uniform, meritorious award pins, ribbons, medals, or other such insignia shall be worn centered above and parallel to the name tag or as directed by the Chief of Police.

G. When wearing the Class “B” uniform, meritorious award pins or other such insignia may be worn as directed by the Chief of Police.

Only City or department logos or markings shall be worn on uniform items. No employee shall wear or exhibit any insignia, patch, pin, medal, or bar for which they are not entitled. Final authority for the displaying of any such item shall rest with the Chief of Police.

Whenever specifications state an equivalent garment or item may be worn, such equivalency shall be judged on an individual case basis. The ultimate determination shall be made by the Chief of Police.

**LEATHER GEAR**

Leather gear shall conform to these specifications:

A. Leather gear shall be basketweave design, black in color.

B. Leather gear shall be worn and secured in place so as not to deviate substantially from the horizontal plane.

C. The equipment belt (Sam Browne) shall be two inches (2”) to two and one-quarter inches (2 ¼”) wide.

D. Keepers may be single or double width, with a minimum of four on the belt.

E. Holsters must feature a manual retention device, and be approved by the Range Master. The holster shall be worn for “strong side” drawing of the weapon. Officers may optionally wear a swivel-type holster. Such holster shall be purchased at the officer’s expense.
F. Handcuff cases must be fully enclosed with flap (snap or Velcro closure), single or double cuff capacity. One or two cuff cases may be worn; placed on the back side of the belt.

G. Magazine holders shall be fully enclosed with flap (snap or Velcro closure), worn on the side opposite the handgun. They shall be placed near the front center of the belt.

H. The baton ring or Taser holster shall be placed on the side opposite the firearm.

In addition to the above-listed equipment, officers may wear the following additional items on their Sam Browne:

A. Key rings, straps, or reels
B. Radio holder
C. Knife and knife case with flap (must match to style of gear worn)
D. Personal audio recorder carrying case
E. Flashlight holder

Note: As an alternative to the black leather basketweave utility belt, the black ballistic nylon duty belt and accessories are approved for duty use; however, the two types of belt and equipment shall not be mixed unless approved by the Chief of Police.

HATS AND HEADGEAR

There are two categories of headgear: Uniformed service headgear and special service headgear.

Uniformed service headgear consists of the utility police “ball cap,” service cover, and campaign hat. Special service headgear includes the motorcycle helmet, tactical ballistic helmet, and gas mask.

Any headgear will be worn as indicated and shall be worn complete and in good condition.

A utility police “ball cap” is authorized for wear with the Class “B” uniform during inclement weather, when attending a department training program, or as part of the Beach Patrol or Foot Patrol uniforms. The cap will not be worn at any other time without authorization from the Chief of Police or Division Commanders. The cap shall be black in color and bear the Department’s official name and/or insignia. Should the Department opt to redesign the cap and/or insignia, only the most recent Department-approved design will be worn.

The uniform service cover may be worn with either the Class “A” or Class “B” uniform. The service cover shall be navy blue in color, with a black brim/visor. An official Department-issued badge/insignia shall be affixed to the front of the cover.

The campaign hat may be worn with either the Class “A” or Class “B” uniform. For uniformed patrol duty, the hat shall be dark blue/gray or navy blue in color and shall be constructed of the hard straw material. A metal Department-issued badge/insignia shall be affixed to the front of the hat. For honor guard or other ceremonial duty, the hat will be navy blue in color and constructed of soft-touch material. A metal Department-issued badge/insignia shall be affixed to
the front of the hat. The hat shall also display a silver ceremonial braid, located directly atop the brim, snugly wrapped around the center portion of the head cover.

Note: Unless exigent circumstances exist or other circumstances render it impractical, officers electing to wear uniformed service headgear shall remove their hat when entering a building and when operating a motor vehicle. Exception: Officers electing to wear a ball cap are not required to remove their cap while operating a motor vehicle.

Officers performing motorcycle duty shall wear a Department-approved helmet, white with black trim and cap device or decal. The helmet may include a full or partial face shield. The helmet must conform to federal Department of Transportation safety regulations. The chin strap must be fastened at all times while operating a department motorcycle. When not riding their motorcycle, motorcycle officers may wear the utility ball cap (regardless of the weather conditions) in lieu of their standard helmet while engaged in extended traffic-related operations such as traffic control and traffic collision investigations.

A tactical ballistic helmet may be worn by order of a supervisor when high-risk situations exist, when the officer is facing immediate threat of bodily harm from projectiles, or during Department-approved training for such situations. The helmet will minimally meet threat level IIIA protection. It shall be black in color and be equipped with a detachable, flip-up ballistic face shield, also minimally meeting threat level IIIA protection.

Gas masks shall be worn by order of a supervisor when high-risk situations exist or when the deployment of tear gas is anticipated or imminent, when the officer is facing immediate threat of bodily harm or incapacitation from airborne contaminants, or during Department-approved training for such situations. The masks also will be worn when operating in any environment wherein toxic chemical contamination is present or suspected and an inhalation hazard exists. The teargas mask shall be of sufficient design to allow for the wearing of a tactical ballistic helmet while using the mask.

Other special headgear may be worn for Department duties and activities as required, upon authorization of the Chief of Police or Division Commanders.

**JACKETS AND COATS**

Jackets and coats may be worn any time appropriate. If authorized, appropriate rank insignia shall be displayed in accordance with the guidelines pertaining to the general police uniform.

Officers have the option of wearing either of the authorized jackets described below:

A. Standard duty jacket. Jacket must be black in color and constructed of nylon or similar type fabric, waist length, with two (2) flap chest pockets and two (2) side pockets. The jacket may have either a zippered front or button-up front, or both. Pocket flaps may be either Velcro or button closure. A Department-issued badge must be displayed on the jacket, centered above the left chest pocket. A metal name plate bearing the officer’s last name shall be displayed centered above the right chest
pocket, with the bottom of the name plate positioned parallel to and in line with the
top edge of the pocket. A cloth badge patch may be used in lieu of a metal badge. If
the cloth badge is used, a cloth sew-on name tape will be used in lieu of the metal
name plate. The cloth name tape shall be black in color with gold lettering (1”
characters) bearing the officer’s last name. It shall be worn centered above the right
chest pocket, with the bottom of the name tape running along the top edge of the shirt
pocket. A Department-issued uniform patch bearing the official insignia of the
Hermosa Beach Police Department shall be displayed on each sleeve shoulder.

B. Leather patrol jacket. A black hip-length leather jacket may be worn by uniformed
officers. The jacket will be hip length and styled similarly to the standard duty jacket.
The jacket must contain a metal badge holder centered above the left front pocket.
When worn, the jacket must display the officer’s metal uniform badge. Department-
issued uniform patches are not required on the leather jacket; however, officers may
display them, if desired.

BEACH PATROL UNIFORM

Officers assigned primarily to patrol the beach and Strand areas may wear the optional uniform
as specified below. Officers assigned to field patrol operations (except traffic officers riding
motorcycles and K9 handlers) may also wear this optional uniform. Officers not scheduled to
work Beach Patrol as a regular assignment must purchase the Beach Patrol uniforms at their own
expense.

The Beach Patrol uniform shall conform to the following standard:

A. The shirt shall be a dark blue, polo-style knit shirt, with collar, as approved by the
Department and shall be free of branding or logos of any type. The shoulder insignia
and the chest badge will be silk-screened in white ink. Alternatively, the chest badge
may be embroidered. If embroidered, the chest badge shall display the officer’s rank.
The badge shall be centered on the left chest area of the shirt. The officer’s last name
(first initial optional) will be embroidered, centered on the right chest area of the shirt
opposite the badge, using white block lettering (minimum 3/8” to maximum 1/2”
characters). The word “POLICE” shall be silk-screened, centered across the upper
back of the shirt, using four inch (4”) white block lettering.

B. Shorts shall be dark blue in color, with cargo pockets, and constructed of a durable
polyester blend material, or equivalent. While standing, the shorts leg shall neither
extend below the knee nor more than four inches above it.

C. Light weight cargo pant shall be dark blue in color, with cargo pockets, and
constructed of a durable polyester blend material, or equivalent. The cargo pant shall
be worn with black patrol boots only.

D. Black athletic socks or ankle socks will be worn. The sock height shall not extend
any longer than mid-calf.
E. Low top black on black athletic shoes will be worn with shorts. Garish or excessive branding, logos or trim designs are not permitted. Final approval for a particular shoe design shall rest with the Chief of Police.

F. This uniform shall not be worn during inclement weather, nor shall heavy jackets be worn while wearing the beach patrol uniform. A light windbreaker may be worn with the beach patrol uniform that is consistent with the jacket policy (color, patches, pockets, etc.). Final approval for a particular windbreaker shall rest with the Chief of Police.

G. The determination of inclement weather will be at the discretion of the on-duty Watch Commander.

Excessively faded uniform shirts or pants will not be permitted. The shorts’ cargo pockets may not be loaded such that the pockets bulge significantly from the surface plain of the uniform.

**FOOT PATROL UNIFORM**

Officers assigned to the Community Lead position and officers working foot patrol assignments may wear the heavy duty uniform (BDU). Unless assigned to the Community Lead position, officers must purchase the BDU at their own expense. The BDU shall conform to the following standard:

A. The shirt may be long or short-sleeved, black in color, with only two (2) chest pockets. The chest pockets will have flap closures. The shirt will be a button-up front but may have a hidden zipper closure. The top button of the shirt is the only one that may be left unbuttoned. The material must have uniform thickness and texture; rip-stop material is not permitted.

B. The trousers shall be black in color and consist of the same material as the shirt. Cargo pocket and rear pocket flaps may have either button or Velcro closure.

C. A black crewneck undershirt should be worn underneath the uniform shirt in lieu of the white undershirt. A black turtleneck undershirt or “Dickie” may also be worn under the uniform shirt.

D. A Department-issued patch bearing the official insignia of the Hermosa Beach Police Department shall be displayed on each sleeve shoulder. Centered on the upper back of the uniform shirt shall be six inch by eleven inch (6” x 11”) patch, black in color, bearing the word “POLICE” in white block lettering.

E. No metal pins or insignia are permitted on the BDU. A standard, cloth sew-on badge will be worn in lieu of the metal badge. The badge will be centered above the left chest pocket, with the bottom of the badge approximately one inch (1”) above the top edge of the pocket. A cloth sew-on name tape will be used in lieu of the metal name
plate. The name tape shall be black in color with white lettering (1” characters) bearing the officer’s last name. It shall be worn centered above the right chest pocket, with the bottom of the name tape running along the top edge of the shirt pocket.

F. Rank designation shall be worn in a manner consistent with the guidelines established for the general police uniform. If worn, Command Staff shall wear embroidered or patch rank insignia on the shirt collar in lieu of metal pins.

The heavy duty uniform must be worn properly pressed (no creases), with no significant color fading. Expandable pockets shall not be loaded such that the pockets bulge significantly from the surface plain of the uniform.

 **AUTHORIZED PERSONAL EQUIPMENT**

Officers may, at their expense, elect to carry additional equipment for use during field operations other than that provided by the Department. Such equipment may include, but is not limited to, citation books, code books, cameras, etc.

With the exception of prescription glasses, sunglasses, and cellular phones, officers may not carry additional equipment affixed to their uniform other than that provided by the Department, unless approved by the Watch Commander.
Any personal equipment carried must be of appropriate size and style so as not to compromise the functionality or integrity of the uniform. Final authority regarding the suitability for use of any personal equipment shall rest with the Chief of Police.
(CALEA 41.3.4; 41.3.5; 41.3.6)

APPROVED:

Milton McKinnon
Acting Chief of Police
PURPOSE

This policy describes the line-level supervisor’s role in ensuring that Department employees, sworn and non-sworn, are adequately complying with the policies and procedures established in this chapter and recognizes the supervisor’s need to conduct periodic inspections in order to perform this task.

SUPERVISOR RESPONSIBILITY

Supervisors are responsible for the appearance of personnel under their command and have the responsibility of inspection to ensure that:

A. Uniforms are complete, neat, clean, and serviceable.
B. Uniforms and equipment are properly worn and utilized.
C. Uniforms, insignia, accessories, and equipment conform to Department standards.
D. All leather is dyed, polished and shined, and in good condition.
E. Any silver, brass, or other metallic pieces are clean, polished and shined, and free from excessive scratches or wear.
F. Any nylon gear is clean, free from tears, and in serviceable condition.
G. Uniforms are properly tailored, neither loose enough to be baggy nor tight enough to pull the material.
H. Uniforms are in good condition, free from excessive mending, frayed material, missing buttons, fading, holes, or tearing.
I. Any non-uniformed employee is properly adhering to the dress code appropriate for the assignment.
J. All employees are properly adhering to the grooming standards appropriate for the assignment.

INSPECTION DATES

Periodic inspections to determine that the wearing and maintenance of uniforms and equipment is in conformance with the provisions of the chapter shall be conducted quarterly. These inspections shall be scheduled in concurrence with the patrol shift changes. Watch Commanders will be responsible for the daily personal appearance of the officers under their command, and it shall be their responsibility to enforce the provisions of this chapter.

Nothing in this section shall be construed to prohibit supervisory personnel from conducting additional inspections.
Refer to Policy A1.22 of this manual for specifics regarding conducting uniform and equipment inspections.

APPROVED:

Greg Savelli
Chief of Police
PURPOSE
This policy establishes the guidelines to provide for structured shift briefings, allowing for the more efficient and uniform flow of necessary information for the officers beginning their work shift.

BRIEFING PROCEDURE
Shift briefing shall start promptly at 0600 hours for the day shift and at 1800 hours for the night shift. The Watch Commander shall prepare the shift roster in accordance with the procedures set forth in this manual. The Watch Commander will schedule the officers’ Code-7 break times. Patrol vehicle assignments will also be given at this time. As often as practical, odd-numbered patrol vehicles will be assigned on odd-numbered days of the week and even-numbered vehicles on even days. Each officer’s digital audio recorder shall be checked for proper function, date, and time.

Essential information such as significant crime reports and officer safety issues shall be given at the beginning of briefing. Other topics to be covered during briefing include subpoena service, policy/procedure updates, and any current events relevant to law enforcement.

Briefing should last no longer than twenty (20) minutes. Briefing may be extended to accommodate briefing training.

Code-7 assignments and any training given shall be documented in the shift’s Daily Activity Report.

During briefing, officers shall not engage in any activity that may distract them from the subjects being discussed. Briefing is not to be used for the discussion of POA issues.

Officers shall be dismissed to their field assignments immediately upon the conclusion of briefing.

Routine report calls may be held during briefing. Emergency and all other priority calls for service shall be handled immediately. Officers dispatched to calls during briefing shall meet with the Watch Commander when clear in order to get any missed briefing information. (CALEA 41.1.2)
PROCEDURES FOR DETERMINING BREAK TIMES

Uniformed Patrol Officers and Downtown Patrol Unit

In an attempt to avoid conflicts, it is recommended that the Sergeant/Watch Commander schedule break times for the officers, by seniority, during shift briefings. Officers shall not be authorized to take breaks during the first ninety (90) minutes or last ninety (90) minutes of their shift. Officers shall notify the Sergeant/Watch Commander when they begin and clear their breaks. The Sergeant/Watch Commander is responsible to monitor the break status of officers.

For officers working a twelve (12) hour shift, total break time is limited to one hour per shift, (i.e. 30 minute meal break and two (2) fifteen (15) minute breaks). If an officer chooses to do so, he/she may alter the time taken for Code-7 or breaks as long as the aggregate time does not exceed sixty (60) minutes on one shift and their supervisor has been informed and approves.

Attendance at community functions or meetings (Kiwanis, Rotary Club or similar civic groups) where meals may be served, should not be considered a Code-7 and may be attended regardless of time of day.

Uniformed officers assigned to special details or task force assignments may take Code-7 when authorized by their supervisor.

No more than two uniformed officers may take Code-7 together in a public place, with the exception of officers and their trainees in the Field Training Officer program. With Watch Commander approval, on special occasions/holidays, additional officers may take breaks together, but this should be limited and it is preferred the break be taken at the Department.

APPROVED:

[Signature]

Greg Savelli
Chief of Police
PURPOSE

This policy establishes the criteria and staffing levels needed to provide for continuous patrol coverage within the City of Hermosa Beach, and establishes the guidelines and criteria in determining the work hours, schedule and shift patrol reporting area assignments, and individual officer schedule and shift selection methods.

PATROL STAFFING REQUIREMENTS

The Patrol Division shall continuously operate during all hours of the day for every day of the year, without any break in coverage.

Nothing in this section shall be construed to prevent the regular scheduling and/or assignment of additional uniformed officers to each shift or any portion thereof.

The establishment of this minimum staffing level neither indicates nor requires mandatory approval of time off for any officer when the scheduled staffing level is above that of the shift minimum. As per the Police Officers’ and Sergeants’ MOU, staffing levels are considered a management right.

The ability for officers to function at an acceptable level of performance and to avoid fatigue related injuries and accidents it is the department’s policy to limit the total time an officer can work to 18 hours. If, due to exigent circumstances or emergencies, it is necessary to keep an officer longer than 18 hours, the watch commander will monitor the officers physical capability of continuing to work and allow the officer to take a break long enough to rest. The Operations Division Commander will be notified when this action is necessary and the reasons for keeping the officer longer than 18 hours. The officer will be allowed to go home at the earliest possible time based on coverage and needs of the department.

PATROL SHIFT SELECTION AND ROTATION

Officers assigned to the Patrol Division shall bid for and staff specific patrol shifts in accordance with Article 30 of the current Memorandum of Understanding (MOU) between the Police Officers’ and Police Sergeants’ Bargaining Group (HBPOA) and the City of Hermosa Beach.
There will be four (4) quarterly shift changes per twelve (12) month period. These shift changes shall begin on the first Sunday of the first month of each quarter. The quarters shall be as follows:

1. June, July, August
2. September, October, November
3. December, January, February
4. March, April, May

Patrol officers shall bid on a semi-annual basis for two consecutive quarters at a time.

For shift bidding purposes, the schedule will be posted on April 1 for the first and second quarters and on October 1 for the third and fourth quarters. The sign-up schedule will remain posted for thirty (30) days from the date of posting for the shift bidding. The Command Staff will then have thirty (30) days to finalize the schedule in advance of the schedule change. The Command Staff shall not alter the bidding schedule once the initial posting deadline has passed without first consulting with the affected officer(s) in order to seek a mutual agreement as to the schedule modification.

With the exception of probationary employees, patrol officers are not mandated to rotate between day and night shifts, or among scheduled days of the week. Bidding for shifts and days off shall be made on a seniority basis. The Operations Division commander shall have the authority to appoint probationary officers to specific shifts (without regard to days off) up to and until the completion of the officer’s probationary period. Such reserved shift(s) shall be noted at the beginning of the shift bid (ie: shift will be deleted or held open) so as not to interfere with the officers’ shift selection process.

**REPORTING AREA ASSIGNMENT**

At the beginning of the work shift, each officer will be assigned a specific beat area within the city and will be responsible for the adequate and appropriate traffic enforcement, patrol duties, service calls, and special assignments for that area. Generally, the shift officers will select their beat areas based on officer seniority; however, alternate methods for assigning beat areas are permitted. Exceptions to this practice will occur as deemed necessary by the Watch Commander. Regardless of beat area assignment, all patrol officers are permitted to patrol all areas of the city; however, each officer should dedicate the majority of their patrol time to enforcement activities within their assigned area.

Upon the conclusion of briefing, all patrol officers shall notify the Communication Center (dispatch) that they are “in service,” via MDC or radio transmission.

Patrol officers shall remain in the field for the duration of their shift unless the officer has specific business at the station. Officers shall keep dispatch advised of their availability status while at the station and upon returning to the field.

Officers may return to the station approximately ten (10) minutes prior to their scheduled end of watch in order to prepare for the shift change. Officers are not to make themselves unavailable for duty until properly relieved or until instructed to do so by the Watch Commander.
Patrol units may not leave the city, except for traffic investigations or in pursuit of a criminal suspect, unless authorized by the Watch Commander. The Communication Center shall check with the Watch Commander prior to assigning any unit out of the city.  

(CALEA 41.1.1 a-f)

APPROVED:

[Signature]

Sharon Papa
Chief of Police
PURPOSE AND SCOPE

This policy provides guidelines for the use of all audio/video recording devices by employees of this Department while in the performance of their duties. Audio/video recording devices includes, but is not limited to mobile video systems, body-worn cameras, digital cameras, and/or fixed security cameras.

Audio and video recording of contacts between Department members and the public provides an objective record of events, and the use of a recording system assists Department members in the performance of their duties by providing a digital record of enforcement and investigations. A recording of an event or contact also enables the delivery of timely, relevant and appropriate training to maximize safety for our employees and improve the provision of services to the community.

(CALEA 41.3.8 a)

DEFINITIONS

Definitions related to this policy include:

Activate - Any process that causes the recording system to transmit or store video or audio data in an active mode.

Body worn camera (BWC) – Any device that captures audio and video that is capable of being worn on an officer’s person.

Digital media technician - Department member who is certified or trained in the operational use of all recording systems, duplicating methods, storage and retrieval methods and procedures, and who have a working knowledge of video forensics and evidentiary procedures.

Digital Evidence Management System (DEMS) – A management system designed to digitally collect, store, secure, disseminate and purge recorded media. The digital recordings are accessible to authorized personnel and maintain an audit trail of user activity.

Mobile Audio/Video (MAV) system - Any system that captures audio and video signals, is capable of installation in a vehicle, and includes at a minimum a camera, microphone, recorder, and monitor. An “in car camera system” is a synonymous term for an MAV system.
**Personally-owned recorder** – A recording device, including but not limited to a cellular telephone, handheld video recorder, handheld voice recorder, that is used by the Department member during his/her shift, but not owned by the Department.

**Recorded media** – Audio or video signals recorded or digitally stored on a storage device or portable media

**POLICY**

It is the policy of the Department to use recording systems to more effectively fulfill the Department’s mission by accurately capturing contacts between members of the Department and the public and to ensure these systems are used securely and efficiently.

The Department has equipped patrol cars with MAV recording systems to provide records of events and assist officers. Additionally, the Department will assign BWCs to designated employees for use during the performance of their duties. Designated employees include sworn Police Officers and Community Service Officers.

At least annually, the Investigative/Administrative Services Division Commander will conduct a documented review of this policy to ensure it complies with current law and best practices.

**COORDINATOR**

The Chief of Police or the authorized designee shall appoint a member of the Department to coordinate the use and maintenance of recording systems and the storage of recordings, including (Penal Code § 832.18):

(a) Establishing a system for downloading, storing and security of recordings.

(b) Designating persons responsible for downloading recorded data.

(c) Ensuring it is stored in a secure location with authorized controlled access

(d) Establishing a maintenance system to ensure availability of operable portable audio/video recording devices.

(e) Establishing a system for tagging and categorizing data according to the type of incident captured.

(f) Establishing a system to prevent tampering, deleting and copying recordings and ensure chain of custody integrity.

(g) Working with counsel to ensure an appropriate retention schedule is being applied to recordings and associated documentation.

(h) Maintaining logs of access, copies and deletions of recordings.

(i) Ordering, issuing, and retrieving all recording devices

(j) Erasing of media:

- Pursuant to a court order.
In accordance with established records retention policies, including all other media deemed to be of no evidentiary value.

(k) Assigning all recording devices an identification number prior to issuance to the field:
(l) Maintaining a record of issued recording devices.
(m) Ensuring that an adequate supply of recording media is available.
(n) Managing the long-term storage of media that has been deemed to be of evidentiary value in accordance with the Department evidence storage protocols and the records retention schedule.

TRAINING

Employees, including supervisors, shall not use MAV/BWC recording systems unless they have successfully completed training in the proper use of such equipment. All introductory training for MAV/BWC shall be documented in the appropriate training file.
(CALEA 41.3.8 f)

EMPLOYEE PRIVACY EXPECTATION

All recordings made by employees on any Department-issued device at any time, and any recording made while acting in an official capacity for this Department, regardless of ownership of the device it was made on, shall remain the property of the Department. Employees shall have no expectation of privacy or ownership interest in the content of these recordings.

EMPLOYEE RESPONSIBILITIES

Prior to going into service, each officer will properly equip him/herself to record audio and video in the field and will be responsible for ensuring that the recording systems are in good working order. At the start of each shift, officers shall test the recording system’s operation in accordance with manufacturer specifications and Department operating procedures and training. Additionally, all officers shall ensure that all recording systems have sufficient memory and battery to last the duration of their shift.

If any recording systems are not in working order or the officer becomes aware of a malfunction at any time, the officer shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as reasonably practicable. If it is discovered that a MAV is not functioning properly, the officer shall select another vehicle (if available) and report the malfunctioning MAV to the Watch Commander, in accordance with the vehicle repair procedures set forth in this manual. If no other vehicle with a functioning MAV is available, the officer shall note, via MDC, that the vehicle he/she is using is not equipped with a functioning MAV.

Uniformed officers are required to wear portable recorders in a conspicuous manner or otherwise notify persons that they are being recorded, whenever reasonably practicable. BWC is to be forward facing and unobstructed by equipment, uniforms or safety gear.
(CALEA 41.3.8 e)
Any officer assigned to a non-uniformed position may carry an approved portable recorder at any time the officer believes that such a device may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed officers should wear the recorder in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever reasonably practicable.

Officers shall document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the officer deactivated the recording. Reports should include the reason for deactivation.

At the end of the shift, each officer will ensure that the recordings system(s) are downloaded/downloading to their designated database(s). In the event an officer works at a remote location and reports in only periodically, additional recording media may be issued. Only Hermosa Beach Police Department identified and labeled media with tracking numbers is to be used.

If an officer accidentally records a non-law enforcement related conversation or incident (e.g. bathroom break), he/she shall notify the Watch Commander. The Watch Commander will review the recording and forward the request to delete the recording to the Division Commander.

SUPERVISORS RESPONSIBILITIES

When an incident arises that requires the immediate retrieval of the recorded media (e.g., serious crime scenes, officer-involved shootings, Department-involved collisions), a supervisor shall respond to the scene and ensure that the recording is properly retrieved. Supervisors shall take custody of a portable audio/video recording device as soon as practicable when the device may have captured an incident involving the use of force, an officer-involved shooting or death or other serious incident, and ensure the data is downloaded (Penal Code § 832.18). The media may need to be treated as evidence and should be handled in accordance with current evidence procedures for recorded media.

Supervisors should determine if vehicles with non-functioning MAV systems should be placed into service. If these vehicles are placed into service, the appropriate documentation should be made, including notification of Dispatch.

ACTIVATION OF THE RECORDING DEVICES

This policy is not intended to describe every possible situation in which a recording device should be used, although there are many situations where its use is appropriate. Officers shall activate recording devices any time the officer believes it would be appropriate or valuable to record an incident.

I. Required Activation of Recording Devices
The recording systems shall be activated in any of the following situations:

(a) All field contacts involving actual or potential criminal conduct:
   1. Traffic stops (to include, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops)
   2. Priority responses
   3. Vehicle pursuits
   4. Suspicious vehicles
   5. Arrests
   6. Vehicle searches
   7. Physical or verbal confrontations or use of force
   8. Pedestrian checks
   9. DWI/DUI investigations including field sobriety tests
   10. Consensual encounters
   11. Crimes in progress
   12. Responding to an in-progress call
   13. At the request of a member of the public

(b) All enforcement and investigative contacts including:
   1. Stops and field interview (FI) situations
   2. Animal control situations

(c) All self-initiated activity in which an officer would normally notify Dispatch

(d) Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect:
   1. Domestic violence calls
   2. Disturbance of peace calls
   3. Offenses involving violence or weapons

(e) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording

(f) Any other circumstance where the officer believes that a recording of an incident would be appropriate
Officers should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the officer that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criteria. Recording should resume when privacy is no longer an issue unless the circumstances no longer fit the criteria for recording.

At no time is an employee expected to jeopardize his/her safety in order to activate or deactivate the MAV system or BWC. However, the recorder should be activated in situations described above as soon as reasonably practicable. (CALEA 41.3.8 b)

II. Cessation of Recording
Once activated, the recording device(s) should remain on continuously until the officer reasonably believes that his/her direct participation in the incident is complete or the situation no longer fits the criteria for activation. At the officer’s discretion, he/she may pause the recording. Prior to pausing, officers shall verbally specify on the recording device the reason for interrupting the recording. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

Officers shall cease audio recording whenever necessary to ensure conversations are not recorded between a person in custody and the person’s attorney, religious advisor or physician, unless there is explicit consent from all parties to the conversation (Penal Code § 636).

III. Surreptitious use of recording devices
Members of the Department may surreptitiously record any conversation during the course of a criminal investigation in which the member reasonably believes that such a recording will be lawful and beneficial to the investigation (Penal Code § 633). Employees shall not surreptitiously record another Department employee without a court order unless lawfully authorized by the Chief of Police or the authorized designee for the purpose of conducting a criminal or administrative investigation.

IV. Explosive Device

PROHIBITED USE OF RECORDING DEVICES

Employees are prohibited from using Department-issued recording devices for personal use, including any off-duty assignments or outside employment. Additionally, employees are prohibited from tampering, deleting or making personal copies of recordings created while on-duty or while acting in their official capacity.

Employees are prohibited from using personally owned recording devices while on-duty
without the express consent of the Division Commander. Any employee who uses a personally owned recorder for Department-related activities shall comply with the provisions of this policy, including retention and release requirements, and should notify the on-duty supervisor of such use as soon as reasonably practicable.

Employees are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with Department-issued or personally owned recorders. Employees shall not duplicate or distribute such recordings, except for authorized legitimate Department business purposes. All such recordings shall be retained by the Department.

Recordings shall not be used by any member of the Department for the purpose of embarrassment, harassment or ridicule.

I. PROHIBITED USE OF BIOMETRIC SURVEILLANCE SYSTEM

The installation, activation, or use of biometric surveillance systems, including facial recognition, in connection with body-worn cameras is prohibited (Penal Code 832.19)

IDENTIFICATION AND PRESERVATION OF RECORDINGS

To assist with identifying and preserving data and recordings, officers shall tag or mark these in accordance with procedure and document the existence of the recording in any related case report.

An officer shall transfer, tag or mark recordings when the officer reasonably believes:

(a) The recording contains evidence relevant to potential criminal, civil or administrative matters or a potential claim against the officer or against the Department.

(b) A complainant, victim or witness has requested non-disclosure.

(c) A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.

(d) Disclosure may be an unreasonable violation of someone’s privacy.

(e) Medical or mental health information is contained.

(f) Disclosure may compromise an undercover officer or confidential informant.

Any time an officer reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact); the officer should promptly notify a supervisor of the existence of the recording.
STORAGE AND RETENTION OF RECORDINGS

BWC recordings shall be stored in appropriate DEMS or computer server. Recordings of the following should be retained for a minimum of two years (Penal Code § 832.18):

(a) Incident involving use of force by an officer or an Officer-Involved Shooting;
(b) Incidents that lead to the detention or arrest of an individual; and
(c) Recordings relevant to a formal or informal complaint against an officer or the Department

Recordings containing evidence that may be relevant to a criminal prosecution should be retained for any additional period required by law for other evidence relevant to a criminal prosecution (Penal Code § 832.18).

Non-evidentiary data including video and audio recorded by a body-worn camera should be retained for a minimum of 60 days, after which it may be erased, destroyed, or recycled.

Records or logs of access and deletion of recordings should be retained permanently (Penal Code § 832.18).

All MAV, jail monitoring systems, building security systems, and public safety camera system media will be labeled and stored in a designated secure area. All recording media that is not booked as evidence will be retained for a minimum of one year after which time it will be erased, destroyed or recycled in accordance with the established records retention schedule (Government Code § 34090.6).

(CALEA 41.3.8 d)

RELEASE OF AUDIO/VIDEO RECORDINGS

All recorded media, recorded images and audio recordings are the property of the Department. Dissemination outside of the agency is strictly prohibited, except to the extent permitted or required by law.

Any MAV, BWC and other known video or audio recordings of an incident shall not be publicly released during an ongoing investigation without the approval of the Chief of Police or their designee. Requests for the release of audio/video recordings shall be processed in accordance with the Records Maintenance and Release Policy.

REVIEW OF RECORDED MEDIA FILES

After downloading and tagging the recorded media, officers should review the recorded media from their MAV system or BWC as a resource to assist in the preparation of their written reports. In no case shall an officer retain personal copies of recordings. Officers should not rely on the fact that a recording was made and write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct, report of meritorious conduct, or specific incidents that come to the
attention of the Department.

Recorded files may also be reviewed:

(a) By any member of the Department who is conducting an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.

(b) If an officer is to be interviewed in the course of a personnel complaint, the involved officer(s), including witness officers, should be allowed, prior to being interviewed, to review a copy of the recording(s) of the incident of his/her involvement.

(c) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.

(d) By media personnel with permission of the Chief of Police or the authorized designee.

(e) In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.

(f) To ensure the recording system is functioning.

(g) By Department personnel who request to review recordings for other purposes (e.g. court preparation) upon supervisory approval.

(h) To assess possible training value

(i) Recordings may be shown for training purposes. If an involved officer objects to showing a recording, his/her objection will be submitted to the Division Commander to determine if the training value outweighs the officer's objection

(j) Semi-annual audits of captured media should also be conducted by authorized supervisors in January and July of every year. Supervisors must randomly review at least six (6) media files to ensure Officers are adhering to Departmental policies and procedures. Each review shall be documented on the Audio/Video Recordings (AVR) Request Form. (CALEA 41.3.8 g)
All recordings shall be reviewed by the Custodian of Records prior to public release (see the Records Maintenance and Release Policy). Recordings that unreasonably violate a person’s privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

(CALEA 41.3.8 c)

APPROVED:

Michael McCrary
Interim Chief of Police
Audio/Video Recording

I. AUDIO VIDEO RECORDING SYSTEMS
   A. MAV
      The MAV is a digital system; there is no external memory storage device in the patrol
      vehicle. The system includes the following:
      1. Forward-facing camera
      2. Rear-facing camera
      3. Viewing monitor, with control panel
   B. BWC
      The Department will provide all maintenance, batteries, belt holders, and any other
      accessories necessary for the standard operation of the device.
   C. Handheld Recorder
      The Department will provide digital cameras, and needed accessories, to sworn
      personnel for the purpose of collecting evidence.
   D. Fixed Security Cameras (Jail, Downtown)
      The Department maintains fixed security cameras in the jail and in the downtown Pier
      Plaza area. The recordings from the fixed security cameras will be maintained on a
      dedicated server at one of the Police Department facilities.

II. TRAINING
   A. Training provisions will include classroom discussion, webinars, field application and
      evaluation by a supervisor or Field Training Officer (FTO). The training will consist
      of a review of the proper function and use of the audio/video recording devices,
      recommended times to employ the devices, and departmental policy and procedures
      as they pertain to the devices.
   B. A written record of the training provided will be completed by the trainer and maintained
      in the officer’s training file.

III. EMPLOYEE RESPONSIBILITIES
   If any portable recording system is not in working order or the member becomes aware of a
   malfunction at any time, the member shall promptly report the failure to his/her supervisor and
   obtain a functioning device as soon as reasonably practicable.

   If it is discovered that a MAV is not functioning properly, the officer shall select another vehicle
   (if available) and report the malfunctioning MAV to the Watch Commander, in accordance with
   the vehicle repair procedures set forth in this manual. If no other vehicle with a functioning MAV
   is available, the officer shall note, via MDC, that the vehicle he/she is using is not equipped with
   a functioning MAV.
IV. SUPERVISOR RESPONSIBILITIES
Supervisors should determine if vehicles with non-functioning MAVs should be placed into service. If these vehicles are placed into service, the appropriate documentation should be made and the supervisor should notify Dispatch.

V. ACTIVATION OF THE AUDIO/VIDEO RECORDING DEVICES
Officers shall activate audio/video recording devices any time the officer believes it would be appropriate or valuable to record an incident.

The MAV system can be activated manually. The MAV system is also designed to turn on automatically whenever the unit’s emergency lights are activated. The system remains on until it is turned off manually. The system will also activate with any of the following triggers:

- Vehicle reaches 75 MPH
- Vehicle involved in a traffic collision
- Rifle or shotgun removed from the rack
- Siren activated
- Rear door opens

VI. CESSATION OF AUDIO/VIDEO RECORDING DEVICES
Per Policy, members may pause or mute recordings. Examples of when to pause or mute may include, but is not limited to:

- Discussing tactics
- Discussing confidential information with victims or witnesses
- Discussions with supervisors or training officers regarding performance

Prior to pausing, officers shall verbally specify on the recording device the reason for interrupting the recording.

VII. IDENTIFICATION AND PRESERVATION OF RECORDED MEDIA
If a member accidentally records an unauthorized conversation with other City members or non-law enforcement incident (e.g. bathroom break), that officer shall classify the recording as confidential, limiting access, and shall notify their supervisor. If the recording is classified as non-evidentiary, it will be deleted after 180 days.

VIII. STORAGE AND RETENTION OF RECORDED MEDIA
The contents of each vehicle’s MAV will automatically download, via wireless connection, every time the vehicle is parked on or near the driveway to the rear of the police station. The information is stored on a dedicated server.
### RECORDED MEDIA RETENTION SCHEDULE:

<table>
<thead>
<tr>
<th>TYPE OF RECORD</th>
<th>DESCRIPTION OF RECORD</th>
<th>LENGTH OF TIME FOR RETENTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-evidentiary data</td>
<td>Data that does not necessarily have value to aid in an investigation or prosecution, such as data of an incident or encounter that does not lead to an arrest or citation, or data of general activities the officer might perform on duty.</td>
<td>180 Days</td>
</tr>
<tr>
<td>Evidentiary data</td>
<td>Data of an incident or encounter that could prove useful for investigative purposes, including, but not limited to, a crime, an arrest, or citation, a search, a use of force incident, or a confrontational encounter with a member of the public</td>
<td>2 Years</td>
</tr>
<tr>
<td>Evidentiary data (involved in criminal prosecution)</td>
<td>Exhibits introduced or filed in a criminal action, property unlawfully possessed and used in commission of a crime, photographic or digital records, and biological material</td>
<td>As otherwise required by law. (See CA Penal Code Sections 1417, et seq.)</td>
</tr>
<tr>
<td>Records or logs of access and deletion of data from body-worn cameras</td>
<td></td>
<td>Permanently</td>
</tr>
<tr>
<td>Routine video monitoring</td>
<td>Jail monitoring systems, building security recordings systems, and public safety camera system media</td>
<td>1 Year</td>
</tr>
</tbody>
</table>

### IX. RELEASE OF RECORDED MEDIA

The following personnel are permitted to make copies of any audio/video recordings to an external storage medium:

- Chief of Police
- Police Captain
- Police Lieutenants
- Detective Sergeant
- Administrative Sergeant
- Detectives

Whenever a copy of recorded media is made, the reason for the copy shall be documented.
Audio/Video Recording

If any other members need a copy of recorded media, they must submit their request in writing to their supervisor for approval. If approved, the supervisor will forward the request to the court liaison for processing. The court liaison will document any/all completed requests.

X. REVIEW OF RECORDED MEDIA
There will be semi-annual audits.

The Accreditation Manager will take the following steps to ensure the selected media files are random.

- First the Accreditation Manager will randomize dates within 6-months of the actual review date and select the first (6) days for review.
- Then, the Accreditation Manager will compile a list of recordings from those (6) days and randomize those media files.
- He/she will then select the first (6) recordings from that list.

The following procedures will be taken to randomly select both days and media files included in the review. The final list of selected files will be provided to the appropriate supervisor for media review.

Randomization Procedures:

1. Establish time period to be reviewed. It must be within 6-months of the actual review date.  
Example:  
Review Date  2/25/2017  
Time frame  8/24/2016 to 2/24/2017

2. Populate Dates within time frame into an Excel Sheet in Column A.

3. In B1, Type in =RAND() and drag down to populate next to your listed dates

4. Select any cell in Column B and Select ZA on the DATA tab. Your date list will shuffle.

5. Retrieve list of Recordings from the first (6) dates on your randomized list (Column A)

6. Insert list of recordings (by System ID)into Sheet 2

7. In B1, Type in =RAND() and drag down to populate next to your listed recordings

8. Select any cell in Column B and Select ZA on the DATA tab. Your recordings list will shuffle.

9. Review recordings associated with first (6) System IDs

10. Complete an Audio/Video Recordings (AVR) Request Form for each recording and attach copies of the recordings to the memorandum detailing findings of review.
PURPOSE AND SCOPE

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

POLICY

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

USE OF RESTRAINTS

Only members who have successfully completed Hermosa Beach Police Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

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

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

I. RESTRAINT DETAINEES

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

II. RESTRAINT OF PREGNANT PERSONS

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

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

III. RESTRAINT OF JUVENILES

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

IV. NOTIFICATIONS

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

APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person’s hands to ensure officer safety.

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Department. Officers should consider handcuffing any person they reasonably believe warrants that degree of restraint. However, officers should not conclude that in order to avoid risk every person should be handcuffed, regardless of the circumstances.
In most situations handcuffs should be applied with the hands behind the person’s back. When feasible, handcuffs shall be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

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

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

**APPLICATION OF SPIT HOODS**

Spit hoods are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

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

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

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

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

**APPLICATION OF AUXILARY RESTRAINT DEVICES**

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

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

**APPLICATION OF LEG RESTRAINT DEVICES**

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

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

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

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

(c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol vehicle).

I. GUIDELINES FOR USE OF AUXILIARY RESTRAINT DEVICES/LEG RESTRAINTS

When applying leg restraints the following guidelines should be followed:

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

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

(c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person’s ability to breathe.

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

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

(f) When transported by emergency medical services, the restrained person should be accompanied by an officer. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration).

**REQUIRED DOCUMENTATION**

If a person is restrained and released without an arrest, the officer should document the details of the detention and the need for handcuffs or other restraints. The documentation of the restraint without and arrest can be included in the incident history (CAD), FI Card, Daily Activity Log, etc.

If a person is arrested, the use of handcuffs or other restraints shall be documented in the related report. Officers should document the following information in reports, as appropriate, when restraints other than handcuffs are used on a person:

(a) The factors that led to the decision to use restraints.

(b) Supervisor notification and approval of restraint use

(c) The types of restraint used.

(d) The amount of time the person was restrained.

(e) How the person was transported and the position of the person during transport.

(f) Observations of the person’s behavior and any signs of physiological problems.

(g) Any known or suspected drug use or other medical problems.

**TRAINING**

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

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

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

(c) Options for restraining those who may be pregnant without the use of leg irons, waist chains, or handcuffs behind the body.
(d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.

APPROVED

[Signature]

Acting Chief of Police
HERMOSA BEACH POLICE DEPARTMENT

O3.10 SEATBELTS

Effective 10/27/2009
Updated 08/05/2019

PURPOSE AND SCOPE

This policy establishes the guidelines for the use of seatbelts and child restraints. This policy will apply to all members operating or riding in department vehicles (Vehicle Code § 27315.5).

DEFINITIONS

Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and Regulations set forth in 49 CFR 571.213.

POLICY

It is the policy of the Hermosa Beach Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle collision.

WEARING OF SAFETY RERAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including non-members, are also properly restrained.

Officers are permitted and encouraged to use “tactical seatbelt removal” as warranted when responding to calls or initiating field contacts. Tactical seatbelt removal is the practice of removing the seatbelt as the patrol vehicle slows, just prior to safely coming to a stop, so the officer can quickly exit the vehicle.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations or due to unusual circumstances. where, due to unusual circumstances, wearing a seat belt would endanger the member or the public. Members must be prepared to justify any deviation from this requirement.

TRANSPORTING CHILDREN

Children under the age of 8 shall be transported in compliance with California’s child restraint system requirements (Vehicle Code § 27360; Vehicle Code § 27363).

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint
system manufacturer’s design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side airbag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible. A child shall not be transported in a rear-facing child restraint system in the front seat in a vehicle that is equipped with an active frontal passenger airbag (Vehicle Code § 27363).

**TRANSPORTING SUSPECTS, PRISONERS OR ARRESTEES**

Suspects, prisoners and arrestees should be in a seated position and secured in the rear seat of any department vehicle with a prisoner restraint system or, when a prisoner restraint system is not available, by seat belts provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

Prisoners in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

**INOPERABLE SEAT BELTS**

Department vehicles shall not be operated when the seat belt in the driver’s position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief of Police.

A Vehicle Report/Service Request form shall be completed by the reporting officer for any observed vehicle or vehicle equipment defects or damage and submitted to the Watch Commander

**VEHICLES MANUFACTURED WITHOUT SEAT BELTS**

Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer’s operator requirements for safe use.

**VEHICLE AIRBAGS**

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

APPROVED:

Milton McKinnon
Acting Chief of Police
PURPOSE AND SCOPE

The Ride-Along Program provides an opportunity for citizens to experience the law enforcement function first hand. While the Hermosa Beach Police Department welcomes civilians to ride-along with police officers to facilitate a spirit of communication between the department and those that we serve, it should be understood that our department’s resources are limited. This policy provides the requirements, approval process, and hours of operation for the Ride-Along Program.

ELIGIBILITY

The Hermosa Beach Police Department Ride-Along Program is offered to residents, applicants, students and those employed within the City. Other ride-along participants may be accepted with the approval of the Division Commander. Every attempt will be made to accommodate interested persons however any applicant may be disqualified without cause.

The following factors may be considered in disqualifying an applicant and are not limited to:

- Being under 15 years of age
- Prior criminal history
- Pending criminal action
- Pending lawsuit against the Department
- Denial by any supervisor

AVAILABILITY

The Ride-Along Program is available on most days of the week, with certain exceptions. The ride-along times are from 10:00 a.m. to 11:00 p.m. Exceptions to this schedule may be made as approved by the Chief of Police, or Division Commander. Minors are limited to four hours total time and may not ride after 2300 hours.

PROCEDURE TO REQUEST A RIDE-ALONG

Generally, ride-along requests will be scheduled by the Division Commander or their designee. The Watch Commander is responsible for ensuring that all ride-along participants read, understand, and sign a ride-along waiver form. Information requested will include a valid ID or California driver’s license, address, and telephone number. If the participant is under 18 years of age, a parent/guardian must be present to complete the Ride-Along Form.
The Division Commander or their designee will schedule a date, based on availability, at least one week after the date of application. If approved, a copy will be forwarded to the respective Watch Commander as soon as possible for his/her scheduling considerations.

If the ride-along is denied after the request has been made, a representative of the Department will contact the applicant and advise him/her of the denial.

A. Program Requirements

Once approved, civilian ride-alongs will be allowed to ride no more than once every six months. An exception would apply to the following: Cadets, Explorers, Volunteers, Chaplains, Reserves, police applicants, and all others with approval of the Division Commander.

An effort will be made to ensure that no more than one citizen will participate in a ride-along during any given time period. Normally, no more than one ride-along will be allowed in the officer's vehicle at a given time.

B. Suitable Attire

Any person approved to ride along is required to be suitably dressed in collared shirt, blouse or jacket, slacks and shoes. Sandals, T-shirts, tank tops, shorts and ripped or torn blue jeans are not permitted. Attire with inappropriate language or logos will not be permitted. The Watch Commander or field supervisor may refuse a ride along to anyone not properly dressed.

C. Peace Officer Ride-along

Off-duty Peace Officers of this department or any other law enforcement agency will not be permitted to ride-along with on-duty officers without the expressed consent of the Division Commander. In the event that such a ride-along is permitted, the off-duty employee shall not be considered on-duty and shall not represent themselves as a peace officer or participate in any law enforcement activity except as emergency circumstances may require.

D. Ride-along Criminal History Check

All Ride-along applicants are subject to a criminal history check. The criminal history check may include a local records check and a Department of Justice Automated Criminal History System check through CLETS prior to their approval as a ride-along with a law enforcement officer (provided that the ride-along is not an employee of the Hermosa Beach Police Department) (CLETS Policies, Practices and Procedures Manual § 1.6.1.F.2.).

**OFFICER’S RESPONSIBILITY**

The officer shall advise the dispatcher that a ride-along is present in the vehicle before going into service. Officers shall consider the safety of the ride-along at all times. Officers should use sound discretion when encountering a potentially dangerous situation, and if feasible, let the participant out of the vehicle in a well-lighted place of safety. The dispatcher will be
advised of the situation and as soon as practical have another police unit respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

**CONTROL OF RIDE-ALONG**

The assigned employee shall maintain control over the ride-along at all times and instruct him/her in the conditions that necessarily limit their participation. These instructions should include:

a) The ride-along will follow the directions of the officer
b) The ride-along will not become involved in any investigation, handling of evidence, discussions with victims or suspects, or handling any police equipment
c) The ride-along officer may terminate the ride at any time and the officer may return the observer to their home or to the station if the ride-along interferes with the performance of the officer’s duties
d) The Watch Commander has the authority to cancel any Ride-Along prior to, or at any time during the shift.
e) Ride-alongs may be allowed to continue riding during the transportation and booking process provided this does not jeopardize their safety
f) Officers will not allow any ride-alongs to be present in any residences or situations that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other citizen
g) Under no circumstance shall a ride along be permitted to enter a private residence with an officer without the expressed consent of the resident or other authorized person

**APPROVED:**

Milton McKinnon
Acting Chief of Police
O3.12 ADMINISTRATIVE COMMUNICATIONS

Effective 10/27/2009
Updated 6/13/2018

PURPOSE AND SCOPE

Administrative communications of this department are governed by the following policies.

MEMORANDUMS

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

CORRESPONDENCE

In order to ensure that the letterhead and name of the Department are not misused, all external correspondence shall be on Department letterhead. All Department letterhead shall bear the signature element of the Chief of Police. Personnel should use Department letterhead only for official business and with approval of their supervisor.

SURVEYS

All surveys made in the name of the Department shall be authorized by the Chief of Police or a Division Commander.

ACKNOWLEDGEMENT

Department members may be required to provide a signature acknowledging receipt of a document.

In the event an employee refuses to sign, acknowledging receipt of a document, the following procedure shall apply:

The supervisor shall inform the employee that signing the list is an acknowledgement of receipt only and does not indicate agreement with the content of the document or surrender of rights. If the employee still refuses to sign the document, the supervisor shall secure another department member to act as a witness and the supervisor will again ask the employee to sign. If the department member still refuses, the supervisor will write “REFUSED” on the bottom of the document. The supervisor and the witness will provide their signature, date, and time.
The supervisor shall create a memo to document the interaction including the exact words the member used in refusing to sign, including the date and location of the interaction.

APPROVED:

[Signature]

Sharon Papa
Chief of Police
PURPOSE

To establish the administrative reporting system for the Hermosa Beach Police Department and establish responsibility for formulating required reports.

POLICY

It is the policy of this Department to provide proper documentation and reporting of pertinent administrative/operational activities.

PROCEDURE

I. Types of Reports

A. Reports can be required either based on specific incidents or according to an established time line. Numbers in parenthesis after a specific report indicate applicable CALEA standards.

B. Some examples of reports that are based on specific incidents, that are documented by the supervisor on duty or the involved officer and forwarded to the Operations Lieutenant for review are:

   1. Pursuit reports. (41.2.2)
   2. Use of force reports. (1.3.6)

C. Many reports that are required based on a timeline are analytical reports that are utilized to assist the administration in budget justifications or for statistical comparisons.

D. The Accreditation Manager, utilizing CALEA Accreditation Compliance Express (CACE) reports and the Time Sensitive Standards Report, will email all reports due for the month to the assigned persons.

E. To guarantee that reports and reviews will be completed in a timely manner, the Accreditation Manager will use the following tracking procedures:

   1. The first week of every month he/she will notify all applicable personnel of any reports and reviews that are due.
2. The standard information page will be updated in CACE-L upon receipt of reports required by standard to reflect completion.

3. The Captain will be notified of any past due reports at the end of each month.

II. Time Sensitive Reports and Analysis

A. Daily Reports

1. Daily Activity Report
   a. Electronically available
   b. Prepared by the on duty Watch Commander
   c. Used to note all activity of patrol shifts.
   d. A copy placed on the shared drive and a copy placed in the briefing folder.

2. Shift Vehicle Inspection Report
   a. Prepared by Officers on assigned vehicles.
   b. Used to note damages, needed repairs and equipment needs in vehicles.
   c. Forwarded to the Operations Lieutenant for action as needed.

3. Media Board
   b. Provides public information on police activities.
   c. Used by the media and public.

4. Daily Evaluation Reports
   a. Prepared by Field Training Officers on trainees.
   b. Used as a daily observation report to note progress.
   c. Distributed to the FTO Sergeant and Operations Lieutenant.

B. Weekly Reports

1. Jail Safety and Sanitation Checklist
   a. Prepared by the assigned PSO.
   b. Used to document operating condition and identify deficiencies of jail facility.
   c. Original is files in the Jail Inspection Log Book
   d. Copy distributed to the Support Services Lieutenant and Accreditation files.
C. Monthly Reports

1. Revenue and Expenditure Status Reports (17.4.1)
   a. Prepared by the Finance Department.
   b. Used to track expenditures, encumbrances, and balances of all Department fiscal accounts.
   c. Maintained in both computer & hard copy.
   d. Distributed to the Chief’s Secretary.

2. Monthly Leave Balance Totals
   a. Prepared by the Personnel Department.
   b. Used to track sick, vacation, holiday and compensatory time balances for all Department personnel.
   c. Distributed to the Chief’s Secretary.

   a. Prepared by the Records Supervisor.
   b. Used to document criminal activity/arrests that occur in the city.
   c. Distributed to the City Manager, Chief of Police, DOJ and FBI.

D. Quarterly Reports

1. Critical Incident Equipment Inspection (46.1.8)
   a. Performed by the Operations Division Lieutenant.
   b. Used to note operational readiness of all equipment utilized by the department in the event of an unusual occurrence or disaster.
   c. Distributed to Accreditation Files.

2. Performance Evaluation Report on Probationary Employees (35.1.3)
   a. Prepared by employee’s supervisor.
   b. Used to determine suitability for current position.
   c. Distributed to employee, Lieutenant in the individual’s chain of command, Chief of Police and Personnel file.

E. Semi-annual Reports

1. Inspection of Evidence/Property Rooms (84.1.6 a)
   a. Conducted by the Property and Evidence custodian.
   b. Used to determine adherence to policies and procedures reference the control of property.
   c. Distributed to Accreditation files.
2. Line Inspection Report (53.1.1)
   a. Prepared by Shift Supervisors of each organizational component in January & July of each year.
   b. Used to determine personnel grooming and appearance and condition of issued equipment, vehicles, and facilities.
   c. Distributed to the Operations Lieutenant and Accreditation files.

F. Annual Reports

1. Review of Biased Based Profiling (1.2.9)
   a. Prepared by the Chief of Police
   b. Used to reveal trends that could indicate corrective training needs.
   c. Distributed to the Accreditation files.

2. Update and Review of Attainment of Goals and Objectives (15.2.1)
   a. Prepared by Supervisors of each organizational component.
   b. Used to prepare department report and establish measurable objectives for the coming year.
   c. Distributed to the Chief of Police who will prepare department report for inclusion in Department Annual Report.

3. Analysis of Use of Force Incidents (1.3.13)
   a. Prepared by the Operations Lieutenant.
   b. Used to reveal trends that could indicate training needs, equipment upgrades, and/or policy modifications.
   c. Distributed to the Chief of Police and Accreditation files.

4. Review of Specialized Assignments (16.2.1)
   a. Prepared by the Chief of Police
   b. Used to determine whether each specialized assignment should be continued.
   c. Distributed to Accreditation files.

5. Budget Recommendations/Supplemental Appropriation Requests (17.2.2)
   a. Prepared by the Division Commanders.
   b. Used to determine overall department needs and priorities for the budget cycle.
   c. Distributed to the Chief of Police.

6. Review of Employee Grievances (25.1.3)
   a. Prepared by the Chief of Police
   b. Used to analyze trends and take steps to minimize causes.
   c. Distributed to Accreditation files.
7. Analysis of Pursuit Reports (41.2.2)
   a. Prepared by the Operations Lieutenant.
   b. Used to reveal patterns or trends that indicate training needs and/or policy modifications.
   c. Distributed to the Chief of Police and Accreditation files.

8. Statistical Summary of Internal Affairs Investigations (52.1.5)
   a. Prepared by the Chief of Police.
   b. Indicates allegations and findings of all Internal Affairs Investigations.
   c. Published in the Annual Report and made available to the public and department employees.

9. Audit of Evidence and Property Rooms (84.1.6c)
   a. Performed annually by a supervisor not connected with control of property.
   b. Used to determine integrity of evidence/property control functions.
   c. Distributed to the Chief of Police, Support Services Lieutenant, and Accreditation files.

10. Unannounced Inspection of Evidence and Property Rooms (84.1.6d)
    a. Performed once a year by a supervisor designated by the Chief of Police.
    b. Used to determine integrity of evidence/property control functions.
    c. Distributed to the Chief of Police, Support Services Lieutenant, and Accreditation files.

11. Performance Evaluation Report on all Employees (35.1.2)
    a. Prepared by employee’s supervisor.
    b. Used to determine if employees are qualified to carry out their assigned duties and provides necessary behavior modification information to the employee.
    c. Distributed to employee, Lieutenant in the individual’s chain of command, Chief of Police and Personnel file.

12. Department Annual Report
    a. Prepared by the Chief of Police with information supplied by the organizational components.
    b. Used to inform members of the Department and the community of activities and statistics for previous fiscal year.
    c. Distributed to Department members.
G. Multiyear Reports

1. Staff Inspection Report (53.2.1)
   a. Prepared by the command staff, or designee, every three years.
   b. Purpose is to report findings of an in-depth review of all department components to ensure that administrative procedures are adhered to.
   c. Distributed to the Chief of Police and Accreditation files.

2. Periodic Workload Assessment (16.1.2)
   a. Prepared by the Operations Lieutenant every three years.
   b. Used to reveal patterns or trends that indicate the appropriate personnel allocation to maximize the efficiency and effectiveness of the department.
   c. Distributed to the Chief of Police and Accreditation files.

3. Multi-year Plan (15.1.3)
   a. Prepared by the Administrative Captain and revised as needed.
   b. Used to project long-range plans and trends beyond the current budget year. Used in budget process.
   c. Distributed to Chief of Police and Accreditation files.

4. Crime Prevention Programs (45.1.1)
   a. Prepared by the Community Lead Sergeant once every three years.
   b. Used to evaluate the prevention programs effectiveness in addressing community perceptions.
   c. Distributed to the Chief of Police, both Lieutenants and Accreditation files.

5. Recruitment Plan Review (31.2.2)
   a. Reviewed and revised if needed by the Chief of Police
   b. Used by the department to expand the pool for personnel recruitment
   c. Distributed to all personnel in recruitment positions and the Accreditation Files.

(CALEA 11.4.1, 11.4.3)

APPROVED:

Greg Savelli
Chief of Police
PURPOSE

The purpose of this policy is to establish a uniform set of procedures for all encounters between department personnel and citizens; including arrests, traffic stops, and investigations. Bias based policing in law enforcement is unacceptable, and employees should follow departmental guidelines outlined in this policy to prevent such occurrences.

POLICY

It shall be the policy of this Department to patrol in a proactive manner, to aggressively investigate suspicious persons and circumstances, and to actively enforce all laws, while insisting that citizens will only be stopped or detained when there exists reasonable suspicion to believe they have committed, are committing, or are about to commit a violation of the law. Officers shall not consider race, ethnic background, gender, sexual orientation, religion, economic status, or age in carrying out law enforcement activities, except when credible, relevant information links a person or people of specific characteristics to a specific unlawful incident, or to specific unlawful incidents, criminal patterns or schemes. Officers of this Department are prohibited from engaging in bias based policing in traffic contacts, field contacts, or any situations involving search and seizure. (CALEA 1.2.9 a)

PROCEDURE

I. Definitions

A. Bias Based Policing – The selection of an individual(s) based solely on a trait common to a group for enforcement action. This includes, but is not limited to, race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group or any other identifiable group.

B. Reasonable suspicion – Also known as articulable suspicion. Suspicion that is more than a mere hunch or feeling, but is based on a set of articulable facts and circumstances that would warrant a person of reasonable caution to believe that a violation of the law has been committed, is about to be committed, or is in the process of being committed by the person or persons under suspicion. This can be based on the observations of a police officer combined with his or her training and experience, and/or reliable information received from credible outside sources.
II. Training

A. Employees will receive initial and ongoing training in proactive enforcement tactics, including training in bias based policing, officer safety, courtesy, cultural diversity, the laws governing search and seizure, and interpersonal communication skills.

B. Training programs will emphasize the need to respect the rights of all citizens to be free from unreasonable government intrusion or police action.

C. California Penal Code Section 13519.4 mandates expanded training for all peace officers in racial and cultural differences. Training should emphasize the understanding and respect for racial identity, and cultural differences and promote effective and non-combative methods of carrying out law enforcement duties.

(CALEA 1.2.9 b)

III. Enforcement Procedures

A. Motorists and pedestrians shall only be subjected to stops, seizures or detentions upon reasonable suspicion that they have committed, are committing, or are about to commit a violation. When practical, each time a motorist is stopped, the officer shall radio to the dispatcher the location of the stop and the description of the vehicle or the person being detained.

B. Traffic enforcement will be accompanied by consistent, ongoing supervisory oversight to ensure that officers do not go beyond the parameters of reasonableness in conducting such activities.

C. Appropriate enforcement action should always be completed, generally in the form of a warning, field interview card, citation, or arrest. The proper form must be filled out by the officer, and shall include the gender, race or ethnicity of the person stopped, if this information can reasonably be ascertained by physical appearance or from the driver’s license or other documents provided by the individual.

D. No motorist, once cited or warned, shall be detained beyond the point where there exists no reasonable suspicion of further criminal activity, and no person or vehicle shall be searched in the absence of a warrant, a legally recognized exception to the warrant requirement, or the person’s voluntary consent.

E. In the absence of a specific credible report containing a physical description, a person’s race, ethnicity, gender or sexual orientation or any combination of these shall not be a factor in determining probable cause for an arrest or reasonable suspicion to stop.
IV. Complaints of Bias Based Policing

A. Any person may file a complaint with the department if they feel they have been stopped or searched based on racial, ethnic, or gender-based bias, and no person shall be discouraged, intimidated, or coerced from filing such a complaint, or discriminated against because they have filed such a complaint.

B. Any employee contacted by a person who wishes to file such a complaint, shall provide the citizen with a copy of a citizen complaint form which may be mailed or delivered to the police department or shall refer the complainant to the on-duty Watch Commander who will take the complaint.

C. Bias based policing complaints will be investigated in accordance with Policy S2.15-Internal Affairs/Investigation of Personnel complaints, of this manual. All complaints investigated will contain findings and any suggestions for disciplinary action or changes in policy, training or tactics. Any complaints that are sustained will result in discipline ranging from counseling and training to termination. 

CALEA 1.2.9 c

D. The Chief of Police or designee will conduct an annual documented administrative review of Department practices which will include enforcement practices, any citizen concerns and suggestions for additional training. This review will include an assessment of citizen complaints against officers that allege any form of bias, to determine if there are any trends. The review will also examine enforcement activities in relation to race/ethnicity. The administrative review will note any trends or areas of concern.

CALEA 1.2.9 d

APPROVED:

[Signature]

Sharon Papa
Chief of Police
PURPOSE

To provide written procedures and requirements established by the Chief of Police with respect to weapons authorized to be carried by Hermosa Beach police officers, as well as requirements for reporting use.

For some time, criminals and gang members have increasingly armed themselves with automatic and semi-automatic weapons. Numerous innocent citizens and police officers have been wounded or killed. There is a clear and present threat of continued escalation of use of these firearms by criminals. This policy will also authorize the use of certain special weapons by police officers trained in the tactical use of these weapons.

PROCEDURES FOR AUTHORIZATION

Only weapons and ammunition authorized by the Department will be used by Department personnel in law enforcement responsibilities. This applies to weapons and ammunition carried both on and off duty. All discharges of firearms will be reported and reviewed for compliance with these regulations.

(CALEA 1.3.9)

POSSESSION OF FIREARMS AND ID CARD

An officer, while on-duty, shall carry or have in their immediate presence at all times, a firearm as prescribed by departmental orders, and their Identification Card, unless they have been exempted by their superior officer.

FIREARMS PROCEDURES

A. Authorized Firearms

1. The STI 2011 Eagle 5.0 self-loading, caliber .45 pistol will be offered by the department as the duty weapon for uniformed sworn personnel. The STI 2011 VIP, self-loading, caliber .45 pistol may be offered to command staff or plain clothes sworn personnel. Officers will be allowed to utilize their own personal weapon that is approved by the Range Master and Chief of Police. Officers are not allowed to carry a revolver as their primary on-duty weapon.

2. The Range Master will provide a list of acceptable gun manufacturers and ammunitions. Acceptable gun manufacturers must be taken from the
California DOJ Roster of Handguns Certified for Sale. The Range Master may modify this list as needed without changing the policy to ensure that officers are carrying dependable weapons. (Handguns manufactured by STI are authorized).

3. The following calibers, 9mm, .45 ACP, 10mm, and 40 Cal. are the current authorized calibers for uniform patrol duty.

4. Investigators and administrative officers are authorized to carry a smaller caliber weapon, if desired. The caliber will be no smaller than a .380 Cal. that will assist to facilitate concealment.

5. All ammunitions selected for use in department issued or approved firearms shall be prescribed by the Chief of Police. The Range Master will maintain a list of ammunitions authorized to be carried.

6. Officers choosing to use their private weapon will be responsible for the purchase and all maintenance of the weapon. Officers will be responsible for all equipment to properly carry the weapon system for patrol operations. Patrol officers shall have a minimum level II holster, authorized by the Range Master, and a minimum of 3 duty magazines.

7. Officers using their private weapon shall be required to pass a comprehensive evaluation process by the Range Master to insure their ability to safely and effectively operate their weapon system.

8. All modifications from a standard weapon (dedicated light/laser or night sights) must be approved by the Range Master. Officers will be responsible for the initial cost and maintenance of any approved modifications.

(CALEA 1.3.9 a)

B. Carrying Firearms On-Duty

1. Personnel assigned to uniform patrol will carry a full-size or mid-size weapon that must be approved by the Range Master.

2. On duty uniformed officers shall carry the department issued or authorized firearm and shall maintain a minimum of 2 spare magazines of ammunition on their person at all times, unless temporary specific exception is made by the watch commander. Undercover officers and command officers are exempt from this section.

3. Additional external devices to carry ammunition shall not be worn but may be stored in the officer’s duty case. Any variance to the uniform duty configuration shall be subject to the approval of the Chief of Police.
4. On-duty investigators, administrators and officers assigned to plain clothes detail may carry the Department issued or their authorized firearm.

5. Investigators or officers assigned to plain-clothes detail, who carry concealed weapons, shall demonstrate a clear proficiency to draw both the weapon and the additional ammunition during range qualifications.

C. Weapons Inspections

1. A supervisor will inspect firearms and ammunition making certain they are Department authorized equipment, that no unauthorized modifications have been made, that the weapon is clean, properly lubricated and in a safe, serviceable condition. Inspections will be conducted during shift briefings at least once every six months.

2. No employee shall modify, or cause to be modified; any department issued or authorized firearms or other weapons. Nor shall any repairs or maintenance beyond routine cleaning be made without authorization from the Range Master or the Chief of Police. If a weapon malfunctions and/or becomes inoperable, a supervising officer shall be notified immediately.

3. All weapons determined to be unsafe by the Range Master will be removed from service and turned over to an authorized Armorer for repair.

4. Officers shall not furnish, lend, give or sell firearms or other weapons to any person who does not have a legal right to possess them.

5. Employees shall not display firearms or other weapons except as necessary for the performance of their duties.
   (CALEA 1.3.9 d, f)

D. Firearm Controls

1. All firearms used by police officers in the performance of their duties shall be issued or authorized by the department. The department Range Master will inspect all firearms before they are issued to insure they are functioning properly.

2. All officers shall be armed with department issued or approved firearms and ammunition while on duty.

3. Officers have the legal right to carry firearms in an off-duty capacity, and shall do so in accordance with standards and procedures established by the Chief of Police.

4. All firearms carried by police officers in an on-duty and/or off-duty capacity shall be subject to periodic inspection for serviceability by the department.
Range Master or by a supervisor. Only those firearms that meet department standards may be carried.

5. The Range Master will maintain a computerized record of each weapon approved for official use by officers. This listing will note by officer the make, model, caliber and serial number of authorized weapons. In addition the Range Master will maintain a file containing all Weapons Authorization forms. The Range Master also will maintain a Department Qualification History by officer that notes the date of qualification and the serial number of the weapon.

6. Officers may carry their on-duty weapon while off duty. Any officer who wishes to carry any other weapon while off duty must request permission in writing from the Chief of Police. If permission is granted the officer must shoot a qualifying course semi-annually with that weapon.

7. All Department owned, non-issued weapons shall be securely stored in the locked Department gun safe. (CALEA 1.3.9f)

E. Secondary Firearms

1. Additional weapons shall be allowed to be carried as backup weapons while on duty providing they meet the approval of the Chief of Police and have been inspected by the Range Master and the officer has qualified with the secondary firearm. The back up firearm must be carried in such a fashion that it is not visible. Officers wishing to carry additional weapons must submit a written request to the Chief of Police. The weapon must be on the approved list and pass inspection. Officers must qualify annually with their secondary firearm. The request form will be maintained on file and shall include the following information:

   a. Make, model, caliber and serial number of weapon.

   b. Make, caliber and specifications of ammunition to be carried.

   c. Signature of Range Master noting safety inspection and qualification, and the date approved and qualified.

2. All secondary firearms shall have a capacity of at least (5) five rounds and not more than (16) sixteen rounds. (CALEA 1.3.9 c, e)

F. Firearms Training and Qualification

1. Police officers employed by the Hermosa Beach Police Department shall demonstrate proficiency in the care and use of department authorized firearms and knowledge of the Department’s use of force policy prior to being authorized to carry any weapon. (CALEA 1.3.10)
2. All officers who are authorized to carry lethal and less-lethal weapons will be issued copies of Use of Force Policy, Firearms Policy, and Less-Lethal Policy (CALEA 1.3.12)

3. Each officer shall demonstrate their proficiency in the care and use of department approved duty firearms at least twice annually. Each officer shall demonstrate their proficiency in the care and use of authorized off-duty firearms annually. Weapons will be cleaned prior to returning to duty.

4. The prescribed course to test firearms proficiency shall be approved by the Chief of Police and under the direct supervision of the department Range Master who is a certified firearms instructor.
   (CALEA 1.3.11a)

5. A passing score is required on all phases of the prescribed firearms qualifications course except as directed by the Chief of Police.

6. All department personnel who are authorized to carry weapons are required to receive annual in-service training in the Department’s use of force policies. This training will incorporate the legal and moral responsibilities associated with the use of firearms and will include a review of applicable statutes and case law as appropriate.
   (CALEA 1.3.11)

7. Remedial training will be provided for any officers who fail to qualify with their department issued firearm. If an officer fails to demonstrate proficiency after remediation, and the Range Master indicates that proficiency will not be demonstrated, this will be grounds for termination.
   (CALEA 1.3.11c)

8. All officers are encouraged to shoot either on duty or contingent with their shifts. The Range Master will attempt to provide qualification times to meet the needs of the officers.

9. Training Records – All firearms training will be documented and the police department’s Range Master will maintain a record of each officer’s firearms training and proficiency for the most recent five (5) year period.
   (CALEA 1.3.11b)

**USE OF FIREARMS/DEADLY FORCE**

The Department considers firearms to be defensive weapons to be used only when it appears reasonably necessary to protect human life or to prevent serious bodily injury.

A. It is the policy of the Hermosa Beach Police Department that officers may use deadly force only when the officer reasonably believes that the action is in defense of human life, including the officer’s own life, or in defense of any person in imminent danger of serious physical injury. The same applies in the apprehension of a fleeing felon.
B. Definitions

1. Fleeing Felon: A suspect who is attempting to avoid apprehension, reasonably believed to have committed or attempted to commit a forcible violent act, may or may not be armed, and would pose a threat of death or serious physical injury to others. No fleeing felony suspect should be presumed to pose an imminent threat to life in the absence of actions, which would lead one to reasonably believe otherwise. The officer’s reasonable belief must be based on the subject’s actions, which previously demonstrated a threat to, or the wanton disregard for human life.

2. Belief: an objective belief determined by the facts and circumstances reasonably available to the officer at the time and viewed from the perspective of an ordinary reasonable peace officer in the same situation.

3. Serious physical injury: Grave harm or injury which causes or gives rise to the apprehension of danger to life, health, or limb. *(CALEA 1.3.2)*

C. Warning Shots

Officers shall not fire warning shots. *(CALEA 1.3.3)*

D. Disposal of Animals

The use of firearms to kill an animal which is seriously injured or poses a real threat to the safety of humans is approved when no other disposition appears reasonably available and practical. The safety of people must be given prime consideration. If practical, supervisory approval should be obtained prior to using firearms to kill an animal.

E. Display of Weapons

Unnecessarily or prematurely drawing and displaying a firearm limits an officer’s alternatives in controlling a situation, creates unnecessary anxiety on the part of citizens, and may result in an unwarranted or accidental discharge of the firearm. Officers should not draw or display a firearm unless the circumstances surrounding the incident create a reasonable belief that it may be necessary to use the firearm in conformance with this policy.

F. Surrendering of Weapons

Officers should not surrender their firearms except as a last resort and only in the most extreme situations.
SHOTGUN PROCEDURES

A. The shotguns authorized by the department are the Remington model 870, pump action, 12 gauge shotgun. For patrol/investigator use, the shotgun will be loaded with Department issued 00 buckshot in the magazine; slug rounds may be kept in reserve. Motor officers may load the shotgun with Department issued slugs in the magazine. The shotgun shall be loaded and unloaded outside of the Police building.

B. The shotgun will not have a shell in the chamber while locked in the patrol vehicle rack or motorcycle rack.

C. The Department Range Master is responsible for inspecting a shotgun before it is placed in the safe for use. The Range Master will clean and service the shotgun twice yearly.

SHOTGUN SECURITY

A. Shotguns will be securely maintained.

B. Shotguns are to be kept in the locked gun safe or in the locking holder in marked patrol vehicles. Shotguns will be stored in the safe unloaded with the action open. If a shotgun is removed from either of these locations, it is to remain in the employee’s control at all times.

C. When officers take a police unit out of service for repair or maintenance, the officers are responsible for taking the shotgun out of the unit, unloading it and placing it in the gun safe.

INSPECTION OF SHOTGUNS

A. Officers will inspect the shotgun in their marked patrol vehicles to ensure that the weapon is loaded and properly functioning at the beginning of their shift.

B. Should a shotgun malfunction, become inoperable and/or become jammed with live ammunition, the following procedure is to be followed:
   a. The officer shall engage the safety (safety is on).
      The officer shall notify the Range Master and will attempt to correct the problem if it can be done safely.
   b. If the malfunction cannot be safely corrected, the shotgun shall be red-tagged and placed in the gun safe.
   c. In each case of a malfunction, the officer will submit a memo addressed to the Range Master detailing the circumstances of the malfunction.
   d. The Range Master will have the malfunctioning shotgun rendered safe and repaired.

Investigators who have a shotgun in the trunk of their unmarked unit will inspect their shotgun and ensure it is properly maintained and serviced.
USE OF SHOTGUNS

A. Officers should consider the following when evaluating the need for a shotgun:

1. The shotgun may be taken from the patrol vehicle in most cases where a felony is in progress or when it has already been determined that the suspect(s) are or may be armed with deadly weapons.

2. The shotgun can be a hindrance in certain situations such as foot pursuits, searches, and when handling prisoners.

B. Procedures On-Duty for Loading and Unloading the Shotgun

1. At the beginning of each patrol shift, officers will remove the shotgun from the shotgun rack and perform a safety check. Anytime an officer receives a gun from another officer they will perform a safety check.
   a. The action should be open. If not, pull the action back (action open.)
   b. Push the safety on.
   c. Ensure the weapon is empty (visually examine the chamber and magazine).

2. All Loading and Unloading of Shotguns will be done OUTSIDE the Police Building. Shotguns must be taken directly to the vehicle and secured in the shotgun rack.

3. Loading for Placement into the Vehicle (Administratively loaded):
   a. Ensure the chamber and magazine are empty (visually examine the chamber and magazine).
   b. Push the fore stock forward, closing the action. Keep the muzzle high and pointed in a safe direction.
   c. Take the safety OFF.
   d. Pull the trigger, letting the hammer fall.
   e. Put safety on
   f. Load four (4) rounds into the magazine tube.
   g. Place the shotgun into the locking mechanism.

4. Removal From the Police Vehicle – Unloading
   a. Unlock the mechanism and remove the shotgun.
   b. Make sure the safety is ON.
   c. Pull the fore stock to the rear, opening the action. Keep the muzzle high and pointed in a safe direction.
d. Reach into the ejection port and remove the round from the loading ramp.

e. With the thumb of the weak hand, push the loading gate up from the loading port so the thumb can rest on the shell latch.

f. Press the shell latch and remove the remaining three (3) rounds from the magazine tube, one round at a time. Never "Rack" rounds out of the weapon.

g. Ensure the weapon is empty (visually examine the chamber and magazine).

h. Secure the shotgun in the patrol gun locker.

D. Five Point Safety Check-Remington 870

1. First: Ensure that the weapon is empty (visually examine the chamber and magazine).

2. Disassembly: Disassemble the shotgun by removing the magazine cap by turning clockwise with fingers. Next, remove the barrel by pulling it away from the receiver. Replace the magazine cap - one turn keeps the bolt from pulling out as the slide is pushed forward.

3. Safety Checks:

   Check #1: Look into the barrel bore for obstructions and cleanliness.

   Check #2: Check the barrel notches for excessive damage or wear (Bolt locking, Ejector and Extractor notches).

   Check #3: Pull the slide partially closed. Check the extractor for spring.

   Check #4: Check the safety. Pull the slide forward to close the action. Put the safety **ON** and Pull the trigger. If the safety is working properly, the trigger should not pull.

   Check #5: Check the firing pin. Push the safety **OFF** and place a finger over the small hole in front of the bolt. Pull the trigger. The firing pin should strike your finger.

4. Assembly: Remove the magazine cap. Replace the barrel to the receiver. Replace the magazine cap finger tight, then back off two clicks.

**SHOTGUN TRAINING AND QUALIFICATION**

Training must be monitored by the Range Master and will be held at least annually in conjunction with a scheduled sidearms qualification for all officers. Officers who fail to qualify to standards established by the Range Master will not be authorized to utilize the
shotgun until such time as they can prove proficiency. In addition, each officer shall be familiar with the nomenclature use and care of the shotgun before use of the weapon on duty. Records of shotgun qualification will be documented and maintained with other firearms qualification records by the Range Master.

Semi-automatic, bolt action rifle, automatic, and tear gas training, qualification and re-certification will occur at least annually or as often as needed. The training shall include classroom and range qualification and shall be as approved by the Chief of Police, as recommended by the Range Master. The Range Master shall certify those who qualify. An officer failing the training may reapply in six months. The Range Master shall keep a record of training and fully document qualification or rejection.

**AR-15 RIFLE POLICY AND PROCEDURES**

The Hermosa Beach Police Department has adopted the AR-15 rifle for use within a Patrol Rifle Program. The implementation of this program will provide officers with a more effective means to protect the community and themselves in a situation involving suspects utilizing body armor and/or high powered high capacity weapons.

A. All patrol officers will be trained in the use of the AR-15 rifle. After successful completion of a training program, they will be authorized to carry and deploy the AR-15 rifle on-duty.

B. The Patrol Rifle Program will be supervised by the Operations Lieutenant. The Operations Lieutenant will be responsible for:

1. Ensuring that officers understand and comply with this Policy.
2. Scheduling annual inspections of each AR-15 Rifle by a Department Armorer.
3. Ensure that proper files are maintained for each AR-15.
4. Monitor Training/Qualifications to ensure that assigned personnel participate at an appropriate level of proficiency.

C. Authorized Use of the Colt AR-15 Rifle

1. The primary use of the Colt AR-15 Rifle is in situations that require superior fire power against suspected armed suspects. And ONLY in situations where it is beyond the capabilities of normal patrol weaponry.

2. The AR-15 is to be considered a defensive weapon to be used only when necessary to protect human life, or to prevent serious bodily injury.

3. All use of the AR-15 shall be in accordance with required training programs by the Range Master.

4. An officer will deploy the AR-15 only when it is a situation that requires superior fire power against suspected armed suspects.
a. Long distance 
b. Multiple suspects 
c. Suspects utilizing body armor 
d. High powered or capacity weapons 
e. The incident involves or may involve a weapon capable of inflicting death or serious bodily injury.

5. A member of this Department shall not brandish an AR-15 in the performance of duty except under circumstances known, or reasonably believed to be, potentially dangerous.

D. After any deployment of the AR-15

1. The Officer will return the weapon to his or her unit, securing it in an appropriate manner.

2. If the weapon is fired, the Department’s Officer Involved shooting policy will be in effect.

E. AR-15 Rifle Maintenance

1. On a semi-annual basis, the Range Master will check each rifle and .223 caliber ammunition and magazines to be used by officers. The rifle will be disassembled, cleaned and visually inspected. The weapon will then be reassembled, and placed in the locked gun safe.

2. Should a rifle malfunction, become inoperable and/or become jammed with live ammunition, the following procedure is to be followed:

   a. The officer shall engage the rifle safety (safety is on). The officer shall notify the Range Master and will attempt to correct the problem if it can be done safely.
   f. If the malfunction cannot be safely corrected, the rifle shall be red-tagged and placed in the gun safe.
   g. In each case of a malfunction, the officer will submit a memo addressed to the Range Master detailing the circumstances of the malfunction.
   h. The Range Master will have the malfunctioning rifle rendered safe and repaired.

F. AR-15 Rifle Qualification Training

1. All Officers will receive an orientation training for the Rifle Program {classroom and range day} to be determined by the Range Master.

2. Officers will receive a minimum of 8 hours of introductory training in the use of the AR-15 rifle. Training will include a qualification course that each officer must successfully complete.
3. Training and qualification will be conducted by Department approved Instructors and qualification records will be documented and maintained in the firearms qualification files by the Range Master.

4. An officer who fails to qualify and/or fails to attend the required training qualification sessions within a calendar year will be removed from the program.

5. Qualification will be held annually. Each officer must qualify to standards established by the Range Master.

6. Each officer must know all the procedures for the loading and unloading of the Colt AR-15.

7. In addition, each officer shall be familiar with the nomenclature use, and care of the rifle before use of the weapon on duty.

G. Miscellaneous

1. The in-service AR-15 rifles will be loaded with department issued ammunition. The approved ammunition will be .223 caliber rounds, in 20 and 30 magazines only.

2. A rifle will not be left in the vehicle when stored or parked at any repair facility.

3. Rifles in the gun safe will be unloaded and the action will be open.

4. Unless deployment is necessary, the AR-15 will be kept in the Patrol Unit rifle rack.

POLICY AND PROCEDURE FOR AUTHORIZED USE OF SPECIAL WEAPONS

Officers who have been properly trained and qualified in the use of special weapons shall be allowed to possess and use them in accordance with deployment criteria contained in this procedure.

DEFINITIONS

Special weapons are defined as all firearms, either departmental or personal, other than side arms, that may be deployed in a tactical situation. They include:

- Shotguns (pump or semi-automatic)
- Rifles (semi-automatic or bolt action, .223/5.56MM, 9mm, or .308/7.62MM)
- Automatic weapons (.223/5.56MM, 9mm or .308/7.62MM)
- Teargas launcher
Only weapons recommended by the departmental Range Master and authorized by the Chief of Police may be utilized by qualified officers. The Range Master will provide a list of acceptable weapon manufacturers. The Range Master may modify this list as needed without changing the policy to ensure that officers are carrying dependable weapons. If an officer wishes to carry a weapon not on the authorized list, the officer can do so with approval of the Range Master and Chief of Police. However; all special weapons will be loaded with department issued/approved ammunition only.

A. Officers should consider the following when evaluating the need for special weapons:

1. The special weapon taken from the patrol vehicle in most cases where a felony is in progress or when it has already been determined that the suspect(s) are or may be armed with deadly weapons.

2. Special weapons can be a hindrance in certain situations such as foot pursuits, searches, and when handling prisoners.

B. After any deployment of a special weapon;

1. The officer will return the weapon to his or her unit, securing it in an appropriate manner.

2. If the weapon is fired, the Department’s Officer Involved Shooting policy will be in effect.

C. Special Weapons Maintenance

1. On a semi-annual basis, the Range Master will check each special weapon to be used by officers. The weapon will be disassembled, cleaned and visually inspected. The weapon will then be reassembled and placed in the locked gun safe.

2. Should a weapon malfunction, become inoperable and/or become jammed with live ammunition, the following procedure is to be followed:

   a. The officer shall engage the safety (safety is on).

   b. The officer shall notify the Range Master or supervisor and will attempt to correct the problem if it can be done safely.

   c. If the malfunction cannot be safely corrected, the special weapon shall be red-tagged and placed in the gun safe.

   d. In each case of a malfunction, the officer will submit a memo addressed to the Range Master detailing the circumstances of the malfunction.

   e. The Range Master will have the malfunctioning weapon rendered safe and repaired.
SPECIAL WEAPONS TRAINING AND QUALIFICATION

1. Training and qualification will be conducted by Department approved Instructors and qualification records will be documented and maintained in the firearms qualification files by the Range Master.

2. An officer who fails to qualify and/or fails to attend the required training qualification sessions within a calendar year will be removed from the program.

3. Qualification will be held annually. Each officer must qualify to standards established by the Range Master.

4. Each officer must know all the procedures for the loading and unloading of the special weapon.

5. In addition, each officer shall be familiar with the nomenclature use, and care of the special weapon before use of the weapon on duty.

REPORTING DISCHARGE OF FIREARM

1. Whenever an officer discharges a firearm, rifle or shotgun other than at an approved range, the officer must immediately notify the on-duty Watch Commander. The Watch Commander or on-duty/on-scene supervisor shall submit a report (Use of Force Form) detailing the circumstances of the shooting to the Support Services and Operations Division Commanders prior to the end of the employee’s watch.

2. Discharge of Firearms will be reviewed utilizing the procedures outlined in Policy O3.16 of this manual.

PROVIDING MEDICAL AID FOLLOWING USE OF LETHAL WEAPONS

1. Rendering medical aid to any individuals who are injured is a top priority.

2. If there are any injuries sustained as the result of the discharge of a firearm, officers involved will immediately notify dispatch to have paramedics respond to the scene.

3. Officers will utilize their first aid skills to provide assistance to shooting victims until such time as the paramedics arrive.

(CALEA 1.3.5)

AUTHORIZED DUTY HANDGUN MANUFACTURERS

The following manufacturer’s handguns are authorized for duty use. The handguns must meet all other department specifications and requirements and be approved by the Range Master.

- Beretta
- Ruger
- Colt
- STI
AUTHORIZED OFF DUTY HANDGUN MANUFACTURERS

The Following manufacturers handguns are authorized for off duty use. The handgun must meet all other department specifications and requirements and be approved by the Range Master.

Beretta               Para Ordinance
Colt                  Ruger
FN                    STI
Glock                 Sig Sauer
Heckler & Koch        Smith & Wesson
Kahr                  Springfield Armory
Kel-Tec               Wilson Combat
Kimber                Walther

AUTHORIZED SPECIAL WEAPONS MANUFACTURERS

The Following manufacturers of Special Weapons are authorized for duty use.

Colt                   Remington
Federal Labs           Smith & Wesson
Heckler & Koch

SECONDARY WEAPONS

Due to the unique nature and requirements of secondary weapons any manufacturer’s weapon may be used subject to inspection and approval by the department Range Master and qualification by the officer. Calibers smaller than those allowed for Off Duty use are allowed. No caliber larger or more powerful than authorized duty calibers will be allowed.

AUTHORIZED AMMUNITION

Only ammunition approved by the Chief of Police, as recommended by the Range Master, shall be utilized in special weapons. Most authorized ammunition is listed below, however in an emergency incident, other ammunition may be utilized.
(CALEA 1.3.9 b)
APPROVED DUTY AMMUNITION LIST AS OF 11-30-2015

9MM

Federal Tactical 135gr. +P JHP (LE9T5)
Federal HST 147gr. JHP (P9HST2)
Federal Tactical 124gr. JHP (LE9T1)
Speer Gold Dot 124gr. +P JHP (23617)
Speer Gold Dot 147gr. JHP (23619)
Hornady Critical Duty 135gr. +P FlexLock (90236)
Winchester Ranger-T 127gr. +P+ JHP (RA9TA)
Remington Golden Saber 147gr. JHP (GS9MMC)
Winchester Ranger-T 124gr. +P JHP (RA9124TP)
Winchester Ranger-T 147gr. JHP (RA9T)
Winchester 147gr. bonded JHP (RA9B/Q4364)

40 S&W

Federal Tactical 165gr. JHP (LE40T3)
Federal HST 180gr. JHP (P40HST1)
Federal Tactical 180gr. JHP (LE40T1)
Hornady Critical Duty 175gr. FlexLock (91376)
Remington Golden Saber 180gr. JHP (GS40SWB)
Speer Gold Dot 180gr. JHP (23962)
Speer Gold Dot 155gr. JHP (23961)
Winchester Ranger-T 165gr. JHP (RA40TA)
Winchester Ranger-T 180gr. JHP (RA40T)
Winchester 180gr. bonded JHP (Q4355)

10MM

Federal Hydra-Shok 180gr. JHP (P10HS1)
Winchester Silvertip 175gr. JHP (X10MMSTHP)
Winchester SXT 200gr. JHP (S10MM)
Hornady 155gr. JHP (9122)

45 ACP

Federal HST 230gr. JHP (P45HST2)
Federal HST 230gr. +P JHP (P45HST1)
Federal Tactical 230gr. JHP (LE45T1)
Hornady Critical Duty 220gr. +P FlexLock (90926)
Speer Gold Dot 230gr. JHP (23966)
Winchester Ranger-T 230gr. JHP/JHP+P (RA45T) (RA45TP)
APPROVED OFF-DUTY/BACK-UP AMMUNITION AS OF 11-30-2015

.380 ACP
Buffalo Bore 95gr JHP/90gr. JHP+P (27D)(27C)
Cor Bon 80gr. DPX HP (DPX38080)
Federal Hydra-Shok 90gr. JHP (P380HS1H)
Hornady Critical Defense 90gr. FTX (90080)
Speer Gold Dot 90gr. JHP (23606)
Remington 102gr. Golden Saber HP (GS380B)
Winchester 95gr, SXT (RA380T)

.38 Special
Buffalo Bore 158gr. SWCHP/SWCHP +P (20C/20) (20A/20)
Cor Bon DPX 110gr. HP+P (DPX38110)
Federal Hydra-Shock 147gr. +P+ (P38HS2G)
Hornady Critical Defense 110gr. FTX +P (90311)
Speer Gold Dot 135gr. JHP+P (23921)
Winchester, Federal or Remington 158gr. SWCHP+P
Winchester, Federal or Remington 148gr Wadcutter

.357 Magnum
Federal 125gr. JHP (C357B)
Federal 130gr. Hydra-Shok JHP (P357HS2H)
Speer Gold Dot 135gr. JHP (23917)
Speer Gold Dot 125gr. JHP (23920)

APPROVED DUTY RIFLE AMMUNITION

.223/5.56MM
Federal Tactical 55gr. or 62gr. JSP (LE223T1/LE223T2)
Federal 60gr. Nosler JSP (P223Q)
Federal, Winchester or Remington 55gr. SP or HP
Federal Fusion 62gr. (F223FS1) (F223MSR1)
Speer 55gr. or 64gr. Gold Dot (24448/24456)
Winchester 55gr. FMJ (Q3131 or Q3131A)
Winchester 62gr. FMJ (RA556M855)
Winchester 60gr. Nosler JSP (Q3283)
Winchester 64gr. JSP (RA223R2) (RA556B)

.308/7.62MM
Federal 168gr. BTHP Match (GM308M)
Federal Tactical 165gr. JSP (LE308T1)
Winchester 168gr. BTHP Match (S308J)
**12 Gauge**

Winchester, Federal or Remington 2 ¾” 8 or 9 pellet 00 Buckshot
Winchester, Federal or Remington 2 ¾” Rifled Slug

APPROVED:

[Signature]

Sharon Papa
Chief of Police
PURPOSE AND SCOPE

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

I. DEFINITIONS

Definitions related to this policy include:

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

**Force** - The application of:

- physical techniques or tactics used to control another person, such as, but not limited to, personal weapons (hands, knees, punches, kicks, etc.)
- Forceful pressure points, joint manipulation, take-downs
- chemical agents
- weapons to another person.

**Reasonable Belief:** The facts or circumstances the officer knows, or should know, are such to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.

**Serious Physical Injury:** A bodily injury that creates a substantial risk of death, unconsciousness, causes serious, permanent disfigurement; or results in long-term loss or impairment of the functioning of any bodily member or organ.

It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed or restrained.
POLICY

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

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

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

I. DUTY TO INTERCEDE

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

USE OF FORCE

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

(CALEA 4.1.1)

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

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

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

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

Any employee whose actions or use of force in an official capacity results in death or serious
physical injury, will be removed from line-duty assignment, pending an administrative review. (CALEA 4.2.3)

I. USE OF FORCE TO EFFECT AN ARREST

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

II. FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include, but are not limited to:

(a) The apparent immediacy and severity of the threat to officers or others (Penal Code § 835a).

(b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.

(c) Officer/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).

(d) The conduct of the involved officer (Penal Code §835a)

(e) The effects of drugs or alcohol.

(f) The individual’s apparent mental state or capacity (Penal Code §835a).

(g) The individual’s apparent ability to understand and comply with officer commands (Penal Code §835a)

(h) Proximity of weapons or dangerous improvised devices.

(i) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.

(j) The availability of other reasonable and feasible options and their possible effectiveness (Penal Code §835a).

(k) Seriousness of the suspected offense or reason for contact with the individual.

(l) Training and experience of the officer.

(m) Potential for injury to officers, suspects and others.
(n) Whether the person appears to be resisting, attempting to evade arrest by flight or is attacking the officer.

(o) The risk and reasonably foreseeable consequences of escape.

(p) The apparent need for immediate control of the subject or a prompt resolution of the situation.

(q) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.

(r) Prior contacts with the subject or awareness of any propensity for violence.

(s) Any other exigent circumstances.

III. 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:

(a) The degree to which the application of the technique may be controlled given the level of resistance.

(b) Whether the person can comply with the direction or orders of the officer.

(c) Whether the person has been given sufficient opportunity to comply.

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

IV. 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:

(a) The officer shall have successfully completed department-approved training in the use and application of the carotid control hold.

(b) 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:

1. The subject is violent or physically resisting.

2. 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.

(c) 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:

1. Females who are known to be pregnant
2. Elderly individuals
3. Obvious juveniles
4. Individuals who appear to have Down syndrome or who appear to have obvious neck deformities or malformations, or visible neck injuries

(d) 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.

(e) 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.

(f) Any officer attempting or applying the carotid control hold shall promptly notify a supervisor of the use or attempted use of such hold.

(g) The use or attempted use of the carotid control hold shall be thoroughly documented by the officer in any related reports.

V. USE OF FORCE TO SEIZE EVIDENCE

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

DEADLY FORCE APPLICATIONS

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

(a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury to the officer or another person.
(b) An officer may use deadly force to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that serious bodily injury to another unless immediately apprehended.

(c) Where feasible, the officer shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.

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

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

(CALEA 4.1.2)

I. SHOOTING AT OR FROM MOVING VEHICLES

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

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

REPORTING THE USE OF FORCE

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. The required report(s) will be completed by the involved officers and reviewed by a supervisor prior to the end of shift. 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. Complaints of injury when force has not been used shall be documented in the arrest/incident report. Any allegation that an officer has caused injury to a subject shall be reviewed by the Operations Division Commander to determine if a Use of Force Report is warranted.

(CALEA 4.2.2)

All reported uses of force will be reviewed by the Operations Lieutenant to determine whether;

1) Department rules, policy, or procedures were violated.

2) The relevant policy was clearly understandable and effective to cover the
situation.

3) Department training is currently adequate.
   (CALEA 4.2.4)

I. NOTIFICATION TO SUPERVISORS

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

   (a) The application caused a visible injury.

   (b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.

   (c) The individual subjected to the force complained of injury or continuing pain.

   (d) The individual indicates intent to pursue litigation.

   (e) Any application of a TASER device or control device.

   (f) Any application of a restraint device other than handcuffs, The Wrap, shackles or belly chains.

   (g) The individual subjected to the force was rendered unconscious.

   (h) An individual was struck or kicked with any object or personal weapons.

   (i) A takedown or any other adversarial physical contact.

   (j) An individual alleges any of the above has occurred.

II. REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

Statistical data regarding all officer-involved shootings and incidents involving use of force resulting in serious bodily injury is to be reported to the California Department of Justice as required by Government Code § 12525.2. See the Records Bureau policy.

   MEDICAL CONSIDERATION

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

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

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

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

**SUPERVISOR RESPONSIBILITY**

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

(a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.

(b) Ensure that any injured parties are examined and treated.

(c) When possible, separately obtain a recorded interview with the subject upon whom force was applied. If this interview is conducted without the person having voluntarily waived his/her Miranda rights, the following shall apply:
   1. The content of the interview should not be summarized or included in any related criminal charges.
   2. The fact that a recorded interview was conducted should be documented in a property or other report.
   3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.

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

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

(f) Review and approve all related reports.

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

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

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

I. WATCH COMMANDER RESPONSIBILITY

The Watch Commander shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to address any training issues.

TRAINING

Officers will receive annual training on this policy and demonstrate their knowledge and understanding. All Department Members authorized to carry weapons will receive this policy and related training before authorization to carry the weapon(s).

USE OF FORCE ANALYSIS

At least annually, the Operations Division Commander should prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report should not contain the names of officers, suspects or case numbers, and should include:

(a) The identification of any trends in the use of force by members.

(b) Training needs recommendations.

(c) Equipment needs recommendations.

(d) Policy revision recommendations.

(CALEA 4.2.4)

APPROVED:

Michael McCrary
Interim Chief of Police
PURPOSE

Consistent with this department’s philosophy of using the minimum amount of force to control a violent person(s), the Chief of Police has authorized the use of less lethal weapons to subdue or incapacitate an offender or subject using electronic control devices, substances, or projectiles.

POLICY

It is the policy of this Department that only those weapons authorized by the Range Master for use by officers will be carried. Only department personnel receiving training and demonstrating proficiency in less lethal weapons will be authorized to carry these weapons. Less lethal control devices may be employed when a decision has been made to restrain or arrest a violent, threatening, non-compliant, or suicidal subject.

PROCEDURE

I. Chemical Agents:

A. Department employees must complete an approved chemical agent, Oleoresin Capsicum (O.C.), training class conducted by a certified instructor before being authorized to carry any chemical agent. Only Department issued Oleoresin Capsicum may be carried by officers.

B. O. C. training is conducted during the POST Basic Police Academy as part of the regular curriculum. Completion of the Academy certifies that officers are qualified to carry Oleoresin Capsicum spray. All training will be documented. In-service training of all less lethal weapons shall occur at least every two years.

C. Chemical agents shall be used only for the protection of persons and property, and in accordance with:

1. The department’s policy
2. State statute.

D. In utilizing a chemical agent, the following factors should be considered:

1. Wind direction;
2. Potential effect on others;
3. Physical/mental condition of the suspect.

E. O.C. Spray is generally most effective when sprayed from four to twelve feet from the suspect. Closer employment can result in a washing out effect where the chemical carrier cannot evaporate, rendering the spray less effective.

F. Chemical agents may be used when an officer or other person is in immediate danger of physical attack, or the use of physical force is necessary and justifiable.

1. Chemical agents shall never be used indiscriminately.

2. Chemical agents may be used when there is a credible threat of violence coupled with a present ability to cause injury to an officer or any other person.

3. Chemical agents may be used when the officer determines that the force is reasonable to affect an arrest, to prevent escape, or to overcome resistance.

4. Chemical agents may be used to disperse crowds who are in violation of 404 P.C. (Riot) and 408 P.C. (Rout) and have refused to comply with a lawful order to disperse, in violation of 409 P.C.

5. Chemical agents shall not be used once the suspect’s violent activity is no longer likely to cause injury, property damage, or escape.

G. Use of O.C. Spray by CSO’s (Supersedes General Order No. 14)

1. Community Services Officers shall have the option of carrying Department issued Oleoresin Capsicum (O/C) aerosol chemical agent in canister form when on duty.

2. Community Services Officers shall be certified to carry O/C by completing a Department approved course of instruction. The chemical agent will be carried in the issued nylon or leather carrier and routinely inspected by a supervisor for leaks or other unsafe conditions.

3. Community Services Officers may deploy O/C to defend themselves against attack from dogs or other dangerous animals they encounter while performing their duties.

4. Community Services Officers may deploy O/C to defend themselves against attack from violent persons. Verbal threats made by a person are insufficient grounds for its use without the present ability to carry out the threats.

5. The on-duty Community Services Field Supervisor and the on-duty Police Watch Commander shall be notified as soon as reasonably possible of the use of the O/C chemical agent. Each use of this chemical agent by a Community Services Officer shall be reported in a
written memo that is to be forwarded to the Division Commander. The memo shall explain the circumstances under which the O/C was used and the effects of its use. If the O/C was used to defend against an attack from a violent person, the memo shall include whether or not the person was arrested.

6. It will be the responsibility of the arresting officer to document in the arrest report, the time and circumstances when the face was flushed. If flushing is not accomplished, the arrest report must state the reason for failure to do so.

H. First Aid for Chemical Agents

1. Whenever possible the suspect shall be placed in an upright seated position.

2. While the suspect is in the vehicle the windows to the police vehicle shall remain open, unless the suspect continues to be physically uncooperative.

3. As soon as practicable, the suspect’s affected area should be flushed with large volumes of water. The officer shall continuously monitor the suspect until such time that the suspect is not experiencing difficulty in breathing.

4. Paramedics may be called for medical assessment if the officer determines there is a need.

I. Discharge Reporting - Any use of chemical agent shall be reported to the shift supervisor as soon as practical. A Use of Force report must be filed in every instance by the officer(s) or employee using a chemical agent before the termination of the tour of duty in which the incident occurred.

1. This report shall include:
   a. Circumstances of the incident, actions justifying use.
   b. Persons known to be contaminated by chemical agent.
   c. Witnesses to incident.
   d. Medical aid rendered.

2. This information can be included in the police crime report in most circumstances.

II. Impact Weapons

A. Only Department issued or authorized impact weapons may be carried on duty. The following impact weapons are authorized for use by the Hermosa Beach Police Department:
1. Straight Baton
2. Side Handle Baton
3. Expandable Baton
4. Riot Baton
5. Sap

The regulation sap shall be the Gonzales model 415 black sap or similar sap weighing no more than 23 ounces. It is approved and may be purchased and used by officers as an optional impact instrument.

B. Required Training

1. All police officers must meet the statutory requirements for the use of impact weapons before being authorized to carry the weapon and complete an impact weapon/baton update class every two years. The training must be taught by a POST certified Impact Weapons Instructor.

2. Officers shall carry the type(s) of impact weapon(s) for which they have received an authorized course of training. The authorized course may be taught by an outside agency or by a departmentally approved in-house impact weapons instructor.

3. The training must be documented and maintained in Department training files.

C. Use of Impact Weapons

1. Officers are no longer required to carry an impact weapon on their person as long as they are carrying the department approved TASER, but must have a baton available in their vehicle.

2. Detectives and any other officer working a plain clothes or undercover assignment may carry the sap.

3. Officers are authorized to use only the techniques taught by a POST certified Impact Weapons Instructor, during impact weapons training.

4. Areas of the body to avoid: strikes above the shoulder (to the head and neck area) are prohibited unless circumstances justify the use of deadly force. The use of the baton/sap, as an impact instrument, to the spine, solar plexus, groin, or kidneys is to be avoided; however, an officer may utilize impact strikes to the above areas if, in the officer’s judgment, it is a reasonable option.
D. Injuries

1. Any injured persons will be given medical attention as soon as possible.

2. Medical treatment:
   a. Persons struck with an impact weapon shall be treated by paramedics or at a designated treatment hospital as soon as practicable after the incident.
   b. Persons should be medically cleared prior to being booked into Jail.

E. Photographs for evidentiary purposes of all areas of the body struck by the baton will be taken following the initial medical treatment.

F. Reporting Use of Impact Weapons

1. The use of impact weapons will be reported and reviewed as with other ‘use of force’ incidents. Such incidents will be reported on the Use of Force Report form.

2. Whenever an officer inflicts injury by use of an impact weapon, in addition to the Use of Force Report, a narrative describing the circumstances of the incident is required. For the purposes of this report, a detailed crime report will satisfy this requirement.

III. 12 Gauge Bean Bag Weapon/Gas-Projectile Launcher

A. The Department is committed to reducing the potential for violent confrontations with offenders we encounter. Less-lethal munitions, when used reasonably, are less likely to result in death or serious physical injury

B. Less-lethal munitions are justified and may be used to compel an individual to cease his/her actions when such munitions present a reasonable option for resolving the situation. Officers are not required or compelled to use less-lethal munitions in lieu of other reasonable tactics. Officers may need to respond with reasonable deadly force options if the officer(s) involved determine that safe deployment of less-lethal munitions cannot be accomplished. The safety of hostages, innocent third-party citizens, and officers, takes priority over the safety of subjects engaged in criminal or suicidal behavior.

C. Examples of Circumstances Appropriate for Deployment of the 12 Gauge Bean Bag Weapon/Gas-Projectile Launcher:

1. An offender is armed with a weapon and the tactical circumstances allow for the safe application of less-lethal munitions.
2. A violent offender armed with a weapon that is not a firearm (e.g. baseball bat, sword, crow bar, shovel, etc.)
3. Civil disturbances where the offender is engaged in riotous behavior, or is throwing rocks, bottles, or other dangerous projectiles at civilians or officers.
4. A suspect is armed with a knife or similar weapon.
5. The suspect has made credible threats to harm him/herself or others.

D. Deployment Considerations – The following factors should be considered before discharging less-lethal projectiles:

1. The severity of the crime or incident.
2. The offender’s capability to pose an immediate threat to the safety of officers or others.
3. The offender is actively resisting arrest or attempting to evade arrest by flight.
4. The credibility of the subject’s threats as evaluated by officers present, as well as the subject’s physical capacity and capabilities.
5. The type and proximity of the weapons available to the subject.
6. The officer’s versus the subject’s physical factors.
7. The reasonableness of other force options versus the offender’s threat.
8. Distance and angle to the targets on the offender.
9. Type of munitions employed.
10. Type and thickness of the subject’s clothing.
11. The subject’s actions dictate the need for an immediate threat response and the use of less-lethal munitions appears appropriate.

E. Shot Placement

1. The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. Less-lethal munition projectiles will be delivered to suspect target areas based on the circumstances, the established safety priorities, and the level of force reasonable to conclude the incident.

   a. The intentional placement of shots to the extremities, lower abdomen, and the buttocks will be considered when incapacitation is reasonable and a minimal potential for injury is an appropriate response. These targets carry a low risk of serious injury with a low potential for immediate incapacitation.

   b. The intentional placement of shots to the front torso, back, and groin will be considered when incapacitation is reasonable and a
potential for increased injury is reasonable given the circumstances as they appeared to the officer(s). These targets carry a higher risk of serious injury with a higher potential for immediate incapacitation.

c. The intentional placement of shots to the head, neck, or spine will be considered when incapacitation in reasonable and a high potential for injury is an appropriate response. These targets carry a very high risk of serious injury with a high potential for immediate incapacitation and should only be utilized when deadly force would be authorized.

2. The potential for causing death or serious physical injury with such projectiles is a reality. This potential is greatly reduced when impacts to the head and neck are avoided, and when appropriate medical examination is provided in cases where a suspect is struck in an area that might conceal a closed injury, including such areas as the chest, back, thoracic and abdominal cavities, and the groin.

F. Safety Considerations in the Deployment of Less-Lethal Munitions

1. Generally this system will not be deployed in the field without a cover officer utilizing firearms loaded with conventional, Department-issued ammunitions, except in circumstances where it is not practicable.

2. The cover officer will be responsible for protecting the officer employing less-lethal munitions from assault that would cause a reasonable officer to be in fear of imminent death or serious bodily injury based on the circumstances at the time.

G. Department Authorized Less-Lethal Firearm and Munitions

1. This Department shall utilize a distinctively marked 12 gauge shotgun that is dedicated for deployment of a bean bag round.

2. The bean bag will be .09 pounds, filled with small lead shot.

3. The velocity will be 300 feet per second, and it will have a normal operating range of 10 to 25 yards.


H. Only qualified Department personnel shall use the 12 Gauge Bean Bag Weapon and Gas-Projectile Launcher. To be qualified officers must complete department training in the use of these weapons and show proficiency in their use at least every two years. Training will be conducted by a certified firearms instructor and will be documented in agency training files.

I. The 12 gauge bean bag weapon will be carried in the locked trunk of the police vehicle, in a distinctively marked case, and it must be inspected at the
beginning of each shift, utilizing the same procedure as the standard shotgun. When stored in the police station, it shall be secured in a locked gun locker.

J. Only less-lethal munitions will be loaded in these shotguns.

K. The gas-projectile launcher will be stored in the gun locker and only deployed when authorized by the Operations Division Commander.

L. Personnel encountering a situation which may require the use of the weapon, when feasible, will immediately notify the Watch Commander. The weapon can be deployed before the arrival of the Watch Commander if the situation dictates such deployment.

M. Medical treatment:

1. Persons struck with less-lethal projectiles shall be treated by paramedics or at a designated treatment hospital as soon as practicable after the incident.

2. Persons should be medically cleared prior to being booked into Jail.

3. Photographs for evidentiary purposes of all areas of the body struck by the projectile(s) will be taken following the initial medical treatment.

N. Reporting Use of Less-Lethal Munitions

1. The use of less-lethal munitions will be reported and reviewed as with other use of force incidents.

2. In addition to reporting circumstances of the use on the Use of Force Report form, a Supervisor’s Deployment Report for Less-Lethal Weapons will be completed and submitted to the Operations Lieutenant.

O. All damaged, inoperative, and/or expended less-lethal control devices, including casings, shall be turned over to the Watch Commander for disposition. In those cases where the offender or subject is injured, all weapons, expended casings, or items deemed to have an evidentiary value will be preserved and processed as evidence.

P. The Range Master will inspect the shotguns and launchers regularly. All normal maintenance, charging, or cleaning of less-lethal shotguns/launchers shall remain the responsibility of the Department Range Master.

IV. Pepperball Oleoresin Capsicum Launcher

A. The Hermosa Beach Police Department authorizes the use of the Less-lethal Pepperball Oleoresin Capsicum Launcher (POC), PP3-R375 tactical projectiles. This is in keeping with the Department’s commitment to reducing the potential for violent confrontations with offenders we encounter.
B. The Pepperball Oleoresin Capsicum Launcher (POC) tactical projectiles will be defined as:

1. SA200 Launcher system or equivalent
2. PP3-R375 tactical projectile with Oleoresin Capsicum agent or equivalent

C. Training:

1. All Personnel who have successfully completed an approved course of training by department training staff shall be authorized to use the POC units.
2. Officers will be required to participate in an annual re-certification process.
3. The Department shall maintain at least one (1) certified trainer in each of these less-lethal instruments.
4. The training program for these instruments shall be included within all course instruction under the supervision of the Department Range-master or Firearms Instructor(s) and all training will be documented in department training files.

D. Procedures

1. Situation Factors: Before discharging less-lethal projectiles from a POC, the officer should consider the following factors:
   a. Severity of the crime or incident
   b. Subject’s capability to pose an immediate threat to the safety of the officer or others
   c. If the subject is actively resisting arrest or attempting to evade arrest by flight.
   d. The credibility of the subject’s threat as evaluated by the officer’s present and physical capacity/capability.
   e. The proximity of weapons available to the subject,
   f. The officer’s versus the subject’s physical factors (i.e., age, size, relative strength, skill level, injury/exhaustion, the number of officer (s) versus subject (s),
   g. The availability of the force options and their possible effectiveness,
   h. Distance and angle to target,
   i. Type and thickness of subject’s clothing,
j. The subject’s actions dictate the need for an immediate response and the use of less-lethal instruments, specifically the KEP or POC is appropriate.

2. Examples of circumstances appropriate for deployment of the POC include, but are not limited to, the following:
   a. The subject is armed with a weapon and the tactical circumstances allow for a safe application of the less-lethal instruments;
   b. The subject has made credible threats to harm himself or others;
   c. The subject is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at other persons and/or officers.

3. Officers will keep in mind the manufacturer’s recommendations regarding deployment when using less-lethal instruments (POC), but are not solely restricted to use according to these manufacturer recommendations. Each tactical situation must be evaluated on the totality of circumstances at the time of deployment.

4. In cases where the use of deadly force is justified or immediate incapacitation must be accomplished to prevent death or serious injury, officers are authorized to consider close range or extended range shots involving distances or less than 5 ft and greater than 35 yards.

E. Shot Placement

1. The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death.

2. The most effective shot placement with the POC is generally in the torso. Shots fired to the extremities, lower abdomen and buttocks carry a lower risk of serious injury (with a lower potential for immediate incapacitation).

F. Only Department-approved projectiles will be used as POC instruments.

G. Use of Less-Lethal Defense Instrument (POC)

1. The POC units will normally in a dedicated patrol unit, in a specifically marked carrying case.

2. Officers shall inspect the POC at the beginning of each shift to ensure that it is properly functioning and in good working order. (The gauge on the air cylinder should be located in the green zone)

3. Officers shall ensure that the POC is equipped with department authorized projectiles.
4. When the POC is in service it shall be carried with fully loaded hopper and a round chambered.

H. Whenever possible, the use or the impending use of a POC instrument shall be done when there is a second or more officer(s) at the scene.

1. To assure that a secondary use of force option, including lethal force can be immediately employed if the Less-Lethal option fails or is ineffective, or the scenario changes and the use of Lethal Force becomes the more appropriate option;

2. To assure that other personnel are available to restrain and secure an individual who has been neutralized by a Less-Lethal Force instrument.

3. To facilitate immediate first aid needs for the subject;

4. To assure an immediate assessment of all persons in the area so that unintended third parties were not secondary recipients of Less-Lethal Force Option(s).

I. Medical treatment:

1. Persons struck with less-lethal projectiles shall be treated by paramedics or at a designated treatment hospital as soon as practicable after the incident.

2. Persons should be medically cleared prior to being booked into Jail.

3. Photographs for evidentiary purposes of all areas of the body struck by the projectile(s) will be taken following the initial medical treatment.

J. A Use of Force Report will be completed and the on-duty watch commander shall review each use of POC devices by personnel under their supervision and forward the report to the Operations Lieutenant.

K. At the conclusion of the watch, the Less-Lethal Instruments shall be removed from the vehicle and unloaded. The Less-Lethal Instruments will be stored in the gun safe when not being used by the current shift.

V. TASER Electronic Control Device
(Supersedes General Order 4)

A. The TASER is a less-lethal conductive energy weapon using propelled wires and darts to conduct energy to a remote target, thereby controlling and affecting the central nervous system of the body. It is a hand-held battery operated unit that delivers approximately 50,000 volts of electricity, resulting in loss of control of skeletal muscles and temporary incapacitation of the person. Incorporated into the device is a laser/ light sight that aids in aiming.
B. The TASER is designed to affect only the voluntary muscles and has no reported effect on the heart muscles, rhythms or any of the body’s other involuntary systems.

C. The range of the TASER is from contact to 25 feet, although optimum range is 12 to 18 feet. The TASER may also be used as a “drive-stun” with an expended cartridge in place or removed. Deploying the TASER by discharging the wire and darts or in the “drive-stun” manner is viewed as the same level of force for purposes of this policy.

D. The TASER contains an integrated computer system that tracks all activations of the unit. The information of dates, times and number of activations may be downloaded to a computer with compatible software.

E. Authorization for use and storage
   1. Only qualified officers and supervisors who have attended TASER training and passed the certification test will be allowed to deploy the TASER.
   2. Officers shall at all times keep the TASER secured in the provided holster unless for actual usage, demonstrations, or testing of the device. In unusual instances, the officers may carry or store the device in different configurations as approved by the Operations Lieutenant.
   3. Officers shall be responsible for the safe storage of the TASER, and shall not leave it carelessly unattended. When not carried on their person, officers shall keep the TASER secured in their vehicle or in their department issued storage locker.

F. How to Carry
   1. Only authorized holsters will be used to carry the TASER.
   2. The TASER will be worn according to training instructions.
   3. The TASER will remain holstered at all times unless it is being tested or being used to respond to an incident.

G. Readiness and Safety of the TASER unit
   1. Each officer will perform a spark test at least once each week to ensure the TASER is charged and properly functioning.
   2. The TASER will not be left unattended unless properly stored.
   3. If an officer’s digital power magazine (DPM) on the TASER reaches 20% or lower, it shall be replaced. The used DPM will be turned over to the TASER coordinator for training purposes.

H. The TASER device may be used when the officer reasonably believes the following conditions exist:
1. May be used to detain or arrest a subject when the officer has reason to believe that the person has committed a criminal or public offense and there are articulable objective facts that indicate the subject presents an immediate physical threat of bodily injury to the officer or other persons. These articulable objective facts shall be documented in accordance with section M-1 of Policy O3.17.

2. May be used to incapacitate a subject when that person is either attempting to injure him/herself or commit suicide as related to 5150 WIC.

3. Lethal force does appear to be immediately justifiable and necessary. This does not preclude the TASER from being deployed in conjunction with lethal force.

4. It is reasonable to expect that the individual or officers may be injured if they approach within contact distance of the subject, such as to attempt “hands on” controlling techniques.

I. Safety Considerations:

1. The TASER should not be deployed around any kind of flammable liquids or fumes including alcohol based chemical agents. The TASER may ignite such flammables.

2. The TASER should not be deployed on females known or believed to be pregnant, on children or elderly persons unless their actions constituted life threatening behavior.

3. The TASER should not be aimed at the subject’s face, head, neck or genitals.

4. The TASER should not be used when the subject is in danger of a fall from an extreme height that would cause severe injury.

5. The TASER should not be used when at the scene of a drug house where ether is suspected to be in use.

6. The TASER should not be used against a deadly weapon without the availability of lethal force.

7. The TASER should not be used to threaten or attempt to gain information from a suspect.

8. The TASER shall not be used against a subject already in custody unless articulable objective facts indicate the subject presents an immediate physical threat of bodily injury to the officer or other persons.

9. The TASER should not be used to wake up a suspected intoxicated individual.

10. The TASER should not be used as a “PROD”.
11. No officer shall playfully, maliciously, or intentionally misuse the unit in a display of power or against an individual except to gain control of a situation.

12. The TASER shall not be used against a passively resistive subject unless there are articulable objective facts that indicate the subject/suspect presents an immediate physical threat of bodily injury to the officer or other persons.

J. Deployment

1. When feasible, officers shall provide a warning to the person that force (TASER) may be used upon them if they fail to comply with the officer’s directions.

2. The deploying officer should activate the device with one pull of the trigger, allowing the integrated 5 second pulse to initiate. After initial activation, officers shall re-evaluate the individual’s state of combative/resistance prior to subsequent activations. Every subsequent activation should be considered as an additional use of force which must be documented on the Use of Force Report related to the incident.

3. As soon as practicable after the subject has become incapacitated, he/she shall be placed in handcuffs.

4. The on-duty supervisor will be notified that the TASER has been deployed and Medical staff notified.

K. Medical Treatment

1. When the TASER is deployed and one or more of the darts has entered the subject’s body (penetration, however slight), the Paramedics will be summoned to the scene to determine if medical attention is necessary prior to the removal of the darts. If the Paramedics determine that the removal of the darts is appropriate, the darts may be removed by either the officers or the Paramedics.

2. After the darts are removed the subject will be transported by officers to a medical facility for a clearance to book (even if the subject is going to be cited-out). In the event the Paramedics determine that the darts should not be removed the subject will be transported (in custody) by the Paramedics to a medical facility for treatment and a clearance to book.

3. If the TASER is deployed using the “drive-stun” deployment technique the Paramedics will be summoned to determine if the subject requires emergency medical care. If the subject does require emergency medical
care, he/she will be transported (in custody) by the Paramedics to a medical facility for treatment and a clearance to book.

4. If the TASER is deployed as described in items 1 and 3 above, and the subject is not arrested the Paramedics will be summoned to determine if emergency medical care is required.

L. Disposal of Darts

1. The serial number of the TASER unit used and all cartridges expended will be included in the police report and the Use of Force Report.

2. If a police officer removes the darts, he/she will ensure they are treated as a biohazard and disposed of appropriately.

M. Reporting Use

1. The on-duty supervisor shall be notified of the use of the TASER as soon as possible. The TASER application shall be documented in the original police report, on the Watch Commander’s daily activity report, and on a Use of Force Report. In the event the subject is not arrested, an incident report will be completed and submitted through the chain of command to the Operations Division Commander.

N. Maintenance

1. The TASER Coordinator will be responsible for the routine maintenance of the TASERs to include cleaning, projectile inventory, and necessary repairs.

2. Officers shall inspect the TASER at the beginning of each shift.

3. Any TASER that malfunctions or is inoperable shall immediately be taken out of service, and the TASER coordinator notified. The TASER shall be tagged or marked "Out of Service" and secured in the TASER cabinet.

4. Officers will download camera files onto the department computer within 24-hours of any use.
O. Training

1. Initial training of personnel and annual proficiency training course will be coordinated and conducted by the Department Certified TASER instructor.

2. All personnel must demonstrate proficiency and the Department Certified TASER instructor will document the training and conduct remedial training for those unable to qualify prior to resuming their official duties.

3. The department Training Coordinator will be responsible for maintaining TASER training records.

(CALEA 1.3.4)

APPROVED:

Sharon Papa
Chief of Police
PURPOSE

This policy establishes procedures to ensure that prisoners are transported in a manner that will maximize their safety and the safety of the transporting officer(s).

PRISONER DEFINITION

For the purpose of this policy, the term “prisoner” shall be defined as any person arrested or detained pursuant to a criminal investigation, or any person otherwise taken into police custody for a non-criminal incident (WIC 5150 hold, protective custody, etc.).

SEARCHING PRISONERS AND TRANSPORT VEHICLES

The transporting officer is responsible for searching prisoners before they are transported, regardless of whether or not the person has been previously searched.

A “pat-down” search must be performed; however, more comprehensive searches may be performed, if deemed appropriate. Outer clothing such as jackets, hats, or shoes may be removed during the search. Removal of undergarments (“strip search”) is permissible only under extraordinary circumstances relating to officer safety, and only with Watch Commander approval.

If possible, searches should be conducted by an officer of the same sex as the person searched. If not, the searching officer shall use the appropriate hand search techniques.

Prisoners will be searched each time they come into the transporting officer’s custody, including transports between detention facilities. It should never be assumed that someone else has searched the person.

The transporting officer will search the transport vehicle to ensure that it is free of any weapons and/or contraband immediately prior to placing the prisoner in the transport vehicle. The officer will then search the transport vehicle immediately after removing the prisoner from the vehicle.

Reminder: Pursuant to section O3.26 in this manual (Patrol Vehicle Inspection), officers are required to search their vehicles prior to entering service at the beginning of each shift.

(CALEA 70.1.1; 70.1.2)
TRANSPORT OPERATIONS

All prisoners should be transported in vehicles equipped with safety cages. [Refer to section S2.19 in this manual (Police Vehicle Specifications)]. Prisoners must be handcuffed and properly seated in the prisoner cage. Prisoners should be properly secured with a seatbelt.

Multiple prisoners may be transported in the same vehicle; however, male and female prisoners shall not be transported in the same vehicle without Watch Commander approval.

Prisoners should be handcuffed individually with their hands behind their back. Appropriate restraint modifications may be utilized for persons with physical disabilities, ailments, or injuries; however, at no time shall any prisoner be handcuffed to any part of the transporting vehicle.

Prisoners restrained by means of the hobble restraint shall not be transported in the prisoner cage of a police vehicle without supervisor approval. Due to the increased risk of positional asphyxia, hobble-restrained prisoners should not be transported while lying in a face-down position.

If the prisoner is the opposite sex of the transporting officer, the officer shall:

1. Prior to transport, advise dispatch of current location, destination, and starting mileage.
2. Advise dispatch of the ending mileage upon arrival at the destination.

Supervisor approval will be required prior to transporting any prisoner in a vehicle not equipped with a safety cage, subject to the following restrictions:

a. Only one prisoner at a time may be transported in the vehicle.

b. The prisoner will be properly handcuffed, with their hands behind their back.

c. The prisoner will be properly secured with a seat belt.

d. If transported by a single officer, the prisoner shall be seated in the front passenger seat.

    e. If transported by two officers, the prisoner shall be seated in the passenger-side rear seat, with the second officer seated adjacent to him/her.

Prisoners shall be supervised by the transporting officer at all times during transit.

Two officers should be used when transporting any prisoner for an extended distance. The transporting officer(s) shall make reasonable accommodations to insure the prisoner’s comfort. Restraints may be modified or adjusted as needed; however, officer and prisoner safety concerns shall not be compromised.

(CALEA 70.1.3; 70.2.1) [70.4.1 and 70.4.2 by reference]
**PRISONER COMMUNICATION**

The prisoner should not be allowed to communicate with other persons immediately before and during that time while he/she is being transported. If deemed necessary, however, the transporting officer may allow the prisoner to communicate with others on a limited basis.  
*(CALEA 70.1.5)*

**INTERRUPTION OF TRANSPORT**

When transporting a prisoner, the transporting officer shall not respond to calls for service regardless of the circumstances. The only exception is when the transporting officer witnesses an emergency situation requiring immediate action necessary to protect life and property, and only when both of the following conditions apply:

a. The emergency presents a clear and grave risk to the third party.

b. Action by the transporting officer presents a minimal risk to the prisoner.

In all other cases, the officer shall advise dispatch to respond other officers to the scene or notify the appropriate agency if the incident is outside of the city of Hermosa Beach.

Stops should not be made while transporting a prisoner from the Hermosa Beach jail to another custody facility. However, stops may become necessary when the prisoner is to be transported an extended distance.

a. When stopping for fuel, the prisoner shall remain in the vehicle, in view of the transporting officer(s) at all times.

b. Meal breaks will only be permitted if there are two transporting officers. One officer will remain with the prisoner while the other obtains the food. Prisoner restraints may be modified to allow the prisoner to eat; however, the prisoner shall not be completely freed of restraint.

c. The prisoner will be afforded the opportunity to use the restroom. An officer of the same sex must accompany the prisoner to the restroom. Prisoner restraints may be modified; however, the prisoner shall not be completely freed of restraint.  
*(CALEA 70.1.4)*

**PRISONER ESCAPE**

If a prisoner being transported escapes within the city limits, the transporting officer shall immediately notify dispatch of his/her location and the circumstances of the escape. The transporting officer shall make every effort to regain custody of the prisoner. This may include requesting additional officers to establish a containment perimeter and initiating a local and/or regional crime broadcast.

If the escape occurs outside of the city limits, the transporting officer shall immediately advise dispatch to notify the appropriate agency of jurisdiction.
The transporting officer will submit a written report to the Watch Commander detailing the circumstances of the escape. A copy of this report shall be forwarded to the appropriate Division Commander and to the Chief of Police. (CALEA 70.1.7)

**TRANSPORTING PROCEDURES**

Upon arrival at any custody facility, the transporting officer(s) shall secure all weapons in their appropriate holding locations prior to taking custody of the prisoner(s) or before removing the prisoner(s) from the vehicle.

When transporting a prisoner from one agency or custody facility to another, the transporting officer must confirm the identity of the prisoner. The holding facility must positively identify the prisoner to be transported to the transporting officer. Identification will be confirmed through a valid government-issued identification card (with photograph) or live-scan fingerprinting. (CALEA 70.5.1 a)

The holding facility shall provide the transporting officer with all necessary documents pertaining to the prisoner. Such documents shall include the booking records and numbers assigned, and any other property or documentation specific to the prisoner. (CALEA 70.5.1 b)

The transporting officer shall inquire as to any special handling considerations prior to taking custody of the prisoner. The holding facility shall provide the transporting officer with a written report of any special handling considerations, such as escape or suicide potential. Such information shall accompany the prisoner during transport. (CALEA 70.5.1 c)

**For prisoners brought to the Hermosa Beach jail:**

A. Restraining devices will be removed only when directed to do so by the station jailer or when the officer is sure that the prisoner is properly controlled and secure.

B. If the prisoner was an outside agency pickup, the proper documentation will be transported with the prisoner and submitted to the station jailer.

C. A local booking approval form will be completed and submitted to the station jailer.

D. The jailer will be advised if the prisoner has any known medical or mental condition or physical disability.

E. The jailer and Watch Commander will be advised if the prisoner is an escape risk or requires any other special handling consideration.

F. The transporting officer shall be responsible for removing all cash and property from the prisoner. US currency shall be secured in a money envelope and placed and sealed in a clear plastic bag along with the prisoner’s other property. (Excess or bulk prisoner property will be booked into the station evidence locker.)

**For prisoners transported to court or another custody facility:**

A. Restraining devices will be removed only when directed to do so by the receiving facility.
B. The prisoner’s property and documentation will be transported with the prisoner and submitted to the proper person(s) at the receiving facility. These documents will include any applicable forms and reports (e.g.: prisoner transmittal, PCD, warrant abstract, etc.).

C. The jailer will be advised if the prisoner has any known medical or mental condition or physical disability.

D. The jailer will be advised if the prisoner is an escape risk or requires any other special handling consideration.

E. The transporting officer will obtain documents from the receiving facility confirming transfer of custody.

(CALEA 70.1.6; 70.1.8; 70.5.1)

SPECIAL TRANSPORT SITUATIONS

If a prisoner becomes sick or complains of injury prior to transport, the officer shall notify the field supervisor (if applicable) or the Watch Commander. If the injury or illness appears serious, the officer shall request paramedic response. The officer shall render any necessary first aid until the paramedics arrive.

Once on scene, the supervisor shall evaluate the prisoner’s medical situation and the circumstances of the detention. The supervisor may authorize the prisoner’s release from custody if it is determined that continued detention is no longer necessary in light of the prisoner’s medical situation.

If the injury or illness requires emergency medical treatment and the prisoner is to remain in custody, the prisoner shall be transported by paramedics to the hospital. An officer will accompany the prisoner to the hospital. If the prisoner is to be admitted to the hospital, the officer will immediately notify the Watch Commander and will utilize the following procedures to ensure control of the prisoner:

a. Have the prisoner released from custody, if possible and appropriate.

b. If the prisoner is to remain in police custody, the medical facility should be requested to put the prisoner in as secure and private room as possible.

c. The prisoner should be kept under observation at all times.

d. Restraining devices shall be used at all times, subject to modification as needed by medical personnel.

For long term admissions, appropriate staffing measures will be implemented to ensure continued prisoner supervision. This may include continued physical presence by Hermosa Beach Police officers. For prisoners admitted to Harbor-UCLA Medical Center, control may be relinquished to the on-site Los Angeles County Police. Once released from treatment, the physician shall provide written instructions pertaining to the prisoner’s future treatment and medication, if any, prior to transport to the appropriate custody facility.
If the injury or illness does not require emergency medical treatment, the transporting officer must take the prisoner to a medical facility in order to obtain an “O.K. to book” authorization from an evaluating physician prior to transporting and booking the prisoner into a custody facility, including the court lockup facility.

Prisoners taken into custody for psychiatric evaluation (WIC 5150 holds) will be taken to either Harbor-UCLA Medical Center or the nearest authorized hospital. The prisoner will remain in the transporting officer’s custody until the intake process has been completed and he/she is turned over to the facility staff.

Prisoners who have physical disabilities requiring ambulatory assistance (wheelchair, crutches, etc.) dictate special care and attention. If the handicap is such that the prisoner can be safely transported in a police vehicle, then the transporting officer may do so. If special transportation is required, the prisoner should be transported by a city-approved ambulance service, accompanied by the transporting officer.

a. Watch Commander approval is required prior to transporting the prisoner.
b. Medical clearance to book must be obtained from a qualified physician.
c. Arrangements should be made to transfer the prisoner to the Los Angeles County Jail as soon as possible.

(CALEA 70.3.1; 70.3.2)

PRISONER ATTENDENCE AT PUBLIC OR PRIVATE FUNCTIONS

The Hermosa Beach jail provides for short-term prisoner housing only. Therefore, the Hermosa Beach Police Department will not provide prisoner transportation for any special function (e.g.: funerals, visiting critically ill persons, reading of wills). The Los Angeles County Sheriff’s Department is responsible for transporting long-term prisoners to special events.

(CALEA 70.3.3)

APPROVED:

[Signature]

Greg Savelli
Chief of Police
PURPOSE

This policy establishes procedures for responding to routine and emergency calls and provides guidelines for the use of authorized emergency equipment.

ROUTINE OPERATIONS

Officers shall operate their vehicle with due regard for the safety of all persons using the roadway, including pedestrians. Officers shall obey all state and local traffic laws and regulations.

When responding to non-emergency calls for service, the police vehicle’s speed shall be determined by the normal flow of traffic and the posted speed limits of the area in which the police vehicle is travelling. Emergency lights and siren will not be used.

EMERGENCY OPERATIONS

When responding to emergency calls for service, officers shall utilize their vehicles’ red lights and siren (“Code-3”). The speed of the police vehicle shall be determined by the nature of the call. Officers shall be mindful of the following guidelines for driving with due regard and caution for the safety of all persons using the highway as required by Vehicle Code section 21056:

A. Safety of the public in the area, including time, location, and vehicle/pedestrian traffic
B. Weather, traffic, and roadway conditions
C. Seriousness of the known or reasonably suspected crime and its relationship to community safety

The siren should be operated throughout its entire tone scale. Where the possibility of traffic conflict is present, the siren should be activated sufficiently in advance so that pedestrians and motorists may have adequate warning of the emergency vehicle’s approach.

When overtaking traffic, police vehicles should pass on the left whenever possible, even if it is necessary to drive across the center line of the roadway. Pass on the right only if no other option exists, and then only with extreme caution.

When multiple units are assigned to an emergency call, only the primary unit shall respond Code-3. All other units shall respond expeditiously to the call, using routine operations
procedure. The field supervisor and/or Watch Commander, or the primary unit with supervisor approval, may request additional units to respond Code-3.

A Code-3 response is permissible under the following circumstances:

A. When dispatched

B. In the immediate pursuit of an actual or suspected violator of the law (refer to section O3.20 of this manual)

C. When the set of circumstances exist that would lead an officer to reasonably believe that an emergency exists and a delayed response could cause additional harm or extend the duration of the emergency.

When an officer initiates a Code-3 run, the officer shall immediately inform the Communication Center (dispatch) and advise them of the circumstances. Dispatch shall then advise the field supervisor and/or Watch Commander. *(CALEA 81.2.4)*

The field supervisor (if available) or Watch Commander shall have the authority to terminate any Code-3 response at any time during the response if it is determined that continued Code-3 operation poses an unnecessary risk to public safety. Officers shall discontinue Code-3 operation immediately upon being instructed to do so by a supervisor. *(CALEA 41.2.1)*

APPROVED

Greg Savelli
Chief of Police
PURPOSE AND SCOPE

Pursuits of suspected or known violators of the law expose innocent citizens, law enforcement officers, and fleeing violators to serious injury or death. The primary purpose of this policy is to provide guidance in balancing the safety of the public and the officers themselves against law enforcement’s duty to apprehend violators of the law. Another purpose of this policy is to reduce and minimize the potential for pursuit-related collisions. Vehicle pursuits require officers to exhibit a high degree of common sense and sound judgment. Officers must not forget that the immediate apprehension of a suspect is generally not more important than the safety of the public and pursuing officers.

Deciding whether or not to pursue a motor vehicle is a critical decision that must be made quickly and under difficult and unpredictable circumstances. In recognizing the potential risk to public safety created by vehicle pursuits, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a vehicle pursuit due to the risk involved, including circumstances where Department policy would permit the initiation or continuation of the pursuit.

Since vehicle pursuit situations are not always predictable, decisions made pursuant to this policy will be evaluated according to the totality of the circumstances reasonably available at the time of the pursuit. Officers’ conduct during the course of a pursuit must be objectively reasonable based on the given circumstances. The most important factors to the successful conclusion of a pursuit (whether or not a suspect is apprehended) are proper self-discipline and sound professional judgment.

(CALEA 41.2.2a)

POLICE PURSUIT DEFINED

An event involving one or more law enforcement officers attempting to apprehend a suspect who is attempting to avoid arrest while operating a motor vehicle by using high-speed driving or other evasive tactics.

FAILURE TO YIELD DEFINED

Failure to Yield refers to the actions of a vehicle operator who fails to stop or respond to the emergency light(s) and siren of a law enforcement vehicle. Generally, the vehicle operator continues to travel at or below the speed limit, observes applicable rules of the road, and does not change direction of travel in an evasive manner.
OFFICER RESPONSIBILITIES

It shall be the policy of this department that a motor vehicle pursuit shall be conducted only with a law enforcement vehicle operating at least minimally with a red light and siren as required by Vehicle Code section 21055 for exemption from compliance with the rules of the road. Pursuing officers shall be mindful of the following guidelines for driving with due regard and caution for the safety of all persons using the highway as required by Vehicle Code section 21056.

(CALEA 41.2.2b)

WHEN TO INITIATE A PURSUIT

Officers are authorized to initiate a pursuit in order to apprehend a suspect for whom reasonable suspicion or probable cause exists to arrest for a violent or dangerous felony or when an immediate and articulable threat to human life exists. Officers shall not initiate a vehicle pursuit when the only known offense(s) is an infraction. Officers shall use discretion when initiating a vehicle pursuit for non-violent misdemeanor and felony offenses.

The following factors shall be individually and collectively considered in deciding to initiate a pursuit:

A. Seriousness of the known or reasonably suspected crime and its relationship to community safety

B. The importance of protecting the public and balancing the known or reasonably known suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists, and others

C. Apparent nature of the fleeing suspect(s) (e.g., whether or not the suspect(s) represent a serious threat to public safety)

D. If the suspect’s identity is known, could the suspect be apprehended at a later time with comparatively minimal risk

E. Safety of the public in the area of the pursuit, including time, location, and vehicle/pedestrian traffic as well as the speed of the pursuit relative to these conditions

F. Weather, traffic, and roadway conditions that could adversely affect pursuit safety

G. Officer familiarity with the area of the pursuit and driving capability of the officer(s) involved in the pursuit for the given road conditions

H. Quality of radio communication among the pursuing units, dispatch, and supervisor

I. Performance capabilities of the vehicles involved in the pursuit, including both the suspect and law enforcement vehicles

J. Other person(s) in or on the pursued vehicle, such as passengers, hostages, and additional suspects

K. Availability of other resources, such as helicopter or other aircraft assistance
L. Passengers in the pursuing officer’s vehicle (Note: Pursuits should not be undertaken with a prisoner in the police vehicle except under extraordinary circumstances)

(CALEA 41.2.2a)

**WHEN TO TERMINATE A PURSUIT**

Pursuits should be discontinued whenever the totality of the circumstances known (or which reasonably should be known) to the officer or supervisor during the pursuit indicate that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect’s escape.

Officers and supervisors must continuously weigh the factors described in the previous section throughout the pursuit in order to determine if or when to terminate the pursuit. In the context of this policy, the term “terminate” shall be construed to mean to discontinue or to stop chasing the fleeing vehicle, and notifying the Communications Center that the pursuit has been discontinued.

In addition to the previously discussed factors, the following factors should also be considered in deciding whether or not to terminate a pursuit:

A. Distance between the pursuing officers and the fleeing vehicle is such that further pursuit would be futile or require the pursuit to continue for an unreasonable amount of time and/or distance
B. Pursued vehicle’s location is no longer known
C. Officer’s pursuit vehicle sustains any type of damage that renders it unsafe to drive
D. Hazards to uninvolved bystanders or motorists
E. Directed by a supervisor

(CALEA 41.2.2g)

**SPEED LIMITS**

The speed of a pursuit is a factor that should be evaluated on a continuing basis by the pursuing officer and supervisor. Evaluation of vehicle speeds shall take into consideration public safety, officer safety, and the safety of the occupants of the fleeing vehicle. Should high vehicle speeds be reached during a pursuit, officers and supervisors shall consider the following factors when determining the reasonableness of the speed of the pursuit:

A. Are the pursuit speeds unsafe for the surrounding conditions
B. Are the speeds being reached beyond the driving ability of the officer
C. Are the speeds beyond the capabilities of the police vehicle, thus making its operation unsafe

(CALEA 41.2.2a)

**PURSUING UNITS**

Pursuit units should be limited to two vehicles; however, the actual number of units involved will vary based on the circumstances. An officer or supervisor may request additional units to
join a pursuit if, after assessing the factors previously outlined, it appears that the number of officers currently involved would be insufficient to safely arrest the suspect(s). All other officers should stay out of the pursuit, but should remain alert to its progress and location. Any officer not involved in the pursuit may then, if necessary, proceed to the termination point of the pursuit while following the appropriate rules of the road.

(CALEA 41.2.2d)

**MOTORCYCLE OFFICERS AND UNMARKED VEHICLES**

A distinctively marked patrol vehicle equipped with emergency lighting should replace a police motorcycle or unmarked police vehicle as the primary and/or secondary pursuit unit as soon as practical.

(CALEA 41.2.2d)

**SPECIAL PURPOSE VEHICLES**

A distinctively marked, standard patrol vehicle equipped with emergency lighting should replace a special purpose vehicle, as defined in section 14.7 of this manual, as the primary and/or secondary pursuit unit as soon as practical.

(CALEA 41.2.2d; 41.1.3a)

**VEHICLES WITHOUT EMERGENCY EQUIPMENT**

The exemptions provided by Vehicle Code section 21055 do not apply to those officers using vehicles without proper emergency equipment. Vehicles not equipped with red light and siren are generally prohibited from initiating or joining in any pursuit. Officer(s) in such vehicles, however, may become involved in emergency activities involving serious crimes or life-threatening situations. Should pursuit become necessary, those officers should terminate their involvement in any pursuit immediately upon arrival of a sufficient number of properly-equipped police vehicles or any police helicopter.

(CALEA 41.2.2d)

**PRIMARY UNIT RESPONSIBILITIES**

The initial pursuing unit will be designated as the primary unit and will be responsible for the conduct of the pursuit unless it is unable to remain reasonably close enough to the violator’s vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspect(s) without unreasonable danger to themselves or other persons.

The primary unit shall notify the Communications Center (dispatch) that a vehicle pursuit has been initiated and as soon as practical provide information including, but not limited to:

A. Reason for pursuit
B. Location and direction of travel
C. Speed of fleeing vehicle
D. Description of fleeing vehicle and license number, if known
E. Number of observed occupants
F. The identity (if known) or description of the occupants
G. Information regarding the use of firearms, threat of force, injuries, hostages, or other unusual hazards

The officer in the primary unit shall be responsible for the broadcasting of the progress of the pursuit. Unless practical circumstances dictate otherwise, the primary unit should relinquish the responsibility of broadcasting the pursuit to a secondary unit or air unit in order to concentrate on pursuit driving.

(CALEA 41.2.2b)

SECONDARY UNIT RESPONSIBILITIES

The second officer in the pursuit is responsible for the following:

A. Notify dispatch of entry into the pursuit
B. Remain a safe distance behind the primary unit unless directed to assume the role of primary officer or if primary unit is unable to continue the pursuit.
C. Broadcast the progress of the pursuit unless the situation dictates otherwise

(CALEA 41.2.2e)

PURSUIT DRIVING TACTICS

The decision to use or not use specific driving tactics requires the same assessment of considerations outlined in the factors to be considered concerning pursuit initiation, continuation, and termination. The following are tactics for units involved in the pursuit:

A. Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to maneuvers by the fleeing vehicle
B. Because intersections can present increased risks, the following tactics should be considered:
   1. Available units not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.
   2. Pursuing units should exercise due caution when proceeding through controlled intersections.
C. As a general rule, officers should not directly pursue a vehicle driving left of center (wrong way) on either a divided highway or freeway. In the event the pursued vehicle does so, the following tactics should be considered:
   1. Requesting air unit assistance
   2. Maintaining visual contact with the pursued vehicle by paralleling it on the correct side of the roadway
   3. Requesting other units observe exits available to the suspect(s) (if on a freeway)
D. Notifying the California Highway Patrol or other jurisdictional agency if it appears that the pursuit may enter their jurisdiction.
E. Refrain from passing other units in the pursuit unless the situation dictates otherwise or requested to do so by the primary unit

TACTICS/PROCEDURES FOR UNITS NOT INVOLVED IN THE PURSUIT

There should be no paralleling of the pursuit route. To protect the public, officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic. Officers not involved in the pursuit should remain in their assigned area unless directed otherwise by a supervisor. Non-pursuing personnel needed at the termination of the pursuit should respond in a non-emergency manner, observing the rules of the road unless directed otherwise by a supervisor.

Should the initiating unit from this agency relinquish control of the pursuit to another unit or jurisdiction, that initiating unit may, with supervisor approval, trail the pursuit to the termination point in order to provide necessary information and assistance. The term “trail” means to follow the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing unit will maintain sufficient distance from the pursuit units so as to clearly indicate an absence of participation in the pursuit.

AIRCRAFT ASSISTANCE

When available, aircraft assistance should be requested. Once the air unit has established visual contact with the pursued vehicle, it should assume control over the pursuit. The primary and secondary ground units should consider the participation of aircraft assistance when determining whether or not to continue the pursuit. Once on scene, the air unit should be responsible for the following:

A. Coordinate ground resources
B. Report pursuit progress
C. Provide officers and supervisors with details of upcoming traffic conditions, road hazards, or other pertinent information to evaluate whether or not to continue the pursuit

If ground units are not within visual contact and the air unit determines that it is unsafe to continue the pursuit, the air unit has the authority to terminate the pursuit.

SUPERVISORY CONTROL AND RESPONSIBILITIES

It is the policy of this department that available supervisory and management control will be exercised over all motor vehicle pursuits involving officers from this department.

The field supervisor of the officer initiating the pursuit, or if unavailable, the nearest field supervisor will be responsible for the following:

A. Upon becoming aware of a pursuit, immediately ascertain all reasonably available information to continuously assess the situation and risk factors associated with the
pursuit in order to ensure the pursuit is conducted within established department guidelines

B. Engaging in the pursuit, when appropriate, to provide on-scene supervision
C. Exercising management and control of the pursuit even if not engaged in it
D. Ensuring that no more than the required number of police units needed are involved in the pursuit under the guidelines set forth in this policy
E. Directing that the pursuit be terminated if, in his/her judgment, it is unjustified to continue the pursuit under the guidelines of this policy.
F. Ensuring that aircraft assistance is requested, if available
G. Ensuring proper radio communication procedures are followed
H. Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this agency.
I. Control and manage HBPD units when the pursuit enters another agency’s jurisdiction
J. Prepare post-pursuit critique and analysis of the pursuit for training purposes
(CALEA 41.2.2f)

**WATCH COMMANDER RESPONSIBILITIES**

If no other direct supervisor is available, the Watch Commander shall monitor and continually assess the situation utilizing the guidelines set forth above under Supervisory Control and Responsibilities. In any event, the Watch Commander shall have the final responsibility for the coordination, control, and termination of a motor vehicle pursuit and shall be in overall command. Upon conclusion of the incident, the Watch Commander shall review all pertinent reports for content and forward them to the Division Commander.
(CALEA 41.2.2f)

**COMMUNICATION CENTER (DISPATCH) RESPONSIBILITIES**

Upon notification that a pursuit has been initiated, dispatch will:

A. Coordinate pursuit communications of the involved units and personnel
B. Ensure that a field supervisor (if available) is notified of the pursuit
C. Ensure the Watch Commander is notified of the pursuit
D. Assign an incident number and log all pursuit activities
E. Broadcast pursuit updates as well as other pertinent information, as necessary
F. Notify and coordinate with other involved or affected agencies, as practical

All pursuit communications will be broadcast over the primary frequency unless it is deemed appropriate, by both dispatch and the Watch Commander, to switch to an alternate frequency. (CALEA 41.2.2e)
**LOSS OF PURSUED VEHICLE**

When the pursued vehicle is lost, the primary unit should broadcast pertinent information to assist other units in locating the suspect(s). The primary unit will be responsible for coordinating any further search for either the pursued vehicle or suspect(s) fleeing on foot.

**ASSUMPTION OF PURSUIT BY ANOTHER AGENCY/JURISDICTION**

When a pursuit enters another agency’s jurisdiction, the primary officer or supervisor should determine whether or not to request the other agency’s assistance in assuming the pursuit, taking into consideration the distance traveled, familiarity of the area, and other pertinent conditions. Due to the logistics involved should a pursuit enter a freeway or other area under the jurisdiction of the California Highway Patrol (CHP), the CHP will assume the primary responsibilities for any pursuit wherein their assistance is requested.

Units originally involved will discontinue the pursuit when advised that another agency has assumed the pursuit and our assistance is no longer needed. Upon discontinuing the pursuit, the original primary unit may, with supervisor direction or approval, trail the pursuit to its termination point in order to assist in the investigation.

The role and responsibilities of officers at the termination point of a pursuit initiated by this department shall be coordinated with appropriate consideration of the units from the assuming agency.  
(CALEA 41.2.2h)

**PURSUITS ENTERING INTO THIS JURISDICTION**

The agency that initiates the pursuit shall be responsible for conducting the pursuit. Notification by an outside agency of a pursuit-in-progress should not be construed as a request to join the pursuit. Units from this department should not join a pursuit unless specifically requested to do so by the agency whose officers are in pursuit. The exception to this is when a single unit from the initiating agency is in pursuit. Under this circumstance, a unit from this department may join the pursuit until sufficient units from the initiating agency have joined the pursuit.

When a request is made for this department to assist or assume a pursuit from another agency that has entered this jurisdiction, the supervisor should consider the following:

A. Ability to maintain the pursuit  
B. Circumstances serious enough to continue the pursuit  
C. Adequate staffing to continue the pursuit  
D. The public’s safety within this jurisdiction  
E. Safety of the pursuing officers

A supervisor or the Watch Commander should review a request for assistance as soon as practical. The Watch Commander or supervisor, after consideration of the above factors, reserves the authority to decline to assist in or assume the requesting agency’s pursuit.
Assistance to a pursuing agency by officers of this department should terminate at the boundaries of this department’s jurisdiction, provided the pursuing officers have adequate assistance from other sources. Ongoing participation by this department may only continue until other sufficient assistance is present.

In the event that a pursuit from another agency terminates within this jurisdiction, officers shall provide appropriate assistance to officers from the pursuing agency including, but not limited to, scene control, coordination and completion of supplemental reports, and any other assistance requested or needed.

(CALEA 41.2.2h)

**PURSUIT INTERVENTION**

Pursuit intervention is an attempt to terminate the ability of a suspect to continue to flee in a motor vehicle through tactical application of technology, road spikes, blocking/boxing in, Pursuit Intervention Technique (PIT), ramming, or roadblock procedures. For the purposes of this policy, the following definitions apply:

**Ramming** – The deliberate act of impacting a violator’s vehicle with a pursuing officer’s vehicle to functionally damage/disable it or otherwise force the violator’s vehicle to stop.

**Blocking/Boxing-in** – A tactic designed to impede the travel of a violator’s vehicle by surrounding it with law enforcement vehicles and forcing it to a stop or preventing its movement without directly contacting it.

**Road spikes** – A device that extends across the roadway that is designed to puncture the tires of the pursued vehicle.

**Roadblock** – A tactic designed to stop a violator’s vehicle by intentionally placing an emergency vehicle or other immovable object in the direct path of the violator’s vehicle.

**Pursuit Intervention Technique (PIT)** – A low-speed maneuver designed to cause the suspect vehicle to spin out and terminate the pursuit.

**Remote Disabling Device** – Any type of technological device designed to force a violator’s vehicle to a stop by means of remotely disabling a component critical for the vehicle’s continued operation (remote fuel shut-off, electrical system disruptor, etc.).

Use of pursuit intervention tactics should be employed only after approval of a supervisor. In deciding whether or not to use intervention tactics, officers/supervisors should balance the risks of allowing the pursuit to continue with the potential hazards arising from the use of a particular tactic as it pertains to the safety of the public, the pursuing officers, and to the occupants of the pursued vehicle. The decision to use any intervention tactic should be reasonable in light of the given conditions at the time that it is employed.

(CALEA 41.2.3 a, b, d)

Any pursuit intervention tactic, depending on the conditions and circumstances under which it is employed, may present dangers to the officers, the public, or anyone in or on the pursued vehicle. Certain applications of intervention tactics may be construed to be a use of deadly force and be subject to the requirements for such use. Officers who have not received formal
departmental training in the application and use of any intervention tactic or equipment shall not use such intervention tactic.

Only those officers trained in the use of the Pursuit Intervention Technique (PIT) will be authorized to use this procedure and only with supervisor approval. Ramming a fleeing vehicle should be done only after other reasonable tactical means at the officer’s disposal have been exhausted. When ramming is to be employed as a means to stop a fleeing vehicle, one or both of the following factors should be present:

- The suspect is an actual or suspected felon who reasonably appears to present a serious threat to public safety if not apprehended
- The suspect is driving in a willful and wanton disregard for the safety of persons or driving in reckless and life-endangering manner

If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of ramming is not authorized.

Blocking or boxing-in a fleeing vehicle should only be attempted after obtaining supervisor approval. The use of such a technique must be carefully coordinated with all of the involved units prior to and during its implementation.

The use of spike strips should be approved in advance by a supervisor and deployed only when it is reasonably certain that only the violator’s vehicle will be affected by their use. The deploying officer must coordinate with the other units in order to determine the proper location to deploy the device, taking into consideration the following:

- Suspect vehicle speed and direction of travel
- Possible escape routes around the deployment zone
- Surrounding traffic conditions including, but not limited to, vehicle and pedestrian traffic in the deployment area
- Number and types of pursuing law enforcement vehicles
- Officer safety and cover/concealment for the deploying officer

Because roadblocks involve a potential for serious injury or death to the occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks is generally discouraged and should not be deployed without supervisor approval. Roadblocks should be deployed only under extraordinary conditions when all other reasonable intervention techniques have failed or reasonably appear ineffective and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to the occupants of the pursued vehicle, officers, or other members of the public. Officers shall deploy a roadblock using emergency vehicles or available city roadway barriers (i.e. K-rail) only. Roadblocks shall only be deployed by personnel who have received formal departmental training in their use.

Any remote disabling device should be used only by an officer who has received formal instruction as to the usage of the particular device being employed and only with prior supervisor approval. The use of such device must be carefully coordinated with all of the involved units prior to and during its implementation.
In all cases wherein pursuit intervention tactics are employed, the field supervisor or watch commander shall prepare a written report documenting the circumstances and results for each specific pursuit intervention tactic used. This report will be attached to the shift Daily Activity Report and forwarded to the Operations Division Commander.

(CALEA 41.2.3 e)

**USE OF FIREARMS**

The use of firearms to disable a pursued vehicle is generally not an effective tactic and involves all the dangers associated with discharging firearms. Officers should not utilize firearms during an on-going pursuit unless conditions and circumstances dictate that such use reasonably appears necessary to protect life. Nothing in this section shall be construed to prohibit any officer from using a firearm to stop a suspect from using a vehicle as a deadly weapon. Officers shall be mindful of the use of firearms guidelines set forth in section O3.15 of this Policy and Procedures Manual when determining the reasonableness, necessity, and authority for employing their firearms.

(CALEA 41.2.3 a, b)

**CAPTURE OF SUSpects**

Proper self-discipline and sound professional judgment are key to the successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force which reasonably appears necessary under the circumstances to properly perform their lawful duties in effecting arrest. Under all arrest circumstances, officers shall be mindful of both their personal safety and the safety of the general public in the area in which the officers are attempting to effect arrest.

**VEHICLE INSPECTION/DAMAGE**

Upon conclusion of each pursuit, a Vehicle Report/Service Request form shall be completed for each department vehicle involved in the pursuit. The words “Vehicle used in pursuit” shall be clearly written in the narrative section of the form. Mechanics should inspect the vehicle as soon as possible if the reporting officer does not suspect any damage to the vehicle. Any vehicle that is suspected to have suffered mechanical failure or damage during/arising from the pursuit shall be immediately removed from service pending inspection.

**REPORTING REQUIREMENTS**

To comply with appropriate local and state regulations, the following reports should be completed subsequent to a pursuit incident:

A. The primary officer shall complete appropriate crime/arrest reports.

B. Pursuant to Vehicle Code section 14602.1(b), the primary officer shall complete form CHP 187A, Allied Agency Vehicle Pursuit Report, to be reviewed by the Watch Commander and filed with the California Highway Patrol either electronically or on paper no later than thirty (30) days after the pursuit. This report shall minimally contain the following information:
1. Whether any person involved in the pursuit or subsequent arrest was injured, specifying the nature of that injury and differentiating between the suspect driver, a suspect passenger, and the peace officers involved.

2. The violation(s) that caused the pursuit to be initiated.

3. The identity of the peace officers involved in the pursuit.

4. The means or methods used to stop the suspect being pursued.

5. All charges filed with the court by the district attorney.

6. The conditions of the pursuit including, but not limited to, all of the following:
   a. Duration
   b. Mileage
   c. Number of peace officers involved
   d. Maximum number of units involved
   e. Time of day
   f. Weather conditions
   g. Maximum speeds

7. Whether the pursuit resulted in a collision and a resulting injury or fatality to an uninvolved third party and the corresponding number of persons involved.

8. Whether the pursuit involved multiple law enforcement agencies.

9. How the pursuit was terminated

C. After first obtaining available information, the Watch Commander shall note the incident in the Daily Activity Report and forward it to the Division Commander. The incident notation should minimally contain the following:

1. Date and time of pursuit

2. Length of pursuit

3. Involved units and officers

4. Initial reason for pursuit

5. Starting and termination points

6. Method of terminating pursuit (terminated by officer, pursuit intervention, unforced stop, collision, etc.)
7. Disposition (escape, arrest, citation, etc.) Arrestee information should be provided, if applicable

8. Injuries and/or property damage

9. Medical treatment

10. Name of supervisor at scene (if different than the Watch Commander)

11. Preliminary determination as to whether or not the pursuit appears to comply with department policy

12. Determine the need for any additional review and/or follow-up
   (CALEA 41.2.2 i; 41.2.3 e)

**ANNUAL REVIEW**

At the beginning of each calendar year, the Operations Division Commander will complete a documented analysis of the pursuits conducted the previous calendar year and a review of pursuit policies and reporting procedures. The completed analysis will then be forwarded to the Administrative Captain for review, with a copy to the Accreditation Manager.

(CALEA 41.2.2 j/k)

**REGULAR AND PERIODIC PURSUIT TRAINING**

In addition to initial and supplementary POST training on pursuits required by Penal Code section 13519.8, all sworn members of this department will participate no less than annually in regular and periodic department training addressing this policy. Regular department in-service training will include vehicle safety and recognition of the need to balance the known offense and the need for immediate suspect apprehension against the risks to the officers, general public, and those being pursued as well as all other circumstances, issues, and procedures discussed in this policy. (Vehicle Code section 17004.7(d))

**POLICY REVIEW**

Each sworn member of this department shall certify in writing that they have received, read, and understand this policy initially and upon receipt of any amendments. Additionally, all sworn members will review this policy as part of the Annual Retraining Program.
APPLICATION OF MOTOR VEHICLE PURSUIT POLICY

This policy is expressly written and adopted pursuant to the provisions of Vehicle Code section 17004.7, with additional input from the 1995 California Law Enforcement Vehicle Pursuit Guidelines developed by the Commission on Peace Officer Standards and Training (POST) pursuant to Penal Code section 13519.8.

APPROVED:

[Signature]

Sharon Papa
Chief of Police
PURPOSE

This policy establishes uniform procedures for taking enforcement action incidental to traffic law violations. These actions include warnings, citations, and physical arrest.

POLICY

It is the policy of the Hermosa Beach Police Department that all officers enforce traffic laws and regulations in a fair and impartial manner, without regard to the person’s race, ethnicity, gender, religion, or sexual orientation. In determining the appropriate enforcement action, officers should weigh the gravity of the violation with the “spirit of the law” and Department goals and objectives in furthering overall traffic safety.

ENFORCEMENT ACTION TYPES

Verbal Warning – Advising the motorist of the violation in lieu of citation or warning notice. Such action may be used when, in the officer’s discretion, the offense was of a minor nature and the violator has provided a reasonable explanation as to the cause of the violation, or the officer reasonably believes the violator is unlikely to repeat the offense and no further action is needed.

Warning Notice – May be used in lieu of a Verbal Warning. Such action may be used when, in the officer’s discretion, the offense rises above a Verbal Warning, but is below the need for a Citation.

Warning Notice:

1. There are only two copies of the Warning Notice: one for the warned party, and one department copy.

2. Warning Notices stay in-house only. There is no further action required by the citizen after receiving a Warning Notice.

3. The citizen’s signature is not required, but is strongly suggested for future identification purposes. The citizen’s thumb print can be placed on the back of the department copy if so desired, but not required. The warned party copy shall be given to the violator.
4. The department copy shall be delivered to the Watch Commander. The Watch Commander will note it on the W/C log before forwarding it to the Records Unit for processing.

5. Records Personnel will enter the Warning Notices into the HBPD Records Database, and retain the physical department copy for two years.

6. Warning Notices can be issued for almost any violation: CVC, PC, HBMC, etc.

7. Circumstances, such as reason for stop and citizen’s demeanor, may be written in the narrative section on the back of the department copy, if so desired/required.

**Citation** – The issuance of a formal Notice-to-Appear to a motorist for observed traffic law violations in lieu of physical arrest. Citations shall be completed and issued to the violator at the time the officer observes the violation, in accordance with California Vehicle Code (CVC) sections 40500 – 40502. Citations that are not issued to the suspected violator may be delivered at a later date or time when, as a result of the investigation of a traffic collision, the citation is issued in accordance with CVC section 40600.

When completing the Notice-to-Appear, officers shall perform the following:

1. Complete the date, time, and day of the violation.
2. Complete the name, address, date of birth, and driver’s license information of the suspected violator.
3. Complete the violator’s vehicle information.
4. If necessary, complete the requested information regarding evidence of insurance.
5. Write in the violation. Provide both the applicable source code and a brief description of the violation.
6. Note the relevant speed, direction of travel, location, weather, traffic, and road condition at the time of the violation.
7. The officer shall legibly sign his/her name.
8. Provide the appearance date, time, and location for the court of jurisdiction. Juvenile offenders shall be referred to the appropriate court of jurisdiction, according to the violation.
9. Obtain the violator’s signature, explaining the offense and explaining that his/her signature is:
   a. not an admission of guilt.
   b. only a promise to appear on or before the date listed.
10. Once the violator’s signature is obtained, remove the violator’s copy and give it to him/her, along with the registration and proof of insurance.
11. The original and one copy of the citation shall be delivered to the Watch Commander, who will review the document for completeness and accuracy before forwarding the
items to the Records Unit for processing and subsequent delivery to court. The officer shall keep the remaining copy for his/her records.

If the violator refuses to sign, advise him/her that failure to do so requires an immediate arrest and delivery to a magistrate. If the violator still refuses, the officer shall have a supervisor respond to the scene. The supervisor will again explain to the violator the consequences of refusing to sign the citation and request the violator sign the citation. If the violator again refuses, the initial officer may take the violator into custody in accordance with the arrest procedures established elsewhere in this manual.

**Physical Arrest** – The taking of a person into custody for the purpose of transporting the arrestee to a jail facility. This action may be taken under the following circumstances:

1. For a felony offense when the driver is suspected of committing said offense.
2. When the driver is suspected of driving under the influence of alcohol and/or drugs.
3. Pursuant to CVC section 40300.5, when an individual is suspected to have been involved in a traffic collision while under the influence of alcohol and/or drugs.
4. The driver has committed a misdemeanor offense in the officer’s presence.
5. There is an outstanding warrant issued for the driver’s arrest.
6. The driver refuses to sign the Notice-to-Appear, as required by CVC section 40302(b).
7. The driver is unable to satisfactorily establish his/her identity.
8. The officer reasonably believes the offense(s) will either continue or that the driver will not satisfy the legal requirement to appear before a magistrate as ordered on the Notice-to-Appear.

(CALEA 61.1.2 a, b, c)

**TRAFFIC LAW VIOLATION ENFORCEMENT POLICIES**

The following guidelines for uniform traffic law enforcement action in routine situations are provided to assist officers in making decisions as to whether or not a citation is warranted:

A. When enforcing vehicle speed laws, officers shall consider the appropriate factors, such as time of day, traffic volume and flow, location, and weather conditions.

B. When enforcing hazardous moving violations, officers shall consider the seriousness of the act, location accident history, current traffic trends, and any specific patrol/enforcement directives issued by the Department.

C. Other, non-hazardous moving violations will be enforced based on the seriousness of the offense and trends/patterns observed in violations.

D. For enforcement of vehicle equipment violations, officers shall consider the driver’s ability (and apparent willingness) to promptly remedy the defect/condition and the approximate risk of the defect/condition to the occupants of the driver’s vehicle and to other traffic.
E. Public carriers, such as taxis and limousines, shall be examined and appropriate laws enforced by means of citation (or arrest, if necessary) to enhance the safety of passengers.

F. For multiple violations, officers shall list the violations in order of severity, with the most serious violation(s) listed first. In no case shall more than one citation for traffic law violations and equipment be issued to a person during a single investigation. This does not preclude the use of an approved citation offense continuation form in instances where more space is required for documenting violations than will fit on the original citation.

G. Off-road vehicle violations will be enforced in accordance with applicable State and Local laws. This includes both the on-road operation of off-road vehicles as well as on-road vehicles operated off-road.

H. Recently-enacted traffic laws and regulations will be provided the prescribed and/or requisite “grace” periods. When appropriate, educational steps to inform motorists of any new laws and regulations will be taken.

I. Violations resulting in traffic collisions will be enforced in accordance with the procedures established in section 7.2 (Traffic Collision Investigation) of this manual.

J. When enforcing pedestrian and bicycle violations, officers shall consider the appropriate factors as described in sections A, B, C, D, and F.

K. In cases where the driver is suspected to be operating a vehicle while under the influence of alcohol and/or drugs, officers shall adhere to the investigation and arrest procedure detailed in section 7.5 (DUI Investigations) of this manual.

L. In cases where the driver is determined to be operating a vehicle without a valid license or operating a vehicle while his/her license is suspended or revoked, the officer shall adhere to the following guidelines:

1. The officer will arrest the driver and, if satisfactory evidence of identification is obtained, issue a citation for the appropriate offense.

2. The vehicle may be stored pursuant to CVC section 22651(p) if there is no other properly licensed driver and the vehicle is parked in an unsafe location, or impounded pursuant to CVC section 14602.6, if applicable.

3. If official notice of the license suspension is required to be provided to the driver, the officer shall confiscate the license (if available) and complete form DMV DL310. The officer shall provide the driver with the pink copy of the completed form. The original (white) copy and the unexpired license shall be forwarded to the California Department of Motor Vehicles (DMV). The remaining (canary) copy of the form will be maintained with the original arrest report.

4. Additional or alternate actions as requested by the District Attorney’s Office shall be performed as requested. Any such request shall be included as an appendix to this policy.

(CALEA 61.1.5 a-l)
M. Juvenile violators shall be addressed in the same manner as adults. Officers arresting any juvenile for a felony or misdemeanor violation shall adhere to the juvenile arrest procedures noted in section 8.1 of this manual (Juvenile Arrest Procedures).

N. Military personnel who are not in the course of performance of their duties shall be given the same considerations as any other violator. On-duty military personnel engaged in the on-road operation of military vehicles/equipment shall only be contacted when the violation is of significant concern to the officer. Such activity shall be communicated to the violator’s commanding officer.

O. Members of the legislature of the State of California, and members of the legislature of other states and of the Federal Government, shall be provided appropriate discretion. Officers are reminded, however, that no such legislator is exempt from the laws of the State of California, unless specifically exempted by statute.

P. Foreign diplomats should not be taken into custody; however, when a violation is so severe that a warning is not appropriate, the diplomat may be detained in accordance with State and Federal guidelines and in accordance with the policy and procedures established in section 12.3 of this manual (Procedures for the Arrest of Foreign Nationals). Under such circumstances, the officer shall notify the Watch Commander without unnecessary delay.

Q. California is a member of the Driver License Agreement (DLA), which is an interstate tracking system for the sharing and reporting of all traffic violations from any state. Out-of-state drivers shall be evaluated as to their license status based upon the DLA information. Non-resident drivers, including drivers from outside of the United States, are covered under CVC sections 12502 – 12505. (CALEA 61.1.3)

**VEHICLE STOP PROCEDURES AND TACTICS**

**Low-risk (“routine”) Traffic Stop** – For this type of stop, the threat risk to the officer from the violator appears to be minimal; however, officers are cautioned that no traffic stop is ever without risk since people can be (and commonly are) unpredictable.

The following steps in stopping and approaching this category of violator are intended to provide maximum safety for the officer, the violator, and other users of the roadway. Varying conditions regarding the engineering of the particular roadway, the urgency to stop the violator, and the existing traffic volume may require adjusting or altering the recommended procedure. These procedures are to be followed when possible, and are presented from the perspective that ideal conditions exist.

1. A traffic stop begins when an officer has positioned his/her vehicle behind the traffic violator’s vehicle.

2. The officer will notify the dispatcher of the location of the traffic stop and the vehicle’s license plate number, along with the vehicle’s make, model, and color.
3. The officer should anticipate the appropriate location to stop the violator. Consider a location with ample space and lighting. Avoid stopping the vehicle near potential sight or other obstructions, such as blind curves, hills, active driveways, etc.

4. Utilize the emergency lights, and siren if necessary, to signal the violator to stop.

5. Direct the violator to the right side of the roadway or other desired location, using the PA system if necessary.

6. Once the violator has stopped in an appropriate location, the officer should position the police vehicle approximately one-half to one full car length behind the violator’s vehicle, and offset the vehicle by at least two feet to the left in order to allow some protection from other vehicle traffic when approaching the violator.

7. Check for approaching/overtaking traffic prior to exiting the patrol vehicle, while being continuously alert for any suspicious movement or actions on the part of the violator or other occupants.

8. If a second officer is available, the assisting officer shall assume a position on the opposite side of the violator’s vehicle, including those situations where the initial officer approached and contacted the violator from the passenger side.

9. At night, the following additional factors should be considered:
   a. After the stop, headlamps should be brought back to the low-beam setting to reduce the hazard to on-coming traffic.
   b. Utilize additional lighting (vehicle spotlights, take-down lights, flashlight, etc.) in a manner that provides the best lighting of the interior of the violator’s vehicle. Officers shall not hold the flashlight in their weapon-bearing (gun) hand.

**High-risk/Unknown-risk Traffic Stop** – For this type of stop, the threat risk to the officer from the violator is significantly higher than it is for the low-risk traffic stop. Circumstances dictating this type if stop may include, but are not limited to, in-progress crime investigations, known wanted suspects, and persons acting suspiciously.

The following procedures should be used to begin and complete the stop. These procedures are to be followed when possible, and are presented from the perspective that ideal conditions exist.
1. Plan to stop the suspect vehicle in a location that represents minimal danger to other citizens.

2. Utilize the PA system to direct the violator to the proper location to stop.

3. The primary officer will be in command of the violator’s vehicle and will be the sole speaker to the occupants.

4. If available, additional officers shall assume the arrest and control responsibilities by stationing themselves at the doors of the two lead units.

5. (CALEA 61.1.7 a-c)

CONTACTING THE VIOLATOR / OFFICER-VIOLATOR RELATIONS

Once the officer has stopped the traffic violator and approached the vehicle to a point where communications can start, the following guidelines should be followed in order to professionally impart the necessary exchange of information and to better facilitate good officer/violator relationships.

1. Remain alert for the unexpected, but avoid obvious apprehension.
2. Be certain the observations are accurate, and that the traffic violation was clear.
3. Present a professional image in both language and bearing.
4. Greet the violator with an appropriate title and in a manner that conveys courtesy.
5. Ask for the violator’s driver’s license and registration, and proof of insurance if necessary.
6. Inform the driver what traffic violation(s) were committed.
7. Allow the driver to discuss the violation but, avoid engaging in an argument with the person.
8. Complete the investigation and issue a warning or citation in a timely manner.
9. If issuing a citation, explain the citation to the violator. Ensure the violator is aware of the location of the following information contained on his/her copy of the citation:
   a. The location, date, and time of the court appearance.
   b. If the violation is correctable without a court appearance.
   c. Clear instructions as to the plea and/or payment options.
   d. Instructions on how to contest the violation(s).
10. Obtain the violator’s signature on the citation and provided him/her with a copy of the signed document and any other pertinent documents (i.e.: notice of suspension, Admin per Se, etc.).
11. If possible, take time to offer suggestions to the driver to prevent him/her from repeating the same or similar violation.
12. If necessary, assist the violator to safely re-enter the flow of traffic.
(CALEA 61.1.4 a-d; 61.1.8)

**TRAFFIC ENFORCEMENT TECHNIQUES**

There are three enforcement practices utilized by this Department in order to conduct comprehensive and effective traffic law enforcement. These practices consist of normal traffic enforcement, stationary observation, and vehicle checkpoints. The techniques involve either general enforcement practices or are designed to address specific issues.

Normal traffic enforcement involves visible traffic patrol by officers driving distinctly marked police vehicles and who observe and handle traffic violations during the performance of their duties.

1. Area patrol involves traffic enforcement within an officer’s assigned area of responsibility.
2. Line patrol involves traffic enforcement along and concentrating on a particular section of roadway (e.g., speed enforcement on PCH between 15th and 21st Streets).
3. Directed patrol concentrates enforcement efforts in an area or at a specific location for a specific violation (e.g., failure to yield to a pedestrian in the crosswalk in the 400 block of Pier Avenue).

Stationary observation, either covert or overt, may be used as a technique to make observations about the flow of traffic at a particular location.
1. Officers are encouraged to park their vehicles in a conspicuous location either periodically (time permitting) or when writing reports in the field, since the mere presence of a marked police vehicle often encourages motorists to comply with the local traffic laws.

2. Covert enforcement, while less accepted by the public, may also be utilized when necessary in order to conduct violation-specific traffic law enforcement (e.g., parking in a blind driveway to monitor left turn violations at 6th Street and PCH).

Vehicle checkpoints involve the utilization of barriers and signs in order to direct motorists to a specific investigation site. Vehicle checkpoints may be used to perform specific traffic law violation enforcement (i.e.: DUI, license, and registration checks) or as a tool to assist in locating wanted felons or fugitives when there is reasonable cause to believe the suspect is in the area and is considered to be armed and dangerous.

Vehicle checkpoints may be staffed either exclusively with Department employees or in conjunction with other law enforcement agencies. Specific criteria will be developed prior to the function, and that criteria will be consistently applied throughout the checkpoint.

All vehicle checkpoints will be performed via:

1. The use of traffic signs, cones, flares, and personnel to designate the area affected.
2. Safe area routing will be designated so that cars can leave the affected area when appropriate.
3. Officers and employees will wear attire appropriate for both the purpose of the checkpoint and for their specific role within the checkpoint.

If authorized by a supervisor, unmarked vehicles may be used in a supporting role for traffic enforcement operations. Unmarked vehicles should not be used in a primary role when conducting traffic law enforcement.

(CALEA 61.1.6 a-d)

**DIRECTED TRAFFIC ENFORCEMENT**

The goal of directed traffic enforcement is to reduce traffic accidents. This can be accomplished through the assignment of personnel and equipment to areas that have been identified as concerns or possible hazards as the result of analysis of accident data and/or complaints. The objective is to direct enforcement efforts towards violations, not only in proportion to the frequency of their occurrence in traffic accident situations, but also in terms of traffic-related needs as identified by the community.

This Department’s directed traffic enforcement program will include:

1. A compilation and review of all reported collisions occurring within the city to determine if there are any areas of concern.
2. A compilation and review of traffic enforcement activities (citations) to determine if there are any identifiable patterns.
3. Comparison of the collision data with the enforcement activities data to determine if enforcement is occurring where accidents are occurring, and if so, to determine the effectiveness of the enforcement activities.

4. Implementing directed enforcement techniques (e.g., directed patrol, line patrol) at identified problem locations.

5. Evaluating directed enforcement techniques to determine their effectiveness.

The Traffic Division supervisor, or his/her designee, will be responsible for compiling the above-referenced data for analysis, and for developing and evaluating any directed enforcement actions.

**USE OF SPEED MEASURING DEVICES**

Officers assigned to the Traffic Division may utilize radar/laser speed measuring devices to conduct speed traffic enforcement in areas of high or potentially high accident locations where speed is a factor, and for directed speed enforcement in response to citizen complaints regarding speeding motorists or other Department directive. The radar/speed measuring device may also be used to conduct traffic volume and speed percentile studies and street surveys.

This Department currently uses the Kustom Signals, Incorporated Pro Laser III speed measuring device. This device has been approved by the International Association of Chiefs of Police (IACP) as having been certified to meet all requirements of the model minimum specifications for Lidar speed measuring devices, as published by the National Highway Traffic Safety Administration of the United States Department of Transportation (USDOT), and adopted by the Highway Safety Committee of the IACP.

All officers utilizing radar/laser must successfully complete the basic operator training program and receive certification prior to utilizing speed measuring devices, in accordance with CVC section 40802. Each officer must also receive training/instruction specific to the device being utilized. The Traffic Division supervisor, or his/her designee, will establish procedures to:

1. Inspect the radar/laser equipment to ensure that it receives proper care.
2. Ensure the programmed maintenance, testing, and calibration of the speed measuring device.
3. Periodically recertify operators to ensure their continued proficiency.

Per CVC section 40802, all speed measuring devices (radar and/or laser) will meet or exceed minimal operational standards set forth by NHTSA. Each speed measuring device is required to be calibrated at least every three (3) years by an independent certified laser or radar repair and testing or calibration facility. Additionally, officers electing to utilize any speed measuring device must inspect the device for proper operation at the beginning of their work shift. Any device found to be defective shall be immediately removed from service. The Traffic Division supervisor shall be notified and a repair order submitted to pursuant to the equipment repair procedures detailed elsewhere in this manual.
For the purpose of speed enforcement, radar/laser speed measuring devices will only be used on roadways whose prima facie speed limit has been supported by a current (within seven years) engineering and traffic survey. A list of the surveyed roadways will be kept on file in the Traffic Division office, with an additional list kept on file at the Traffic Division of the Municipal Court having jurisdiction for traffic offenses occurring within the City of Hermosa Beach.

(CALEA 61.1.9 a-e)

**LICENSE REEXAMINATION REFERRALS**

During routine traffic law enforcement activities, officers frequently encounter persons who they suspect are incompetent, physically or mentally disabled, or having other conditions that might prevent the person from exercising reasonable and ordinary care when operating a motor vehicle, thus preventing the person from safely operating a motor vehicle. In such cases, in addition to the enforcement action by the officer, the officer should notify the DMV of these findings or suspicions via the following procedure:

2. Provide the pink copy to the driver.
3. Attach any applicable report(s) to the original (white copy) and send the complete request to the DMV.
4. The yellow copy shall be kept on file at the Department.

**PARKING ENFORCEMENT**

Parking enforcement is primarily the responsibility of the Community Services Division of the Police Department. When Community Services Officers (CSOs) are unavailable or not on duty, police officers will handle parking enforcement calls for service. Additionally, police officers may elect to conduct parking enforcement actions at any time of the day. Officers electing to issue parking citations shall utilize the standard “City of Hermosa Beach Notice of Parking Violation” citation form. The form is a duplicate form. The original (top) copy is yellow in color; the bottom copy (white) is incorporated into the payment mailing envelope.

When completing the Notice of Parking Violation form, officers shall perform the following:

1. Complete the date and time of the violation.
2. Provide the location of the violation and check the appropriate violation box(es).
3. Include the appropriate description(s) for the violation(s) checked.
4. Complete all requested vehicle information.
5. The officer will legibly sign the citation and provide his/her ID number.

Once the citation has been completed, the officer shall place the bottom copy on the violating vehicle and forward the top copy to the Watch Commander, who will review the document for completeness and accuracy before forwarding the items to the Records Unit for processing and subsequent delivery to court.
VEHICLE IMPOUNDS

The following procedures for the impounding or storing of vehicles has been established to insure that all employees are performing vehicle impounds in a consistent manner.

When an employee determines that a vehicle is to be impounded or stored, that employee shall conduct a thorough inventory search of the vehicle. If it is impractical to conduct the search at the location of the impound, the employee will direct that the vehicle be moved to the police station and secured until an inventory search can be conducted.

In all cases, unless exigent circumstances exist, the employee will remain in the immediate area of the vehicle to be impounded/stored until the vehicle has been removed from the location. The employee will take the necessary steps to ensure the safe flow of traffic and that no person interferes in the impounding process.

The employee will make every effort to present the CHP 180 form to the on-duty PSO as soon as practicable after impound is complete.

APPROVED:

Sharon Papa
Chief of Police
PURPOSE

This policy establishes the guidelines and procedures for the provision of traffic engineering, traffic direction and control, and other traffic services in order to facilitate the safe and efficient movement of vehicular and pedestrian traffic.

TRAFFIC ENGINEERING

The City of Hermosa Beach, through the office of the Director of Public Works, contracts with a private firm for traffic engineering services. Information regarding the specific traffic engineering firm may be obtained via the Public Works Department. The contracted traffic engineering firm is responsible for the completion of traffic surveys and studies and for the collection and compilation of traffic data.

The Public Works Department is responsible for receiving input regarding traffic engineering issues and provides for review to the traffic engineering firm:

A. Reports and recommendations for the use of traffic control devices.

B. Reports for engineering improvements.

The Public Works Department will receive input from the Traffic Bureau regarding traffic engineering issues. Such input will consist of:

A. Analysis of traffic collision and enforcement data.
   1. Annual summary of traffic collisions reports
   2. Annual SWITRS report

B. Complaints or suggestions concerning traffic engineering deficiencies reported via the Police Department.
   1. Officer observations
   2. Citizen complaints or suggestions

C. Complaints or suggestions concerning traffic engineering deficiencies reported directly by the public via:
   1. In-person comments
   2. Public discussion at City Council, Planning, and Public Works Commission meetings

(CALEA 61.3.1a,b)
TRAFFIC DIRECTION AND CONTROL

The Department shall be responsible for facilitating the safe and efficient movement of both vehicular and pedestrian traffic. Uniformed employees of the Department will provide, on an as-needed basis, manual traffic control to alleviate traffic congestion under special circumstances, such as:

A. Traffic collision scenes.
B. Special events (races, parades, etc.)
C. Signal light failures.
D. Stalled vehicles.
E. Temporary roadway obstructions.
F. Inclement weather conditions (flooding, road washout, etc.).
G. Other emergency conditions (fire, haz/mat, etc.)

MANUAL TRAFFIC DIRECTION

All personnel engaged in manual traffic direction and control will use Department-issued safety devices to enhance officer safety and driver recognition response. All personnel shall wear a reflective safety vest or jacket at all times when controlling traffic and exposed to vehicular traffic.

(CALEA 61.3.2g)

Employees assigned to manual traffic control will utilize uniform traffic control signals and gestures. The signals can be either hand signals or whistle signals, or a combination of both.

When using hand signals, eye contact should be made with the drivers being signaled.

Stop signal – Basic signal to stop is an upraised hand at the end of an extended arm raised above shoulder level, with the palm of the raised hand clearly facing the approaching driver for whom the signal is intended.

Starting signal – The signal for a stopped vehicle to start moving begins at the shoulder level, with the officer extending his/her arm toward the stopped vehicle (pointing) and:

1. waving the car onward by bending the arm at the elbow and drawing the forearm towards the chest (for forward movement), or
2. drawing the arm back towards the chest and then extending it (pointing) in the desired movement direction while making the come-along signal (forward movement) with the other hand.

When ready, the officer turns and faces the opposing traffic and delivers the same signal(s).

(CALEA 61.3.2b)

Pull up signal – The signal to pull up to a position, indicated by the officer directing traffic at an intersection, is usually reserved for turning traffic facing opposing vehicle or pedestrian traffic. It is started by the officer pointing to the position at which the driver should pull
his/her stopped or slowly approaching vehicle. It is completed by monitoring the driver forward to the desired position. If possible, keep the pointing hand and arm in position to hold the vehicle until conditions are safe for the turning movement.

Turning traffic – Once it is safe for the motorist to complete the turn, the opposing traffic should be stopped (using the standard stop signal) and motioning the turning vehicle to complete its turn by making a come-along signal with the other hand.

Note: Right turning traffic requires little traffic direction unless the turning movement is crossing a heavily-traveled crosswalk or has to merge into heavy vehicle traffic. Natural gaps in traffic, when available, are best used for turning traffic.

When using whistle signals:

- **Stop** – A single, long blast.
- **Start** – Two short blasts.
- **Emergency Stop** – Three or more short blasts.

**MANUAL OPERATION OF TRAFFIC CONTROL SIGNALS**

Officers who are properly trained in the operation of traffic control signals may be used to manually operate signal lights under certain conditions and circumstances such as, but not limited to, the following:

1. Signal malfunction.
2. Special events.
3. Facilitating traffic flow.
   (CALEA 61.3.2b)

The Public Works Department shall be notified as soon as possible regarding any signal malfunction.

**TEMPORARY TRAFFIC CONTROL DEVICES**

Temporary traffic control devices may be utilized when traffic signals are inoperable, during special events, or in any other circumstance deemed necessary by the Watch Commander. If needed, additional roadway flares are available at the police station. Other temporary traffic control devices and signage are located at the City Yard and may be accessed at any time.

Any temporary traffic control devices must be removed from the roadway as soon as practical after the incident necessitating their placement has concluded.
   (CALEA 61.3.2f)

**TRAFFIC DIRECTION AND CONTROL PROCEDURES**

Traffic Collision – Uniformed police officers have the primary responsibility for the direction and control of traffic at the collision scene. Community service and police service officers may be utilized to assist in diverting traffic away from the scene.
   (CALEA 61.3.2a)
**Fire Scene** – The primary responsibility of police units at a fire scene is to control vehicle and pedestrian traffic in order to allow for unimpeded movement of Fire Department vehicles and personnel responding to the fire. Uniformed police officers have the primary responsibility for the direction and control of traffic. Officers may close roads as necessary to facilitate the movement of emergency vehicles into and at the fire scene. Community service officers may be utilized to assist in diverting traffic away from the scene. Officers will continue to direct and control traffic until the incident has concluded or until the Fire Department advises they are no longer needed.

**Hazardous Material/Critical Incident** – Officers, in coordination with the Fire Department, shall establish a containment area around the scene and divert all non-essential vehicle and pedestrian traffic away from the area. Community service officers may be utilized to assist in diverting traffic away from the area. Officers will continue to direct and control traffic until the incident has concluded or until the Fire Department advises they are no longer needed. (CALEA 61.3.2c)

**Adverse Road/Weather Conditions** – Officers will direct traffic in emergency situations created by adverse road and weather conditions (roadway collapse, trees down, etc.). Officers may close roads as necessary in order to prevent vehicles and pedestrians from entering the affected area. Community service officers may be utilized to assist in diverting traffic away from the scene. Officers must continue to manually control traffic until the problem is resolved or until temporary traffic control signs and devices are put in place. In the case of downed power lines, officers shall adhere to the Hazardous Material/Critical Incident procedure.

**Road Hazard** – Road hazards may consist of, but not be limited to:

1. Defects or debris in the roadway.
2. Visually obstructed or defective traffic control devices and signs.
3. Inadequate or defective roadway lighting.

Officers observing any road hazard shall immediately advise dispatch of the problem. Dispatch will then forward the information to the City Public Works Department, or to Caltrans if the problem involves traffic control devices or signage along Pacific Coast Highway (State Route 1). If the problem constitutes an immediate hazard, Public Works or Caltrans shall be immediately notified of the defect. If traffic direction and control is needed, officers shall adhere to the Adverse Road/Weather Conditions procedure. (CALEA 61.4.2)

**SPECIAL EVENTS**

The Operations Division Commander shall be responsible for establishing the traffic control plan for special events (parades, July 4th deployment, etc.). The Division Commander or his/her designee shall coordinate with the Fire Department, Public Works, and any other City departments in order to secure the appropriate resources and personnel needed for the event. The Division Commander shall prepare an action plan for the event and distribute it to the appropriate supervisors and department heads at least one week prior to the event.
POLICE ESCORTS

The Department will not provide emergency escorts to vehicles not equipped with emergency lighting. In the event of a medical emergency, a paramedic unit will be requested. In a life-saving situation, an officer may transport with his/her vehicle only with supervisor approval.

Non-emergency escorts for parades, oversized loads, or other special events may be provided with the approval of the Operations Division Commander. Persons or organizations requesting escorts must possess the appropriate permits and authorization as required by the City. The Department shall have the authority to review all such requests prior to final approval. The Department will be responsible for the planning and coordinating of all requested escorts.

(CALEA 61.3.2a,b; 61.3.3)

MOTORIST ASSISTANCE

Officers will stop and render aid to stranded motorists whenever possible. Should an officer not be able to stop, the officer will notify dispatch of the stranded motorist. Dispatch will send an available officer to check on the motorist. If the motorist is outside city jurisdiction, dispatch shall forward the information to the appropriate agency.

If a motorist is stranded due to a medical emergency, the officer shall immediately summon paramedics and render first aid as appropriate.

If a fire emergency exists, the officer shall immediately summon the fire department and insure that the motorist and any passengers are removed from the vehicle. Officers may attempt to extinguish small fires.

Should a motorist be stranded in a hazardous location, the officer will stay with the person until help arrives. The officer, if possible, will move the stranded vehicle to a more safe location. Police vehicles equipped with push bars may be used to push vehicles that present an immediate hazard from the roadway. The motorist’s consent must be obtained prior to pushing the vehicle. If a vehicle creates a traffic hazard and cannot be moved, the officer shall provide appropriate traffic control until the hazard is removed.

Officers may assist motorists with minor repairs such as obtaining fuel or changing a tire, but should avoid getting involved to the point where they cannot leave the location to respond to higher-priority calls for service. Officers may also assist motorists by forwarding any request for telephonic assistance (request for vehicle tow, contact family member, etc.) through dispatch.

Prior to leaving the scene, officers will see that the motorist and any passengers are in a place of safety and instruct them to remain in the safe area until assistance arrives. The officer will check back after a reasonable amount of time in order to insure that the assistance did arrive. Officers should not leave the scene of a vehicle that is creating a hazard without taking appropriate steps to protect the vehicle, either by moving it or placing appropriate warning markers around it.

(CALEA 61.4.1a,b,c,d)
Transporting civilians may only be done with supervisor approval. If possible, alternative means of transportation should be obtained. Officers who transport civilians shall advise dispatch of the starting point and destination. If the civilian is of the opposite sex of the transporting officer(s), starting and ending mileage shall be given to dispatch.

**SCHOOL CROSSING GUARDS**

The Hermosa Beach Police Department contracts with All City Management Services to provide adult school crossing guards at designated school/pedestrian crossings throughout the city.

The Crossing Guard locations are based on a Safe Routes to School plan to identify and recommend locations for students to cross at an adult supervised intersection. The routes are given to students and their parents at the beginning of each school year to keep students on main streets and allow for the safest route to school. The Public Works Department paints specific crosswalks along the route yellow to distinguish them as school cross walks. The placement of Crossing Guards is based on the level of traffic and number of students anticipated using an intersection to get to school.

Each year the placement of crossing guards is reviewed by the Operations Division Lieutenant based on a school survey showing where the students live and the route they would take. Also taken into consideration are traffic volume surveys conducted by Public Works and collision records. The review will be completed in March of each year so recommendations for any changes can be made for the start of the next school year, and for any budget changes in the next fiscal year.

**VEHICLE STORAGE AND IMPOUND PROCEDURES**

The California Vehicle Code contains many laws that grant a Peace Officer or City Representative, the authority to tow a vehicle due to illegal parking, abandonment, licensing or registration requirements, or arrest. Most of the laws regarding towing may be found under section 22651 of the CVC, California Vehicle Code.

Generally speaking, a vehicle will be **impounded** if the reason it is being towed requires a hold for a set period of time, (ex. 30-day hold) or if it considered evidence of a crime. Most other tows are classified as **stored**, which allows the release of a vehicle at any time provided the registered owner or legal owner shows the appropriate documentation to the towing agency and pays the applicable fees.

**Stored:**

If a vehicle is towed and stored by a Peace Officer or City Representative:

1. Owner is not required to obtain a release document from the Police Department.
2. Owner must pay the towing and storage fees at the towing facility.
3. Owner may retrieve their vehicle directly from the official towing facility.

Stored Vehicle Examples: Any vehicle blocking a driveway, parked/stopped on Pacific Coast Highway during morning/afternoon prohibited times, parked on a public street in excess of 72 hours, parked in a posted no parking zone, or otherwise illegally parked.
**Impounded:**
If a vehicle is towed and impounded by a Peace Officer or City Representative:

1. Owner will need a release document from the Hermosa Beach Police Department, Records Division, to retrieve their vehicle from the towing facility.
2. Owner must obtain the required documentation, proof of payment or authorization for release of vehicle depending on the reasons for the impound. This may include, but not limited to:
   a) Proof of payment for parking citations
   b) Proof of current vehicle registration from the (DMV), Department Motor Vehicles
   c) Proof of a valid driver license
   d) Authorization for the release of the vehicle from a detective or other law enforcement agency if the vehicle was being held as evidence

**Impounded Vehicle Examples:** Any vehicle that was being held for anything that requires the payment of monies such as, expired registration, unlicensed driver, DUI, unpaid parking tickets, and repossession fees.

**Impounded as Evidence:** Vehicles may be impounded for the preservation of evidence. A vehicle can be held during the investigation of a crime and/or other lawful reasons. If a vehicle was impounded for evidence, the owner shall obtain a release from the Police Department once the investigation is completed or the case has been adjudicated.

**Towing**
The towing of a vehicle is authorized under the following conditions:

A. When any criteria of CVC section 22651, et seq. applies, including:

   1. Vehicles parked or left standing on a highway creating a traffic hazard.
   2. Vehicles presumed abandoned on a public highway or lands.
      a. Five or more outstanding parking violations
      b. Illegally parked and no evidence of registration
      c. Parked or left standing on roadway for 72 hours
      d. Registration expired in excess of six months

B. When the physical arrest of a driver occurs, leaving the vehicle parked in an unsafe location and the driver will not permit another party to drive it away.

C. When the driver is unlicensed, never licensed or license expired over 30 days, or his/her driving privilege has been suspended or revoked, provided that:

   1. No other licensed driver is available to drive the vehicle, and
   2. Leaving the vehicle parked at the location would cause an unsafe condition to exist.

D. The vehicle was involved in a collision that renders it inoperable and impeding the safe movement of traffic. Any such vehicle shall be removed at the owner’s expense.

   1. The driver may select a private tow service or utilize the Department’s contracted tow service.
   2. The Department’s tow service will be utilized if no private tow service is able to respond.
3. Vehicles towed from the scene may be stored due to the driver’s incapacitation shall be properly inventoried by an officer on scene and towed by the Department’s tow service to their storage lot.

E. The vehicle is parked in the vicinity of a fire or other emergency, impeding the movement of emergency vehicles, and the owner is unable to be located.

   1. Illegally parked vehicles will be towed at the owner’s expense.
   2. Legally parked vehicles may be stored at the Department’s tow service storage lot.

F. The vehicle is considered evidence to or was involved in the commission of a crime.

   1. The vehicle may be released to the owner after all evidentiary processing has been completed.
   2. The owner will be responsible for the towing and storage fees.

G. The vehicle’s horn or other audible alarm has been sounding repeatedly or continuously for at least 20 minutes, subject to the criteria and restrictions provided in CVC section 21651.5.

H. The driver of the vehicle was engaged in a speed contest, CVC section 22651.6.

I. The vehicle is illegally parked inside of an off-street public parking facility and is blocking the flow of traffic or has accumulated five or more outstanding parking citations, CVC section 22651.3.

J. An agency hold has been placed on the vehicle pursuant to CVC section 14602.6, 14602.7, 14602.8, 14607.6, or pursuant to any other statute or court order.

   (CALEA 61.4.3a,b)

Any officer ordering an impound/storage of a vehicle shall prepare a Vehicle Report (CHP 180). The report shall minimally include:

   a. Date/time and location of the tow.
   b. Reason for tow, including applicable CVC section.
   c. Towing authority contact information and where stored.
   d. Vehicle description, including VIN and license plate number, if known.
   e. Vehicle registered owner and legal owner information.
   f. Vehicle condition, including body damage/defects.
   g. Vehicle inventory.
   h. Agency case number.
   i. Reporting officer’s name.
   j. Registered owner notification or attempted notification.

Once completed, the reporting officer shall have the tow truck operator sign the form. The officer will then give the bottom copy (yellow) to the tow truck operator. The original and remaining copies will be immediately delivered to the Records Bureau officer who will, without delay, enter the information into the Stolen Vehicle System (SVS) and other appropriate databases. The Records Bureau is also responsible for receiving all calls from private tow companies reporting private property impounds and vehicle repossessions. The officer receiving the report shall maintain a log of all such impounds and will enter the information into the SVS and other appropriate databases without delay.
The registered and legal owners of any towed vehicle shall be notified within 48 hours, excluding weekends and holidays, in accordance with the guidelines and procedures established in CVC section 22852. The Records Bureau will be responsible for ensuring that the appropriate notifications have been issued. Failure to adhere to the requirements will result in the Department incurring the costs for the towing and storage of the vehicle.

(CALEA 61.4.3c)

**TRAFFIC SAFETY MATERIALS**

The Department will support traffic enforcement efforts by providing the general public with traffic safety educational materials in order to increase public awareness to any traffic safety programs or changes in traffic laws. These items may be prepared by either private or public entities. Examples include: National Safety Council brochures discussing air bag safety, AAA brochures describing financial penalties associated with DUI convictions, and CHP-issued pamphlets regarding changes in traffic laws. Traffic safety information brochures will be placed in the police station lobby and may also be distributed to other public buildings such as the library, Community Center, and other City offices.

(CALEA 61.4.4)

APPROVED:

[Signature]

Sharon Papa  
Chief of Police
PURPOSE

This policy establishes the guidelines and criteria for the reporting of traffic collisions occurring within the city of Hermosa Beach.

TRAFFIC COLLISION RESPONSE

It shall be the policy of this Department that officers will be dispatched to all reports of traffic collisions occurring within the city. When available, the Communications Center (dispatch) shall assign a traffic officer as the primary unit on any traffic collision report. If no traffic officer is available, dispatch shall respond the appropriate area car as the primary unit. Reports of traffic collisions involving one or more of the following conditions shall have priority response over other non-emergency calls:

a. Death or injury to any involved party
b. Hit and run collisions
c. Suspected DUI driver
d. Hazardous materials involved
e. Disturbances between the involved parties
f. Collision involves a City or other publicly-owned vehicle and/or damage to City or other publicly-owned property
g. Collision causing severe traffic congestion
h. Collisions where towing assistance is necessary to remove the disabled vehicle(s) from the roadway.

Officers responding to a traffic collision involving one or more of the above conditions shall provide or call for any necessary emergency services. The primary investigating officer shall conduct the investigation and direct the collection of evidence. Assisting officers will restore the normal flow of traffic when it does not interfere with the investigation and when conditions are safe to do so. Collisions involving property damage only may be reported at the station.

(CALEA 61.2.1 a-f)

REPORT FORMAT

The procedures outlined in this policy shall remain consistent with the suggested guidelines of the Statewide Integrated Traffic Reporting System (SWITRS), the reporting format as provided by the California Highway Patrol (CHP), and the laws of the State of California. This will remain the Department standard so that appropriate assessment of trends and factors
of traffic collisions can serve in the development of effective traffic education and enforcement programs designed to reduce traffic collisions, injuries, and deaths.

To facilitate this, traffic collision reports shall be documented in accordance with the criteria and guidelines contained in the CHP Collision Investigation Manual (CIM), using one of the authorized CHP/SWITRS formats:

A. **CHP 555 – Traffic Collision Report.** More commonly referred to as the “long form” traffic collision report, the criteria and instructions for the completion of this report is found in Chapters 2 – 6 of the CIM.

B. **CHP 555-03 – Traffic Collision Report (Property Damage Only).** More commonly known as the “short form” traffic collision report, this form may be used to document any traffic collision provided all of the following conditions apply:

1. No more than two vehicles involved.
2. No reports of injuries, or reported injuries consist solely of “complaint of pain” with no other indications of more serious injury.
3. Prosecution of any party is not anticipated.

The instructions for the completion of the Property Damage Only report are found in Chapter 9 of the CIM.

**TRAFFIC COLLISION REPORTING**

**Death and Injury** – A traffic collision report (CHP 555) shall be completed. A Factual Diagram must be completed for any report involving death or potentially life-threatening injury. A Factual Diagram may be completed for any other serious injury. Investigative assistance can be provided, with Watch Commander approval, from the CHP Multidisciplinary Accident Investigation Team (MAIT) for any fatal or serious injury traffic collision, subject to the criteria for MAIT assistance established in the CIM. The Watch Commander may also seek investigative assistance from any other outside agency if deemed warranted.  
(CALEA 61.2.2a)

**DUI Arrest** – A traffic collision report (CHP 555) shall be completed when any driver is arrested for DUI, regardless of the “at fault” determination of the arrested driver. This shall be completed in addition to any other arrest or criminal reports associated with the incident.

**Hit and Run** – A traffic collision report shall be taken whenever the victim requests a report, regardless of damage. The investigating officer may use the CHP 555-03 report form in cases where the evidence (or lack thereof) indicates prosecution of the suspect is unlikely.  
(CALEA 61.2.2b)

**Property Damage Only** – A traffic collision report is not required for collisions resulting in moderate or less damage, pursuant to the guidelines established in the CIM and when both vehicles can be safely driven from the scene. In instances where a report is not taken, the investigating officer shall complete a Hermosa Beach Police Department Traffic Collision Information Card, in triplicate, and assist the involved parties in the collection of the
appropriate information. Once the Traffic Collision Information Card is completed, the officer shall provide each involved party with a copy of the completed card. The remaining copy may be retained by the officer; however, no copies will be retained by the Department.

**Private Property** – A traffic collision report is not required for non-injury traffic collisions, including “complaint of pain” only injuries where there are no other indications of more serious injury, when the prosecution of any party is not anticipated. A traffic collision report is required for all other cases. In cases where a report is not required, the officer should complete a Traffic Collision Information Card and provide each party with a copy of the completed card.

**Hazardous Materials** – A traffic collision report (CHP 555) will be completed for any accident resulting in the release and/or spillage of hazardous materials, excluding routine spillage such as cooling system and/or fuel system leakage. The report will include the following:

1. Type of hazardous material(s) involved.
2. Additional agency response and action(s).
3. Any medical attention required.

**Counter Report** – A counter report is a property damage only collision reported by an involved party at the police station. Counter reports are to be completed by the reporting party with the assistance of an officer. Counter reports are not processed into the SWITRS database files. The assisting officer will advise the reporting party that no follow-up investigation will be conducted on any counter report.

**ON SCENE RESPONSIBILITIES**

The first officer arriving on scene should:

1. Safely position their patrol vehicle. If needed, position the vehicle so that other traffic is safely diverted away from the immediate area of the collision.
2. Identify the involved parties, check for injuries, and request additional help, if needed (paramedics, officers, tow services, etc.).
3. If necessary, render basic first aid until relieved by paramedics or other rescue personnel.
4. Protect the scene and identify potential hazards (fire, fuel spill, hazardous materials, etc.).
5. Take precautions to prevent further collisions by means of additional traffic control measures, if needed (road flares, cones, traffic control officers, etc.).
6. Determine if a crime is involved (hit and run, intentional act, etc.) and initiate a crime broadcast, if necessary.
7. Preserve evidence.
8. Interview involved parties.
9. Locate and interview any witnesses.
10. If appropriate, expedite the removal of vehicles and debris from the roadway in order to return normal traffic flow as soon as possible.
Additional officers arriving at the collision scene will assist the first arriving officer with the performance of the above-listed duties. (CALEA 61.2.3 a, b, c, d, e, f)

The primary investigating officer will be in charge of the collision scene and investigation. He/she should delegate assignments and responsibilities to the assisting officer(s) as deemed warranted in order to efficiently complete the investigation in timely manner. (CALEA 61.2.3a)

**TRAFFIC DIRECTION AND CONTROL**

Traffic direction and control will be determined by the primary investigating officer. Flares, cones, or portable signs will be deployed as needed. Additional traffic control equipment may be obtained from either the police station (flares) or City Yard (cones, signs, etc.). All personnel engaged in traffic control shall wear a reflective safety vest when controlling traffic and exposed to vehicular traffic. (Refer to Policy O3.22 – Traffic Direction and Control.)

Should traffic control be needed for an extended period of time, the field supervisor (if available) or the Watch Commander will arrange for sufficient rotation and relief of those officers who must remain at a traffic control point. Food and water will be provided as needed.

**VEHICLE FIRES AND HAZARDOUS MATERIAL SPILLS**

The fire department shall be summoned to the scene of any traffic collision where a fire is present or there appears to be a significant fire risk. Officers on the scene will keep the public away from the area. Officers may use fire extinguishers to put out small fires.

Any officer arriving at the scene of a traffic collision shall request the assistance of the fire department if the officer suspects that any hazardous material has been spilled. All officers responding to the scene of a traffic collision where a hazardous material spill has been reported shall do the following:

1. If possible, approach the scene from an upwind direction.
2. Attempt to identify the hazardous material type (e.g., driver information, hazardous material placard, etc.).
3. Isolate the hazard area and evacuate non-essential personnel.
4. Coordinate traffic control and routing around the affected area.

Once on scene, the Fire Chief or his/her designee shall assume command of the incident according to the Unified Command protocol. The Fire Chief will remain in command of the incident until the hazardous material issue has been resolved. (CALEA 61.2.3c)

**CONTROL OF PERSONAL PROPERTY**

The personnel investigating a traffic collision shall be mindful of the possibility for theft of the involved parties’ personal property while conducting the collision investigation.
If the owner of any personal property is incapacitated or otherwise unable to take possession of the property, the investigating officer will attempt to locate a person willing and able to take possession of the property, if authorized by the property owner. If no such person is available, the officer may take possession of the property and book the item(s) into the station evidence locker for safekeeping. If the vehicle is impounded or stored for safekeeping, the officer must complete a Vehicle Report (CHP 180) in accordance with the Department policy regarding vehicle impounds. Items of notable value may be removed from the vehicle and booked directly into the station evidence locker for safekeeping.

(CALEA 61.2.3f)

COLLISION SCENE INVESTIGATION

The investigating officer must gather information concerning the collision for the subsequent use in completing any necessary report forms. Information may include:

a. Interviewing involved parties and witnesses, including contact addresses and telephone numbers.
b. Examining and recording vehicle positioning and damage.
c. Examining and recording roadway and/or other property damage.
d. Taking measurements as appropriate.
e. Collecting physical and/or photographic evidence.

Any evidence collected or photographs taken shall be booked into the station evidence locker in accordance with Department procedures. Any such action shall be noted in the collision report.

COLLISION INVESTIGATION FOLLOW-UP

Officers assigned to the Traffic Division will be responsible for conducting the follow-up investigations for all hit-and-run traffic collisions. Officers from the Traffic Division will also conduct the follow-up investigation to any other traffic collision report requiring such information. The investigating officer is responsible for contacting any off-scene witnesses or other involved parties and collecting any other off-scene data. Such data may include, but is not limited to:

1. Medical and physician reports.
2. Blood tests and other laboratory reports.
3. Vehicle mechanical inspections.

Reconstruction and skid analysis will be conducted on a case-by-case basis. Subject to Watch Commander approval, the investigating officer may seek expert and/or technical assistance from other agencies, such as the CHP.

Upon completion of an investigation, the investigating officer will compile the information and prepare a case investigation summary. If criminal activity is suspected, the investigating officer will submit the summary and any other necessary reports to the appropriate prosecutor’s office for criminal filing consideration.

(CALEA 61.2.4)
PURPOSE AND SCOPE

This policy provides guidance to those department members who play a role in the detection and investigation of driving under the influence (DUI).

POLICY

The Hermosa Beach Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of California’s impaired driving laws.

INVESTIGATIONS

Officers should not enforce DUI laws to the exclusion of their other duties unless specifically assigned to DUI enforcement. All officers are expected to enforce these laws with due diligence.

The Traffic Sergeant will develop and maintain, in consultation with the prosecuting attorney, report forms with appropriate checklists to assist investigating officers in documenting relevant information and maximizing efficiency. Any DUI investigation will be documented using these forms. Information documented elsewhere on the form does not need to be duplicated in the report narrative. Information that should be documented includes, at a minimum:

a) The field sobriety tests (FSTs) administered and the results.

b) The officer’s observations that indicate impairment on the part of the individual, and the officer’s health-related inquiries that may help to identify any serious health concerns (e.g., diabetic shock).

c) Sources of additional information (e.g., reporting party, witnesses) and their observations.

d) Information about any audio and/or video recording of the individual’s driving or subsequent actions.

e) The location and time frame of the individual’s vehicle operation and how this was determined.

(f) Any prior related convictions in California or another jurisdiction.
FIELD TESTS

The Traffic Sergeant should identify standardized FSTs and any approved alternate tests for officers to use when investigating violations of DUI laws.

CHEMICAL TESTS

A person implies consent to a chemical test or tests, and to providing the associated chemical sample, under any of the following (Vehicle Code § 23612):

a) The person is arrested for driving a vehicle while under the influence, pursuant to Vehicle Code § 23152.

b) The person is under 21 years of age and is arrested by an officer having reasonable cause to believe that the person’s blood alcohol content is 0.05 or more (Vehicle Code § 23140).

c) The person is under 21 years of age and detained by an officer having reasonable cause to believe that the person was driving a vehicle while having a blood alcohol content of 0.01 or more (Vehicle Code § 23136).

d) The person was operating a vehicle while under the influence and proximately caused bodily injury to another person (Vehicle Code § 23153).

If a person withdraws this implied consent, or is unable to withdraw consent (e.g., the person is unconscious), the officer should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

I. STATUTORY NOTIFICATIONS

Officers requesting that a person submit to chemical testing shall provide the person with the mandatory warning pursuant to Vehicle Code § 23612(a)(1)(D) and Vehicle Code § 23612(a)(4).

II. PRELIMINARY ALCOHOLS SCREENING

Officers may use a preliminary alcohol screening (PAS) test to assist in establishing reasonable cause to believe a person is DUI. The officer shall advise the person that the PAS test is being requested to assist in determining whether the person is under the influence of alcohol or drugs, or a combination of the two. Unless the person is under the age of 21, he/she shall be advised that the PAS test is voluntary. The officer shall also advise the person that submitting to a PAS test does not satisfy his/her obligation to submit to a chemical test as otherwise required by law (Vehicle Code § 23612).

III. PRELIMINARY ALCOHOL SCREENING FOR A PERSON UNDER AGE 21

If an officer lawfully detains a person under 21 years of age who is driving a motor vehicle and the officer has reasonable cause to believe that the person has a blood alcohol content of 0.01 or more, the officer shall request that the person take a PAS test to determine the
presence of alcohol in the person, if a PAS test device is immediately available. If a PAS test device is not immediately available, the officer may request the person to submit to chemical testing of his/her blood, breath or urine, conducted pursuant to Vehicle Code § 23612 (Vehicle Code § 13388).

If the person refuses to take or fails to complete the PAS test or other chemical test, or if the result of either test reveals a blood alcohol content of 0.01 or more, the officer shall proceed to serve the person with a notice of order of suspension pursuant to this policy (Vehicle Code § 13388).

IV. CHOICE OF TESTS

Officers shall respect a viable choice of chemical test made by an arrestee, as provided for by law (e.g., breath will not be acceptable for suspected narcotics influence).

A person arrested for DUI has the choice of whether the test is of his/her blood or breath, and the officer shall advise the person that he/she has that choice. If the person arrested either is incapable, or states that he/she is incapable, of completing the chosen test, the person shall submit to the remaining test.

If the person chooses to submit to a breath test and there is reasonable cause to believe that the person is under the influence of a drug or the combined influence of alcohol and any drug, the officer may also request that the person submit to a blood test. If the person is incapable of completing a blood test, the person shall submit to and complete a urine test (Vehicle Code § 23612(a)(2)(C)).

V. BREATH SAMPLES

The Traffic Sergeant should ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested, and that a record of such service and testing is properly maintained.

Officers obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the Traffic Sergeant.

When the arrested person chooses a breath test, the handling officer shall advise the person that the breath-testing equipment does not retain a sample, and the person may, if desired, provide a blood or urine specimen, which will be retained to facilitate subsequent verification testing (Vehicle Code § 23614).

The officer should also require the person to submit to a blood test if the officer has a clear indication that a blood test will reveal evidence of any drug or the combined influence of an alcoholic beverage and any drug. Evidence of the officer’s belief shall be included in the officer’s report (Vehicle Code § 23612(a)(2)(C)).
VI. BLOOD SAMPLES

Only persons authorized by law to draw blood shall collect blood samples (Vehicle Code § 23158). The blood draw should be witnessed by the assigned officer. No officer, even if properly certified, should perform this task.

Officers should inform an arrestee that if he/she chooses to provide a blood sample, a separate sample can be collected for alternate testing. Unless medical personnel object, two samples should be collected and retained as evidence, so long as only one puncture is required.

The blood sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

If an arrestee cannot submit to a blood draw because he/she has a bleeding disorder or has taken medication that inhibits coagulation, he/she shall not be required to take a blood test. Such inability to take a blood test should not be considered a refusal. However, that arrestee may be required to complete another available and viable test.

VII. URINE SAMPLES

If a urine test will be performed, the arrestee should be promptly transported to the appropriate testing site. The officer shall follow any directions accompanying the urine evidence collection kit.

Urine samples shall be collected and witnessed by an officer or jail staff member of the same sex as the individual giving the sample. The arrestee should be allowed sufficient privacy to maintain his/her dignity, to the extent possible, while still ensuring the accuracy of the sample (Vehicle Code § 23158(i)).

The sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

REFUSALS

When an arrestee refuses to provide a viable chemical sample, officers should:

a) Advise the arrestee of the requirement to provide a sample (Vehicle Code § 23612).

b) Audio- and/or video-record the admonishment when it is practicable.

c) Document the refusal in the appropriate report.

I. STATUTORY NOTIFICATIONS UPON REFUSAL

Upon refusal to submit to a chemical test as required by law, officers shall personally serve the notice of order of suspension upon the arrestee and take possession of any state-issued license to operate a motor vehicle that is held by that individual (Vehicle Code § 23612(e); Vehicle Code § 23612(f)).
II. BLOOD SAMPLE WITHOUT CONSENT

A blood sample may be obtained from a person who refuses a chemical test when any of the following conditions exist:

a) A search warrant has been obtained (Penal Code § 1524).

b) The officer can articulate that exigent circumstances exist. Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person’s bloodstream. Exigency can be established by the existence of special facts such as a lengthy time delay in obtaining a blood sample due to an accident investigation or medical treatment of the person.

III. FORCED BLOOD SAMPLE

If an arrestee indicates by word or action that he/she will physically resist a blood draw, the officer should request a supervisor to respond.

The responding supervisor should:

(a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.

(b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes a viable form of testing in a timely manner.

(c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another officer) and attempt to persuade the individual to submit to such a sample without physical resistance.

1. This dialogue should be recorded on audio and/or video if practicable.

(d) Ensure that the blood sample is taken in a medically approved manner.

(e) Ensure the forced blood draw is recorded on audio and/or video when practicable.

(f) Monitor and ensure that the type and level of force applied appears reasonable under the circumstances:

1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.
2. In misdemeanor cases, if the arrestee becomes violent or more resistant, no additional force will be used and a refusal should be noted in the report.

3. In felony cases, force which reasonably appears necessary to overcome the resistance to the blood draw may be permitted.

(g) Ensure the use of force and methods used to accomplish the collection of the blood sample are documented in the related report.

If a supervisor is unavailable, officers are expected to use sound judgment and perform as a responding supervisor, as set forth above.

**ARREST AND INVESTIGATION**

**I. WARRANTLESS ARREST**

In addition to the arrest authority granted to officers pursuant to Penal Code § 836, an officer may make a warrantless arrest of a person that the officer has reasonable cause to believe has been driving under the influence of an alcoholic beverage or any drug, or under the combined influence of the same when (Vehicle Code § 40300.5):

(a) The person is involved in a traffic accident.

(b) The person is observed in or about a vehicle that is obstructing the roadway.

(c) The person will not be apprehended unless immediately arrested.

(d) The person may cause injury to him/herself or damage property unless immediately arrested.

(e) The person may destroy or conceal evidence of a crime unless immediately arrested.

**II. OFFICER RESPONSIBILITIES**

The officer serving the arrested person with a notice of an order of suspension shall immediately (Vehicle Code § 23612):

(a) Forward a copy of the completed notice of suspension or revocation form and any confiscated driver’s license to the Department of Motor Vehicles (DMV).

(b) Forward a sworn report to DMV that contains the required information in Vehicle Code § 13380.
(c) Forward the results to the appropriate forensic laboratory if the person submitted to a blood or urine test.

**RECORDS BUREAU RESPONSIBILITIES**

The Records Supervisor will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney’s office.

**ADMINISTRATIVE HEARINGS**

The Records Supervisor will ensure that all appropriate reports and documents related to administrative license suspensions are reviewed and forwarded to DMV.

Any officer who receives notice of required attendance to an administrative license suspension hearing should promptly notify the Court Liaison.

**TRAINING**

The Training Sergeant should ensure that officers participating in the enforcement of DUI laws receive regular training. Training should include, at minimum, current laws on impaired driving, investigative techniques and rules of evidence pertaining to DUI investigations. The Training Sergeant should confer with the prosecuting attorney’s office and update training topics as needed.

APPROVED

Acting Chief of Police
PURPOSE

This policy describes the various types of special purpose vehicles operated by this Department, provides for a listing of the contents of and usage for each vehicle type, and establishes guidelines and criteria for each vehicle’s operation.

WATCH COMMANDER VEHICLE

This vehicle shall be driven exclusively by the shift Watch Commander. This vehicle is designed to serve as an on-site command and communication center in order to more effectively manage significant field incidents or events. It is also designed to augment routine patrol operations by serving as a mobile resource center for specialized equipment that may be needed by officers in the field (i.e. crime scene or traffic collision investigations, DUI investigations, etc.). Specialized training in the operation of the Watch Commander Vehicle is not required.

(CALEA 41.1.3 a, b)

In addition to the equipment carried by standard patrol vehicles, the Watch Commander vehicle shall contain the following:

A. Front seat area
   1. Binoculars (in glove box)
   2. Flashlight/flashlight charger (mounted to center radio console)

B. Rear seat area
   1. Flashlight/flashlight charger (mounted to rear of gun rack)
   2. AC/DC power inverter (mounted underneath load shelf)

C. Covered metal cargo bin behind the rear seat containing
   1. Jumper cables

D. Rear cargo area, multi-compartment storage unit containing
   1. Spare report forms
   2. Emergency response/Haz-Mat reference/resource books
   3. CSI equipment including, but not limited to
      a. Digital camera
      b. 35 mm camera
      c. Measuring tape
      d. Latex gloves (or equivalent)
      e. Evidence markers
f. Latent fingerprint detection equipment
g. Spare 35mm film rolls
4. Portable Intoximeter with spare mouthpieces
5. Pull-out map drawer with overlaying clear dry-erase board
6. 
7. 
8. Two (2) additional two-way radios
9. Two-way “General Services” radio
10. Ballistic shield (on side of storage unit)
11. Heavy-duty bolt cutters (on side of storage unit)
12. 120 volt electrical outlet (mounted to storage unit)

(CALEA 41.1.3 d)
Each shift supervisor will inspect the vehicle immediately after briefing, in accordance with section O3.26 of this manual. The supervisor shall replace/refurbish any needed equipment. If the necessary equipment or supplies are not available, the supervisor shall notify the appropriate Division Commander.
(CALEA 41.1.3 c)

FOUR WHEEL DRIVE PATROL VEHICLES

These vehicles are designed primarily for officers assigned to patrol the coastline and the adjacent area, including the “downtown” district. Therefore, officers assigned to the Community Lead position (downtown foot patrol) or to Beach Patrol have priority regarding the assignment of these vehicles.

Specialized driver training is not required to operate the four wheel drive patrol vehicles. All patrol personnel are authorized to use a four wheel drive patrol vehicle at the discretion of the Watch Commander.
(CALEA 41.1.3 b)
Each tire should be inflated to no more than 25 psi or less than 20 psi in order to facilitate better traction and control while operating on loose sand while still allowing for safe operation on paved surfaces; however, officers shall inflate the tires to their proper manufacturer’s specifications if extended on-road operation is anticipated. Officers driving four wheel drive patrol vehicles should be aware of the unique performance characteristics for these vehicles, as well as the unique environment in which they are operating.

As their primary concern, officers should exercise extreme care and vigilance in watching for and avoiding any persons on the beach while driving on the sand. In addition, officers should be mindful of:

A. Hazardous driving conditions, such as
   1. Sudden, obscure depressions (“potholes”)
   2. Sand dunes or ridges
   3. Water drainage channels or depressions
   4. Changing tide conditions
5. Random debris washed ashore by the tide
B. Decreased vehicle steering/handling response
C. Decreased tire traction while operating in loose sand
D. Increased engine rpm relative to vehicle speed
E. Increased braking response

During on-road operation, officers should be mindful of the different performance characteristics of the vehicle relative to a standard patrol vehicle. The four wheel drive patrol vehicles inherently have diminished steering, handling, and braking responses. The higher center of gravity of these vehicles also causes them to be more susceptible to “roll-over” during extreme handling maneuvers at elevated speeds. Because of this, these vehicles should not be used for high-speed pursuits. Should any officer determine that pursuit is necessary, the officer shall terminate his or her involvement in the pursuit immediately upon the arrival of a sufficient number of additional officers driving standard patrol vehicles, in accordance with section O3.20 of this manual.

(CALEA 41.1.3 a)

Officers assigned to the four wheel drive vehicles shall inspect the vehicle at the beginning of their shift, in accordance with section O3.26 in this manual.

(CALEA 41.1.3 c)

There are no minimal equipment requirements for the four wheel drive vehicles.

(CALEA 41.1.3 d)

**POLARIS RANGER OFF-ROAD VEHICLE**

This vehicle is designed for near exclusive operation on the sand. This vehicle should be minimally equipped with a forward-facing steady-burning red light and an operable horn. The vehicle shall be distinctively marked as a police vehicle. The words “Hermosa Beach Police” shall be prominently affixed to both the driver and passenger sides of the vehicle’s hood. The word “Police” shall be prominently affixed to all sides of the vehicle’s cargo bed.

Since the vehicle’s interior area cannot be secured while in the field, no other safety or radio communication equipment should be installed in or on this vehicle. At their discretion, officers may temporarily store their personal gear (i.e. cite books, equipment bags, etc.) in or on the vehicle at any time during their shift and while assigned to the vehicle.

(CALEA 41.1.3 d)

This vehicle is designed to be used primarily for those officers assigned to Beach Patrol. However, the Watch Commander or other supervisor may assign it to officers working other specialized assignments. This vehicle shall not be used by any officer assigned to general patrol duties.

(CALEA 41.1.3 a)

Specialized driver training is not required in order to operate the Polaris Ranger; however, Officers driving this vehicle shall be mindful of the vehicle’s performance limitations and characteristics, as well as the environment in which they are operating, as noted in the previous section.

(CALEA 41.1.3 b)
As with all other vehicles, the officer(s) assigned to this vehicle shall inspect it for proper operation prior to entering service. The Watch Commander shall be immediately notified concerning any observed damage or defect affecting the proper operation of the vehicle. (CALEA 41.1.3 c)

POLICE MOTORCycles

The motorcycles are used for traffic enforcement, special events, parades, and in other specialized assignments or situations where there is a necessity to maneuver easily through traffic or crowds. (CALEA 41.1.3 a)

Officers assigned to motor patrol shall successfully complete an 80 hour P.O.S.T. approved motor training class, designed to both mentally and physically prepare motor officers to safely and effectively operate a police motorcycle while performing law enforcement duties. In order to maintain high levels of skill, proficiency, and confidence when riding a police motorcycle, officers shall also successfully complete a minimum of eight (8) hours of refresher training each year. (CALEA 41.1.3 b)

The motorcycles should be minimally equipped with the following:

1. Laser Gun and holder
2. Flashlight and holder
3. LED flares
4. Ticket book and holder
5. Collision investigation equipment
6. Personal items as deemed necessary

(CALEA 41.1.3 d)

Officers assigned to a police motorcycle shall inspect it for proper operation prior to entering service. The Watch Commander shall be immediately notified concerning any observed damage or defect affecting the proper operation of the motorcycle. (CALEA 41.1.3 c)

PERSONAL MOBILITY ELECTRIC VEHICLES

The personal mobility electric vehicles are to be used primarily for downtown and Strand patrols, as well as special events and parades. Because of the unique profile of these vehicles, they can be utilized to patrol the walk streets and in other highly congested areas. (CALEA 41.1.3 a)

Personnel assigned to these vehicles shall watch the training video provided by the manufacturer and be familiarized with their operational characteristics and maintenance requirements prior to use. (CALEA 41.1.3 b)

Personnel assigned to use a Personal Mobility Electric Vehicle shall inspect it for proper operation and any damage prior to entering service. The Watch Commander shall be immediately notified concerning any damage or defect. (CALEA 41.1.3 c)
There are no equipment requirements for the Personal Mobility Electric Vehicles (CALEA 41.1.3 d)

APPROVED

Greg Šavelli
Chief of Police
PURPOSE

This policy specifies the required operational equipment for each patrol vehicle and provides instruction for the regular inspection of patrol vehicles, procedures for the repair or replacement of defective equipment, and for the replenishment of supplies, in order to ensure and maintain the vehicles’ operational readiness prior to entering service for each patrol shift.

AREAS OF INSPECTION

Immediately after briefing, each officer assigned a patrol vehicle shall be responsible for inspecting the vehicle before entering service and/or leaving the station. The only exception should be in an emergency situation in which the officer is required to respond from the station immediately. In such event, the officer shall inspect the vehicle as soon as possible upon completing the emergency service call. The vehicle shall be systematically inspected for:

A. Contraband/Found property  
B. Weapons/Explosive devices  
C. Safety hazards  
D. Vehicle and/or equipment damage  
E. Vehicle and/or equipment failures

INSPECTION PROCEDURE

Each officer shall complete a Shift Vehicle Inspection Report, utilizing the below procedures:

A. Visually examine the entire exterior of the vehicle for unreported damages such as dents, scratches, paint transfer, etc.
B. Visually check each tire for adequate tread and inflation  
C. Check the safety equipment stored in the trunk. Ensure the following equipment is present and in good supply and/or proper working condition:
   1. Fire extinguisher  
   2. First-aid kit  
   3. Road flares  
   4. Gunshot trauma kit  
   5. Latex rubber gloves (or equivalent)  
   6. Crime scene tape
D. Inspect the vehicle’s interior. Examine all visible areas (floorboards, seats, etc.) and all compartment areas (under the seats, door pockets, etc.)

E. Mechanically check the “Unitrol” to determine that all elements are operational:
   1. Red, blue, and amber emergency lights
   2. Takedown and alley lights
   3. Siren (throughout tonal scale, using discretion in regard to noise levels during certain hours)
   4. Public address system
   5. Unit-to-station radio communication

F. Mechanically check the Mobile Data Communications (MDC) terminal to determine that all elements are operational:
   1. Computer powers up and logs on properly
   2. Keyboard mount secure and fully adjustable
   3. Keyboard functions properly
   4. Video screen powers up and displays properly
   5. Touch screen program functions properly

G. Manually activate and, where applicable, visually inspect the following equipment to ensure that it is operational:
   1. Headlights, high and low beam
   2. Turn signals, front and rear
   3. Tail lamps and stop lamps
   4. Back-up lights
   5. Spot lamps
   6. Interior, dome, and dash lights
   7. Emergency brake

H. If already equipped, manually inspect the shotgun and AR-15 by removing them from the rack
   1. Ensure the firing chamber is clear
   2. Test all moving parts to ensure they are functioning properly
   3. Load the weapon (do not insert a round into the firing chamber)
   4. Return the weapons to the rack and ensure they are locked into place

**REPORTING VEHICLE DEFECTS AND DEFICIENCIES**

Each officer shall complete a Shift Vehicle Inspection Report, via the MDC, at the beginning of each shift.

If contraband or weapons of any kind are found during the vehicle inspection, the following procedure shall be followed at the conclusion of the inspection:

1. Verbally notify the Watch Commander
2. Log the items into evidence
3. Prepare a report relating all pertinent information. Include:
   - Finding officer
Any observed vehicle damage will be deemed to have occurred during the previous shift, unless otherwise documented. Likewise, any found property or contraband will be deemed to be the responsibility of the officer(s) assigned to the vehicle on the previous shift.

A Vehicle Report/Service Request form shall be completed by the reporting officer for any observed vehicle or vehicle equipment defects or damage and submitted to the Watch Commander. The Watch Commander shall note the damage/defect in the appropriate vehicle file and forward the service request form to City Yard in accordance with the guidelines detailed in the Fleet Vehicle Maintenance Operations Manual.

Any deficiencies or repairs needed to the radio, MDC, light bar, or Unitrol system shall be reported to the Regional Communications Center, via a Repair Work Order form, which are available online at www.rcc911.org. The form is available under Reports and Forms. Scroll to the bottom of the page and select Intranet. Log on using the user name of hbpolice and the password hbpolice. When completed click on Send and Print. The Repair Work Order will then be e-mailed to the appropriate Authority representatives for quick response.

If informed of found property or contraband, the Watch Commander may initiate an appropriate administrative investigation in accordance with section 30.65 of the Rules and Regulations Manual.

With regard to deficiencies in replaceable or exhausted safety equipment, the Watch Commander is responsible for refurbishing the unit with available stored supplies. If supplies are not available, then the Operations Division Commander shall be notified.

(CALEA 41.3.2; 70.1.2)

APPROVED:

Greg Savelli
Chief of Police
PURPOSE

To clarify the duties and responsibilities of a Police Officer making an arrest with or without a warrant and the specific Penal Code sections governing these situations, and to establish procedures for alternatives to a physical arrest.

POLICY

It is the policy of this Department to abide by the state code in relation to service of legal process and to seek out alternatives to arrest whenever feasible.

APPLICABLE STATE CODES

A. California Penal Code Sections that address arrests with warrants

1. P.C. 815 states that at the time of issuance a warrant will indicate the name of the defendant, time and location issued and be signed by a magistrate. At the time of issuance the magistrate shall fix a reasonable bail.

2. P.C. 816 states that a warrant of arrest shall be directed generally to any peace officer, and when a warrant of arrest has been delivered to a peace officer and the person named in the warrant is in custody, the warrant may be executed by the peace officer.

3. P.C. 817 states that when a declaration of probable cause is made by a peace officer, the magistrate if satisfied that there exists probable cause that the offense has been committed and that the defendant described committed the offense, shall issue a warrant of probable cause for arrest of the defendant.

4. P.C. 817(g) states that an original warrant of probable cause for arrest or the duplicate original warrant shall be sufficient for booking a defendant into custody.

5. P.C. 817(h) states that once the defendant named in the warrant for arrest has been taken into custody, the agency that obtained the warrant shall file a certificate of service with the clerk of the issuing court. The certificate of service shall contain all of the following: date and time of service; name of defendant arrested; location of arrest; and the location where the defendant is incarcerated.

6. P.C. 818 states that in any case in which a peace officer serves upon a person a warrant of arrest for a misdemeanor offense under the Vehicle Code or
under any local ordinance reference operation of a motor vehicle, and where no written promise to appear has been filed and the warrant states on its face that a citation may be issued in lieu of physical arrest, the peace officer may, instead of taking the person before a magistrate, prepare a notice to appear and release the person on his promise to appear.

7. P.C. 827.1 states that a person who is specified in a warrant of arrest for a misdemeanor offense may be released upon the issuance of a citation, in lieu of physical arrest unless one of the following conditions exists:
   a. The misdemeanor cited in the warrant involves violence;
   b. The misdemeanor cited in the warrant involves a firearm;
   c. The misdemeanor cited in the warrant involves resisting arrest;
   d. The misdemeanor cited in the warrant involves giving false information to a peace officer;
   e. The person arrested is a danger to himself or others due to Intoxication;
   f. The person requires medical examination or medical care or is otherwise unable to care for his own safety;
   g. The person has other ineligible charges pending against him;
   h. There is reasonable likelihood that the offense will continue or resume or that the safety of persons or property would be endangered by the release of the person;
   i. The person refuses to sign the notice to appear;
   j. The person cannot provide satisfactory evidence of personal identification;
   k. The warrant of arrest indicates that the person is not eligible to be released on a citation.

8. P.C. 842 states that an arrest by a peace officer acting under a warrant is lawful even though the officer does not have the warrant in his possession at the time of the arrest, but if the person arrested requests it, the warrant shall be shown to him as soon as practicable.

9. P.C. 848 states that an officer making an arrest, in obedience to a warrant, must proceed with the person arrested as commanded by the warrant or as provided by law.

B. California Penal Code Sections that address arrests without a warrant

1. P.C. 836 states that a peace officer may arrest a person in obedience to a warrant or without a warrant, may arrest a person whenever any of the following circumstances occur:
   a. The officer has probable cause to believe that the person to be arrested
has committed a public offense in the officer’s presence.

b. The person arrested has committed a felony, although not in the officer’s presence.

c. The officer has probable cause to believe that the person to be arrested has committed a felony, whether or not a felony, in fact, has been committed.

2. P.C. 849(a) states that when an arrest is made without a warrant by a peace officer or private person, the person arrested, if not otherwise released shall, without unnecessary delay, be taken before the nearest or most accessible magistrate, and a complaint stating the charge against the arrested person shall be laid before such magistrate.

3. P.C. 849(b) states that any peace officer may release from custody, instead of taking such person before a magistrate, any person arrested without a warrant whenever:

   (1) He or she is satisfied that there are insufficient grounds for making a criminal complaint against the person arrested.

   (2) The person arrested was arrested for intoxication only, and no further proceedings are desirable.

   (3) The person was arrested only for being under the influence of a controlled substance or drug and such person is delivered to a facility or hospital for treatment and no further proceedings are desirable.

4. P.C. 853.6 states that in any case in which a person is arrested for an offense declared to be a misdemeanor, including a violation of any city or county ordinance, and does not demand to be taken before a magistrate, that person shall, instead of being taken before a magistrate, be released according to the procedures set forth in this chapter. If the person is released, the officer or superior shall prepare in duplicate a written notice to appear in court, containing the name and address of the person, the offense charged, and the time when, and place where, the person shall appear in court.

C. Arrest with and without a warrant

1. When a Police Officer stops and detains a person, and as a result of a warrant check, determines the person has an outstanding warrant, the officer shall complete the following actions:

   a. Determine that the person described in the warrant and the subject in custody is one and the same.

   b. Determine if the warrant is available for service. Out of county agencies may not want to send an abstract for booking purposes due to the distance involved and the type of crime for which the warrant has been issued.

   c. Upon receipt of the warrant abstract, the person should be taken into custody and transported to the station.
2. All arrests, whether with or without a warrant, require the assignment of a case number and completion of an arrest report.
   a. Field arrests and Custodial arrests require the following:
   b. Written promise to appear;
   c. Officer’s arrest report; and
   d. Department Property/Evidence Forms (if applicable).

3. All Felony arrests, domestic violence cases, sex offenses and other serious misdemeanor arrests, if the suspect is booked into the jail, require the following in addition to the above list:
   a. Fingerprints and Photographs
   b. Booking Forms and any additional documents as dictated by a Watch Commander.
   c. Arrests with a warrant require a copy of the warrant in addition to the above documentation and processing.

(CALEA 1.2.5 a, b, c)

D. Legal Process

1. Service of Warrants
   a. Arrest warrants will be executed by sworn peace officers only.
   b. Warrants obtained in California are maintained in the California Law Enforcement Telecommunications System (CLETS), an automated warrant system.
   c. When an individual is contacted, the officer will have Dispatch confirm through the system that a valid warrant is outstanding.
   d. Officers will utilize a print out of a working paper that indicates that the warrant is valid and outstanding. This paper indicates the offense, bail amount, and warrant type (bench warrant, traffic, criminal).
   e. If a valid warrant is confirmed, the individual will be taken into custody and the service of the warrant will be documented in an Arrest Report. This report will indicate the date, time and location of the arrest, information on the suspect including name, date of birth and social security number.

E. Arrest of Armed Forces Personnel

In the event a member of the Armed Forces is arrested, the watch commander may notify the base or commanding officer of the arrestee. Such notification will be accomplished only after consultation with the Operations Division Commander or the Chief of Police.

Exception: If the subject is arrested for a misdemeanor only, and is not AWOL, such notification is not required.
If the subject is arrested for being AWOL only or has been arrested for a felony such military notification shall be made only after consulting the Operations Division Commander or the Chief of Police.

The following information should be obtained prior to contacting the military:

- Name, rank and serial number
- Branch of Service
- Organizational unit and its location
- Duty status (on pass, on orders, AWOL, etc.)

When contacting the military be sure to coordinate and identify which reports will be required by them for processing the subject after they take custody.

F. Execution of Criminal Process

1. Officers will execute only traffic and criminal warrants. The only exception to this is civil restraining orders.

2. Execution of Department warrants outside of this jurisdiction will be determined on a case-by-case basis, depending on the distance, crime, and Department needs.

3. When serving a warrant outside of this jurisdiction, the agency will be notified that we are going to serve a warrant in their jurisdiction, and a request will be made to have a unit from their agency assist.

4. Individuals arrested outside of this jurisdiction will be brought back to the station. If a warrant is served outside of the immediate area, the arrestee will be transported to a local facility until transport can be made.

G. General Requirements to Fingerprint (Cite and Release cases)

1. Pursuant to Section 13150 of the California Penal Code, “For each arrest made, the reporting agency shall report to the Department of Justice, Bureau of Criminal Identification and arrest data described in Section 13125 and FINGERPRINTS, except as otherwise provided by law or as prescribed by the Department of Justice.”

2. To ensure that DOJ will place a conviction on a criminal history, Live scan is to be completed on all cite and release cases in which the offense or charge is RETAINABLE; this includes juveniles (FBI/DOJ-CA/CA I.D./ DEPT.).

3. Retainable Offenses (Fingerprint). - Includes all other penal code offenses and the vehicle code violations on Attachment (A).

H. Fingerprinting Procedure

1. An officer citing a subject on a retainable offense should bring the subject
2. The Police Services Officer will Live scan fingerprint the subject. No cards need to be printed.

3. The officer must fill in all mandatory fields in live scan including the department case number, any aliases, physical description, charge and date of arrest. Case number must be followed by an Alpha character.

4. When fingerprinting juveniles, the officer must also include the final disposition, i.e. released to parents, released to juvenile hall, petition requested, etc.

5. The “Caution” box should be checked if the subject is dangerous, armed or suicidal, in which case the specific reason for the caution should be stated in the ICO area.

6. If a photo or palm prints have been taken of the subject, then mark the appropriate area.

7. Each time an arrest is made fingerprints must be done regardless if we have fingerprinted him/her before. DOJ requires fingerprint impressions for EACH arrest made to ensure that positive identification can be made.

8. Make certain that all fingerprint impressions are legible, fully rolled, and classifiable. Never submit rejected or “mismatched” prints.

9. Once the subject is fingerprinted, fill in the live scan log with name, date, officer ID number, and any problems.

I. Alternatives to Arrest

1. Hermosa Beach Police Officers may exercise alternatives to arrest based on the individual circumstances of each situation. The officer with discretion, taking into consideration the severity of the crime or violation and also considering the conduct of the suspect and the suspect’s past criminal history, utilizes alternatives to a custodial arrest.

2. Whenever possible or appropriate, officers are encouraged to exercise alternatives to physical arrest.

3. Some alternatives are as follows:
   a. Verbal warning (provided the violation is minor);
   b. Administrative Citation;
   c. Infraction ticket;
   d. Release to parents (if juvenile)
   e. Referral to Social Services

4. Officers will use discretion when selecting the appropriate course of action in each situation, taking into account the person’s past history, age, state at
the time of the incident, attitude, and other extenuating circumstances.

5. If there is a victim in the case, the officer will consider and honor as much as possible the victim’s preference for alternative or an arrest, except for domestic violence cases, where an alternative may not be the appropriate course of action.

6. If a question arises concerning the use of an alternative, officers should contact the watch commander to resolve the matter.

7. Oral warning:
   a. May be issued for misdemeanor or petty offenses.
   b. Document using a Field Interview Card (FI card).
   c. Make a referral if appropriate.

J. Social Service Programs – There are occasions where based on the situation referral to a social service program may be more appropriate than arrest.

1. Social Service programs for the public include referral to counseling and psychological services.
   a. Both of these programs provide assistance for drug and alcohol issues and utilize awareness and training to assist with these concerns.
   b. Counseling and Psychological Services provides assistance with mental health concerns.
   c. In addition, referral to homeless shelters and services should be offered when appropriate.

2. Each officer shall be provided with a referral sheet for local counseling and homeless assistance programs.

(CALEA 1.2.6)

APPROVED:

Greg Savelli
Chief of Police
**PURPOSE**

To establish guidelines for the proper handling and notification requirements associated with the detention, arrest, and/or death of a foreign national. The obligations discussed in this policy are in fact a matter of international law, enacted under the Vienna Convention on Consular Relations and in some cases in bilateral agreements, conventions, or treaties, all of which are binding on federal, state, and local governments.

**POLICY**

In accordance with federal law and the provisions of Section 834c of the California Penal Code, every officer, upon arrest and booking or detention for more than two (2) hours of a known or suspected foreign national, shall advise the foreign national that he or she has a right to communicate with an official from the consulate of his or her country.

Countries requiring mandatory notification under Article 36 of the Vienna Convention shall be notified by officers as set forth in this section without regard to an arrested or detained foreign national's request to the contrary. The mandatory notification countries are listed in section IV. of this policy, and can also be found in subdivision (d) of the California Penal Code Section 834c.

A current list of telephone and fax numbers for Foreign Embassies and Consulates in the United States can be obtained on the Department of State's website at: [http://www.travel.state.gov/law/notify.html](http://www.travel.state.gov/law/notify.html)  
(CALEA 1.1.4)

**PROCEDURE**

I. Foreign Nationals

   A. Foreign nationals are all non-U.S. citizens. This group of individuals includes those traveling or living here in the country legally on green cards, visas, or passports, as well as those traveling or living here in the country illegally.

   B. Foreign nationals can have dual citizenship. If a foreign national is also a U.S. citizen, no advisement is necessary. If a foreign national has dual citizenship between two other (non-U.S.) countries, then upon his/her request, or in the case of mandatory reporting, both countries shall be notified.
II. Deaths, Arrests and Detentions of Foreign Nationals

A. During the course of any death investigation involving a foreign national, the investigating officer shall notify the deputy coroner that the deceased is a foreign national, and the coroner's office will make the necessary notifications.

B. Whenever a foreign national is arrested or detained in the United States, there are legal requirements to ensure that the foreign national's government can offer him/her appropriate consular assistance. In all cases, the foreign national must be told of the right of consular notification and access.

C. In most cases, the foreign national then has the option to decide whether to have consular representatives notified of the arrest or detention. When consular notification is at the foreign national's option, the below notification admonishment is suggested.

1. As a non-US. Citizen who is being arrested or detained, you are entitled to have us notify your country's consular representatives here in the United States. A consular official from your country may be able to help you obtain legal counsel, and may contact your family and visit you in detention, among other things.

2. If you want us to notify your country's consular officials, you can request this notification now, or at any time in the future. After your consular officials are notified, they may call or visit you. Do you want us to notify your country's consular officials?

D. In other cases the foreign national's consular officials must be notified of an arrest and/or detention regardless of the foreign national's wishes when he or she is from a mandatory reporting country.

E. A list of the mandatory reporting countries with informational notations as of January 1st 2007 is included at the end of this section. Also, a current list of the mandatory reporting countries, the phone and fax numbers for all foreign embassies can be found on the U.S. State Department's WebPages at http://www.travel.state.gov/notification6.html#phone.

F. Hermosa Beach Police Department fax notification forms will be kept in the Watch Commander’s office and a suitable fax copy can be obtained off the U.S. State Department's WebPages.

G. When consular notification is mandatory, the below notification admonishment is suggested.

1. Because of your nationality, we are required to notify your country's consular representatives here in the United States that you have been
arrested or detained. After your consular officials are notified, they may call or visit you.

2. You are not required to accept their assistance, but they may be able to help you obtain legal counsel and may contact your family and visit you in detention, among other things. We will be notifying your country's consular officials as soon as possible:

H. Foreign nationals whose country requires mandatory notification should still be informed that the notification has been made and advised that he/she may also specifically request to see their consulate.

1. Privacy concerns or the possibility that a foreign national may have a legitimate fear of persecution or other mistreatment by his/her government may exist in some mandatory notification cases. The notification requirement should still be honored, but it is possible to take precautions regarding the disclosure of information. For example, it may not be necessary to provide information about why a foreign national is in detention.

2. Moreover, under no circumstances should any information indicating that a foreign national may have applied for asylum in the United States or elsewhere be disclosed to that person's government. The Department of State can provide more specific guidance in these particular cases.

I. The arresting or reporting officer shall record in the body of his report that he/she complied with the notification and whenever possible record the subject's response. The case officer should include in his report, a copy of the fax confirmation as proof of notice.

III. Consular Access to Detained Foreign Nationals

A. Detained foreign nationals are entitled to communicate with their consular officers. Any communication by a foreign national to his/her consular representative must be forwarded by the appropriate local officials to the consular post without delay.

B. Foreign consular officers must be given access to their citizens. Such officers have the right to visit their nationals, to converse and correspond with them, and to arrange for their legal representation.

C. They must refrain from acting on behalf of a foreign national, if the foreign national opposes their involvement and consular officers may not act as attorneys for their citizens.
IV. Mandatory Notification Countries and Jurisdictions

A. As of January 1, 2007, the countries listed below are currently on the list of mandatory reporting countries:

- Algeria
- Antigua and Barbuda
- Armenia
- Azerbaijan
- Bahamas
- The Barbados
- Belarus
- Belize
- Brunei
- Bulgaria
- China
- Costa Rica
- Cyprus
- Czech Republic
- Dominica
- Fiji
- Gambia
- The Georgia
- Ghana
- Grenada
- Guyana
- Hong Kong
- Hungary
- Jamaica
- Kazakhstan
- Kiribati
- Kuwait
- Kyrgyzstan
- Malaysia
- Malta
- Mauritius
- Moldova
- Mongolia
- Nigeria
- Philippines
- Poland (non-permanent residents only)
- Romania
- Russia
- Saint Kitts and Nevis
- Saint Lucia
- Saint Vincent and the Grenadines
- Seychelles
- Sierra Leone
- Singapore
- Slovakia
- Tajikistan
- Tanzania
- Tonga
- Trinidad and Tobago
- Tunisia
- Turkmenistan
- Tuvalu
- Ukraine
- United Kingdom
- U.S.S.R.
- Uzbekistan
- Zambia
- Zimbabwe

B. Informational notations on the mandatory countries of China, Hong Kong, United Kingdom, and U.S.S.R.

1. "Notification is not mandatory in the case of persons who carry "Republic of China" passports issued by Taiwan. Such persons should
be informed without delay that the nearest office of the Taipei Economic and Cultural Representative Office ("TECRO"), the unofficial entity representing Taiwan's interests in the United States, can be notified at their request.

2. Hong Kong reverted to Chinese sovereignty on July 1, 1997, and is now officially referred to as the Hong Kong Special Administrative Region, or "SAR". Under paragraph 3(f)(2) of the March 25, 1997, U.S.-China Agreement on the Maintenance of the U.S. Consulate General in the Hong Kong Special Administrative Region, U.S. officials are required to notify Chinese officials of the arrest or detention of the bearers of Hong Kong passports in the same manner as is required for bearers of Chinese passports--i.e., immediately, and in any event within four days of the arrest or detention.

3. British dependencies also covered by this agreement are Anguilla, British Virgin Islands, Bermuda, Montserrat, and the Turks and Caicos Islands. Their residents carry British passports.

4. Although the U.S.S.R. no longer exists, some nationals of its successor states may still be traveling on its passports. Mandatory notification should be given to consular officers for all nationals of such states, including those traveling on old U.S.S.R. passports. The successor states are listed separately above.

APPROVED:

Greg Savelli
Chief of Police
PURPOSE AND SCOPE

The purpose of this policy is to set forth regulations governing juvenile operations and arrest procedures, which are consistent with federal and state mandates relating to juvenile matters. The Hermosa Beach Police Department shall be committed to ensuring that the letter and spirit of the law is followed in dealing with juveniles and juvenile offenders.

PROCEDURES

I. Definitions

A. **Diversion.** In the broadest sense, any procedure that:
   1. Substitutes non-entry for official entry into the justice process;
   2. Substitutes the suspension of criminal justice proceedings for the continuation of those proceedings;
   3. Substitutes lesser supervision or referral to a non-justice agency or no supervision for conventional supervision; or
   4. Substitutes any kind of non-confinement status for confinement.

B. **Status Offense.** An act or conduct declared by statute to be an offense only when committed by a juvenile, and adjudicated only by a juvenile court.

II. Jurisdiction: Jurisdiction of the Juvenile Court over minors is authorized by the following five sections of the Welfare and Institutions Code.

A. 300 WIC: **Dependents** – includes dependent, neglected, destitute, abused children or those who are physically dangerous to the public because of mental or physical deficiency. All such protective service cases are to be adjudged “dependents of the court”.

B. 305 WIC: **Temporary Custody of a Minor by Peace Officer without a Warrant** when the officer has cause to believe that the minor is as described in Section 300 WIC or in need of immediate medical care or in immediate danger of abuse or a dangerous physical environment.

C. 307 WIC: **Minor in Custody, Disposition and Release** – A peace officer who takes a minor into temporary custody under provisions of section 305 WIC shall
either release the minor or prepare a petition for the parents/guardians to appear with the minor at Juvenile Court.

D. 601 WIC: Status Offenders, any person under the age of 18 years – Includes habitual incorrigibles, habitual runaways, truants, immoral youths, and those with dependent tendencies. Those in this category are known as “status offenders.”

E. 602 WIC: Delinquents, 14 years of age or older – Includes violations of federal, state and local laws. Those in this category are adjudged “delinquent.” These offenders and 601’s may become “wards of the court.”

III. Juvenile Operations Function (CALEA 44.1.1)

A. The Hermosa Beach Police Department is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency (i.e. drug and alcohol use, bullying, cyber crimes, etc.). The department will liaison with school officials, parents, and students to provide a forum to deal with these issues. (CALEA 44.2.4)

B. Detectives attend School Attendance Review Board (SARB) meetings that involve students that reside in the City of Hermosa Beach. SARB is composed of representatives from various youth-serving agencies that help truant or recalcitrant students and their parents or guardians solve school attendance and behavior problems through the use of available school and community resources.

C. All agency employees are responsible for participating in and supporting efforts to reduce the occurrence of juvenile crime and delinquency.

D. The various elements of the juvenile justice system are encouraged to review and provide input and suggestions to the department on its juvenile policies and procedures. A copy of this written directive shall be distributed to the juvenile justice system contacts utilized by the department. (CALEA 44.1.2)

E. The Hermosa Beach Police Child Abuse Investigator will prepare an annual report evaluating all enforcement and prevention programs related to juveniles. The report will show both the quantitative and qualitative elements of each program and show whether the program should function as is, be modified, or be discontinued. (CALEA 44.1.3)

IV. Alternatives to Arrest: Officers dealing with juvenile offenders shall use the least coercive among reasonable alternatives.

A. Outright release with no further action. (CALEA 44.2.1 a)

1. Based on the judgment of the officer in consultation with the Watch Commander, a juvenile may be released in the field without further
formal action. The best interests of the minor and the community shall be considered.

2. Documentation of such release shall be made within a written incident report.

B. Criteria and procedures for issuing citations and written petitions to juvenile offenders to appear in lieu of taking them into custody. *(CALEA 44.2.1 b)*

1. Juveniles cited for infractions should be released in the field unless circumstances indicate that it would be in the best interest of the minor and/or the public for him/her to be detained or if such release would be otherwise be unlawful or inappropriate.

2. If a minor is detained for a non-traffic infraction or non-violent misdemeanor, the arresting officer may, upon approval of a supervisor, release the minor to a responsible adult. If the detention is for a 602 WIC offense a JIR (Juvenile Investigation Report) form shall be completed as well as a crime incident report for the offense committed.

3. All juveniles arrested for misdemeanors and/or felony charges shall be detained until a parent/guardian or responsible adult can respond to accept custody, the officer shall complete a JIR (Juvenile Investigation Report) form and complete a crime report for the offense committed. If the juvenile is cited into court for any reason, the parent/guardian shall also receive a promise to appear pursuant to 660.5 WIC.

4. If the detention is for a 601 WIC Status Offense, (i.e., runaway, truancy, and curfew) and the minor is going to be released in the field to a parent/guardian or responsible party, the officer shall write the appropriate report and document the incident.

V. Referral to Juvenile Court. *(CALEA 44.2.1 e)*

A. Custody Dispositions – Officers must make an initial determination as to which jurisdictional section the minor is under. The following categories present procedures to follow based upon the applicable jurisdictional section.

B. 300 WIC – Dependents

1. Detention and Disposition – Minors taken into protective custody under this section should be referred to the appropriate agency as soon as possible.

2. In most cases, this will involve contacting a (DCSF ) Department of Children and Family Services social worker.
3. Minors may then be immediately released to the care and custody of the DCSF worker for foster care placement and/or reunification with parent or legal guardian.

4. In cases of injury or illness where a parent or legal guardian is unavailable, an officer may seek and order medical treatment for such minor.

5. Authority for these types of detentions is 305 WIC. Officers detaining minors under this section shall complete an incident report detailing circumstances of the case.

6. Notifications to Parent or Legal Guardian – Officers taking any minor into temporary custody are responsible for taking immediate step to notify parents or guardians. When this is not possible, reasons for the failure to notify shall be documented in the officer’s report.

C. 601 WIC – Status Offenders

1. Detention and Disposition – Minors (status offenders) taken into custody under this section shall be referred to the appropriate agency or released to a parent or guardian as soon as possible.

2. In some cases, minors may be considered for protective custody pursuant to 300 WIC. In certain aggravated cases, 601’s may be referred to the juvenile court for consideration of possible wardship.

3. In no case may a 601 offender be lodged in a juvenile detention facility.

4. Authority for these detentions is 625 WIC. Officers detaining minors under this section shall complete a Crime Report or a Matter of Record Report; whichever is appropriate, detailing the circumstances of the case.

5. Notifications to parent/guardian – Officers taking any minor into temporary custody are responsible for taking immediate steps to notify parent or guardian.

6. When this is not possible, reasons for the failure to notify shall be documented in the officer’s report.

7. Whoever responds to obtain custody of the juvenile should be advised of the circumstances and relevant information on the citation.

D. 602 WIC – Delinquent

1. Arrest and Disposition – Temporary custody pending a court hearing is discouraged in most cases.

2. Officers are required to release, admonish and release, or cite and release whenever possible.

3. Only if minors are escapees, probation violators, a menace to persons (themselves or others) or property, or apt to flee the jurisdiction, may
4. Authority for these detentions is 625 WIC. Officers arresting minors under this section shall complete a Crime Report and Arrest Report detailing the circumstances of the case.

5. Incarceration – When a minor has been taken into temporary custody under 602 WIC and detention is indicated, the officer shall contact the Watch Commander for approval and transport without delay. A copy of the detention referral form must accompany the arrested juvenile to the receiving facility.

6. Minors may be taken into custody:
   a. On the basis of a criminal law violation; or
   b. The arresting officer has a reasonable belief that the minor presents a serious security risk of harm to himself or others.

7. Minors meeting these criteria may be locked in a room or cell in the station, subject to the following conditions:
   a. Minors may not be detained at the station longer than six (6) hours. Juveniles detained must be visually observed no less than every 30 minutes.
   b. The detention must be for the purpose of giving the officer time to investigate the case, facilitate release of the minors to parents or arrange transfer to Juvenile Hall.
   c. Minors must be separated from adult prisoners.
   d. Minors must be told how long incarceration can last.
   e. Minors must be adequately supervised.
   f. The law enforcement agency must keep a written record explaining the need for and length of secure detention.

8. All juvenile incarcerations will be documented in the officer’s report. Documentation will include the need for the detention, length of the detention, any notifications (i.e., parents, probation officer, etc.), results of notifications, and final disposition.

9. Under no circumstances will 300 WIC dependents or 601 WIC status offenders be placed in “secure confinement” (locked up) or be permitted to come into contact with adult prisoners.

10. Investigations and Arrest – A peace officer may arrest or detain any minor who falls under these jurisdictional sections.

11. No warrant is required unless the minor is at home; then “Ramey” warrant requirements must be met in the case of 602 offenders.

12. Reasonable cause to believe that a misdemeanor has been committed, though not in the officer’s presence, for instance, is generally sufficient
for arrest without warrant. Probation violators may also be arrested without warrant.

13. The same constitutional safeguards apply to juveniles as to adults.

14. Parents will be advised of the arrest; beyond this, all investigations and processing of evidence or reports will be conducted in the same manner as for adult cases.

15. Whoever responds to obtain custody of the juvenile should be advised of the circumstances and relevant information on the citation.

VI. Procedures for taking a juvenile into custody.

A. Determining whether a juvenile is alleged to have engaged in noncriminal misbehavior (status offense), or in circumstances where there is an allegation the juvenile has been harmed or may be in danger of harm. (CALEA 44.2.2 a, b)

1. The application of the status offense governing code 601 WIC definition shall be the first consideration.

2. If a juvenile is taken into custody for a status offense or to prevent harm, the officer shall:
   a. Notify and consult with the Watch Commander;
   b. Complete a written incident report;
   c. Notify the juvenile taken in custody of the reason(s) for the action, if the juvenile is of an age to understand; and
   d. Notify the parents/legal guardians of the juvenile of the action taken.

B. Ensure the constitutional rights of the juvenile are protected and procedures for the custodial interrogation of juveniles.

1. The constitutional rights of a juvenile will be protected at all times.

2. An explanation of the agency and juvenile justice system procedures will be provided to a juvenile being interrogated/interviewed. This will include informing the juvenile that:
   a. A record of the case is established with the department;
   b. Parents/guardians are contacted and informed of circumstances;
   c. Officers dealing with juvenile offenders use the least coercive among reasonable alternatives; and
   d. Pending court action, if any.

3. Parents/guardians will be provided information relative to the charges pending and probable future court proceedings.

4. Interrogations shall not extend beyond a reasonable time commensurate with the gravity of the offense and will be conducted in accordance with Policy S2.04, section XI.
5. Unless a juvenile is in need of emergency medical treatment they shall be transported without delay to the department or a Juvenile Detention Center.

6. Public exposure of a juvenile placed into custody shall always be minimized. (CALEA 42.2.2 c, d, e and 44.2.3)

C. If the minor is to be detained and sent to Juvenile Hall, contact the Intake Detention Control Officer (IDC) at Los Padrinos Juvenile Hall (7285 E. Quill Drive Downey 90242) at (562) 940-8660 for approval. The IDC officer will need the name of the juvenile, DOB, and the information listed on the Juvenile Arrest Record (JAI). If the IDC officer approves the detention of the minor at Los Padrinos Juvenile Hall. These reports should include:

1. A completed JIR
2. At least two copies of the crime/arrest reports
3. Probable cause declaration signed and dated by the WC and the arresting officer.
4. A complete JAI printout on the juvenile
5. Booking and Live Scan
6. Juvenile Hall Entrance Record
7. A yellow L.A County medical booking screening form

If it appears the juvenile is sick or injured, they must be medically cleared for booking prior to transporting to Los Padrinos. Los Padrinos will also take out-of-state and out-of-county warrants with warrant abstract. If the juvenile is a runaway, the computer “hit” is to accompany the juvenile to Los Padrinos.

D. Notification of parents/guardians.

1. Notification to parents/guardians shall be as soon as reasonably possible.
2. Parents/guardians shall be provided the circumstances and particulars of the incident in the initial contact with them.
3. The location of where parents/guardians may respond to physically contact the juvenile in custody shall be provided.

VII Reporting Child Abuse / Neglect

The purpose is to provide guidelines and procedures for reports of child abuse and for taking minors into protective custody.

A. Protective Custody

When an officer discovers a person under the age of 18 years who falls within the description of Section 300 of the Welfare and Institutions Code, that officer shall consider his responsibility in taking the juvenile into protective custody. If probable cause exists to believe that a child is endangered, a police officer may enter a home WITHOUT a warrant or consent to investigate. If a child is taken into protective custody, the following reporting procedures will be followed:
1. The appropriate crime report must be completed if the juvenile falls within the provisions of Welfare and Institutions Code, section 300, or has been a victim of Penal Code sections 273a, child abuse; 273d, child beating; 285, incest; 288, child molest; or of any other crime.

2. If it is determined or suspected that a child abuse has occurred, the reporting officer shall contact the Los Angeles Department of Child and Family Services. This must be done immediately or as soon as practically possible by telephone (800 540-4000).

B. Physical Examination

Should the juvenile be a victim of sexual abuse requiring a medical examination, transport the victim to the closest Sexual Assault Response Team (SART) facility to be examined by a forensic nurse specialist.

1. The reporting officer shall contact the Investigative Division as soon as possible.

VIII Electronic Suspected Child Cross Reporting System (ESCARS)

ESCARS will create a countywide web-based suspected child abuse report database accessible to all participating agencies. ESCARS will allow:

1. DCFS, law enforcement agencies and mandated reporters to cross-report allegations of suspected child abuse and reducing duplication of effort and multiple responses.

2. The District Attorney’s Office to audit cross-reporting.

3. A timely response to sensitive cases thus reducing delays and expediting the criminal investigation.

4. Track and monitor cases electronically, reducing paper, printing, mailing of reports of suspected child abuse.

5. More efficient compliance with the mandated Child Abuse Neglect and Reporting Act (PC 11166 et seq.)

The Hermosa Beach Police Child Abuse Investigator will act as the ESCARS system administrator. The electronic reporting is to be arrive via email to detectives@hermosapolicr.org. This email will automatically be distributed to every member of the detective bureau. This redundancy in distribution will guaranty that the reporting is received.

APPROVED:

Greg Savelli
Chief of Police
O3.30 PRIVATE PERSONS ARREST Updated 10/27/2009
Effective

POLICY

In accordance with Section 142 of the Penal Code, it is the policy of the Hermosa Beach Police Department to receive into custody all persons arrested, whether by a peace officer or a private citizen. This policy does not, however, preclude officers of this Department from undertaking every legal effort to protect individuals from either making false arrests or being subjected to them.

When an officer of this Department is confronted by a private person who has made, or who intends to make, a private person’s arrest, the officer shall:

1. Question the private person and any available witnesses until all the relevant facts are gathered and all the charges are clearly understood.

2. Analyze the information accumulated and determine if the arrest is valid according to 837 P.C., i.e.:

   A. Was the crime alleged, committed or attempted in the presence of a private person and did the private person observe it?

   B. If a felony not committed in the private person’s presence is alleged, does the offense actually constitute a felony and has a felony, in fact, been committed?

   C. Are all the elements of the crime alleged present as defined by the appropriate Penal Code section?

   D. Had a police officer observed the offense alleged, would the officer be justified in making the arrest?

   E. If a felony is charged, would an officer be justified in making an 836.3 P.C. arrest? (If so, the officer shall make the arrest and exclude the private person, except as a witness).

3. In all private person misdemeanor arrest situations where the officer considers the suspect sufficiently reliable to appear in court if so ordered, encourage the private person to prosecute via complaints through the City Prosecutor’s office.

4. If a physical arrest appears necessary and valid and is approved by the Watch Commander, instruct the private person to address the suspect face-to-face and state to
them, “You are under arrest for ___________.” (Naming the offense: battery, petty theft, etc.)

5. Receive the arrested person into custody and arrange for the prisoner’s booking.

6. Obtain a signed, written account of the arrest and preceding circumstances from the private person, along with a signed complaint.

7. Complete the Hermosa Beach Police Department “Private Persons Arrest” form.

8. Advise the prisoner of their rights and, if a waiver is secured, question them, noting any remarks or admissions, and provide them an opportunity to make a written statement.


10. If the private persons arrest is found unjustified, advise the private person that such an arrest would be unjustified and summon the Watch Commander to the scene.

11. Upon consulting the Watch Commander, explain in detail to the private person why the arrest is deemed unjustified and advise the private person of their liability for false arrest.

12. If the private person is unconvinced and insists that the officers receive the prisoner into custody, restate the explanation and warning (see section 10) as forcefully as courtesy will allow. Also, advise the private person that should litigation arise alleging false arrest, it is the officer’s duty to serve as a witness on behalf of the prisoner.

13. Finally, should the private person remain insistent, require the private person to command the officers involved to receive the prisoner into custody. Upon this command, receive the prisoner into custody, have the person arrested booked, and follow the steps outlined in this procedure. Officers are in no way precluded from considering and obtaining and O.R. release for the prisoner after booking.

APPROVED:

[Signature]

Greg Savelli
Chief of Police
PURPOSE

Effective June 1, 1989, the City of Hermosa Beach enacted a False Alarm Ordinance, section 8.08.010 (formerly 17-55) et seq. of the Hermosa Beach Municipal Code. The purpose of this ordinance is to reduce the number of false alarms that police and fire units respond to each year.

Every residence and business that maintains and alarm system within the City of Hermosa Beach must obtain a permit to operate such a system from the Police Department. Each residence and business that maintains an alarm system will be allowed to a maximum of three false alarms per calendar year. Thereafter, the City will assess a service charge for each subsequent false alarm that causes a police or fire response.

DEFINITIONS

False alarm – Mean an alarm activated by a subscriber negligence or for any reason not of an emergency nature or when activated due to a malfunction of any segment of the alarm system and which necessitates a response by the Fire of Police department when, in fact, no emergency exists.

Audible Alarm – Means a device designed to notify persons in the vicinity of the protected premises by emission of an audible sound to signal a need for an emergency response.

Direct Dial Device – Means any system connected to a telephone line which upon activation, automatically dials a pre-determined telephone number and transmits a message or signal indicating the need for an emergency response.

Silent Alarm - Means a device for the detection of unauthorized entry or illegal act upon the premises which does not generate an audible signal or sound of the premises which it is activated, but rather transmits a signal directly to the Public Safety Communications Center or to an alarm company central office.

Permittee – Means any person holding an alarm system permit issued in compliance with the regulations set forth in Section 8.09.010 et seq., of the Hermosa Beach Municipal code.

PROCEDURE – PERMIT APPLICATION

Permit applications can be obtained at the front desk of the police department. The permit application is to be filed out COMPLETELY and can be mailed in or turned in at the front desk along with a non-refundable permit fee.
The application will then be forwarded to the Support Services Division Commander for processing. The Support Services Division Commander will review all applications for the purpose of approving or disapproving the application.

Upon approval, the white copy of the permit will be kept on file by the Support Services Division Commander. The yellow copy will be forwarded to the Records Supervisor. The information on the permit will be entered into the Department’s computer by records bureau personnel under the address of the permittee. The pink copy will be mailed to the permittee.

In the instance of a permit rejection, the permit fee is non-refundable. The applicant will be notified in writing of the rejection.

**PROCEDURE – POLICE/FIRE RESPONSE**

When a police and/or fire units are dispatched to a location as a result of an alarm call where no emergency exists, the police or fire officers will attempt to determine the cause of the false alarm. A three part false alarm notice will be completed (see attached). The pink copy of the notice will be left at the premises. The white and yellow copy of the notice will be returned to the Police Department and forwarded to the Support Services Division Commander.

Section 8.08.010 HBMC allows exceptions to the false alarm ordinance. Permittees will not be charged for false alarms occasioned by disaster, power failure or other causes clearly not within the control of the permittee. No charges shall be made for a false alarm occasioned by an alarm company or permittee test of the alarm system, provided that he Police Department has been notified before and after completion of said test. If it is determined by the responding officers that the false alarm occurred due to one of the conditions mentioned above, no false alarm notice will be completed.

**PROCEDURE – NUISANCE**

Section 8.08.030 HBMC states that no person shall install or maintain any audible alarm system which emits an audible sound for longer than ten (10) minutes or generates more than three (3) false alarms in a twenty-four (24) hour period. Such alarm may be declared a nuisance by the Chief of Police or his designee who is the on-duty Sergeant or Watch Commander or on-duty Fire Captain.

An alarm that has been declared a nuisance under this section may be disconnected by the Chief of Police or his designee. In this situation, a report documenting the incident will be completed by the responsible Sergeant, Watch Commander, or Fire Captain and forwarded to the Support Services Division Commander. The report should include the amount of time emergency personnel were involved in the incident and what means, if any, where used to disconnect the alarm. Under these circumstances, the permittee shall be charged for all costs incurred by or reasonably borne by the City in disconnecting the nuisance.
RECORDS

The Support Services Commander will cause that all permit applications be kept on file. When a false alarm notice is received from the police or fire personnel, the white copy of the notice will be mailed to the permittee.

When a police and fire personnel are required to respond to more than three (3) false alarms within the same calendar year, the Support Services Division Commander will forward a notice to the Finance Department for each and every response in excess of this amount. The Finance Department will then bill the permittee the appropriate service charge as stated in Section 8.08.150 HBMC.

VEHICLE ALARMS

On occasion, the department receives complaints regarding vehicle alarms which constantly go off for reasons not involving criminal activity. It shall be the policy of the Hermosa Beach Police Department to affirmatively respond to nuisance alarms in an effort to restore peace to the affected neighborhood. The purpose of this directive is to give some guidelines to the watch commander on how to better deal with this problem.

PROCEDURE

There are two laws regarding nuisance vehicle alarms. The first is vehicle code section 22651.5. An officer can impound a vehicle whether it is parked on public or private property if an alarm device or horn has been activated within the vehicle. The officer must first make an effort to locate the owner of the vehicle. If the officer is unable to locate the owner within 20 minutes from the time of arrival and the alarm device or horn has not been silenced, the vehicle can be towed. The vehicle code does not specifically require the alarm to continuously sound for the entire 20 minutes. If it is intermittently but consistently going off for 20 minutes and the officer cannot locate an owner to disable or reset the alarm – tow the vehicle per CVC 22651.5 (a).

Section 8.08.200 of the Hermosa Beach Municipal Code stated the following: “In order to protect the public health, safety and welfare, a police officer may deactivate, or cause to be deactivated, any audible automobile alarm which has sounded for more than five continuous minutes, when person in control of the vehicle has not responded to the alarm. A police officer may reasonably enter any such vehicle pursuant to this chapter to silence the alarm, or may cause the vehicle to be impounded pursuant to 22651.5 of the California Vehicle Code if the alarm cannot be silenced within twenty (20) minutes of the police officer’s arrival.”

This section does require the alarm to be sounding for 5 or more continuous minutes. The problem is that most vehicle alarm systems reset themselves within 5 minutes. Additionally, the law does not define “reasonable” means to enter a vehicle to disable the alarm. Obviously the least intrusive method is most desirable. Frank Scotto Towing drivers have the ability to disconnect alarm systems.

Therefore, if there is an aggravated situation where it would not be prudent to wait for 10 minutes to tow the car, the watch commander is authorized to utilize Frank Scotto towing to
respond, enter and disable the car alarm. **With an officer standing by,** the Frank Scotto driver will enter the vehicle and disable the alarm by generally doing one of the following:

1. Remove the fuse for the alarm system.
2. Cut a wire to the alarm horn.
3. Disconnect the cable to the battery.

If Frank Scotto is utilized in this manner, an officer must prepare an incident report documenting the entry of the car, and the method utilized to disable the alarm. A note must be left on the windshield of the car explaining the action taken citing the HBMC authority. (Section 8.08.200)

**APPROVED:**

Greg Savelli  
Chief of Police

Attachments:  A- Permit Application  
B- False Alarm Notice
PURPOSE

The purpose of this policy is to establish procedures for infraction incident reporting and to define the circumstances and reporting procedure for issuing an administrative citation for a Hermosa Beach Municipal Code Violation.

POLICY

It shall be the policy of the Hermosa Beach Police Department to assist citizens in the prosecution of violators of infractions committed out of the presence of the handling police officers. There are many occasions where the officers are sent on the call of a leaf blower or trash digger or some other infraction that is occurring. When the officer arrives, many times the infraction is no longer taking place and the officer cannot issue a citation but simply warn and advise. This has frustrated some citizens that wished the police could have done something more.

PROCEDURE

In order to try and assist citizens in answering their complaints about such violations, an INFRACTION INCIDENT REPORT has been developed. This report was developed with the assistance of our City Prosecutor and South Bay Court. The procedure for using this report is as follows:

If an officer arrives on the scene where an infraction is taking place in their presence, the officer is to issue a citation or give a warning, whichever is appropriate for the situation based upon the discretion of the handling officer. However, in the situation where an officer feels that a warning is sufficient but the reporting citizen demands that a citation be issued, an infraction incident report is to be completed.

In the event that an officer arrives on the scene where the infraction is no longer taking place, the officer is to issue a warning to the offender if the offender is still present. If the citizen who observed the violation demands that the offender be cited or would like to pursue some formal action against the offender, an infraction incident report is to be completed.

The infraction incident report requires very basic information. The identity of the RP and the violator is required. You will also notice that at the bottom of the report, there is a space for the citizen to write a short narrative of the violation observed. The citizen is to sign and date the report at the bottom. It is important that the citizen complete the narrative by either
writing it or dictating it to the handling officer. If the citizen changes their mind or does not wish that such a report be completed, then do not complete the report.

When the report is completed, it is to be routed through normal channels. The report will be reviewed by the City Prosecutor who will decide on whether or not a complaint should be filed with the court.

**ADMINISTRATIVE CITATIONS**

The City of Hermosa Beach under Resolution number 07-6569 adopted the Administrative Citation for handling specific violations of the Municipal Code. The sections that require Administrative Citations are listed in the Hermosa Beach Municipal Code Section 1.10.040.

Any violation under these sections can only be cited using the Administrative Citation. The first violation within one year is $100.00, the second violation is $200.00, and the third is $500.00. Each additional violation within one year is $500.00. Enter the appropriate amount in the “Fine Amount” box. A records check should be done to determine if the person was cited within the last year for the same offense.

The due date is thirty (30) days from the date of issuance. The violator has 30 days to pay or appeal the violation. Instructions for taking care of the Administrative Citation are on the back of the violator’s copy.

**Personal service** - The officer shall attempt to locate and personally serve the responsible person and obtain the signature of the responsible person on the administrative citation. If the responsible person served refuses or fails to sign the administrative citation, the failure or refusal to sign shall not affect the validity of the administrative citation or of subsequent proceedings.

**Service of citation by mail** - If the officer is unable to locate the responsible person, the administrative citation shall be mailed to the responsible person by certified mail, postage prepaid with a requested return receipt. Simultaneously, the citation may be sent by first class mail. If the citation is sent by certified mail and returned unsigned, then service shall be deemed effective pursuant to first class mail, provided the citation sent by first class mail is not returned.

**By Posting on Property** - If the officer is unable to serve the citation under subsections 1 or 2 preceding, a copy of the citation may be posted on any real property within the City in which the City has knowledge that the responsible party has a legal interest. Service under this subsection shall be deemed effective on the date when the notice is posted.

A DR number will be pulled and placed in the upper right hand corner of the Administrative Citation. The violator will be issued the second (yellow) copy. The issuing officer will complete an Infraction Incident Report. Records will file the pink copy and a copy of the report in their files. Records will forward the white original copy to the Finance Cashier’s office in Room 101.
APPROVED:

Greg Savelli
Chief of Police

Attachment: Infraction Incident Report
HERMOSA BEACH POLICE DEPARTMENT
INFRACTION INCIDENT REPORT

DR # ____________________ Officer __________________________ ID# ____________________

On ______________ at approximately ________ hours, I was contacted by the following citizen who reported observing the following infraction taking place in their presence:

Citizen RP Name: ____________________________________________
Address: ____________________________________________________
Phone Number: ________________________________________________
Infraction taking place (Code section and description of violations)

______________________________________________________________

Date/Time of Offense_________________________________________
I contacted the alleged suspect who was pointed out to me by the RP and is identified as follows:

Suspect Name and Address: ____________________________________
CDL #_________________________ Other ID:________________________
If suspect no longer present, description:

______________________________________________________________

Vehicle driven by suspect if applicable: __________________________

The reporting citizen in this matter is desirous that the suspect be prosecuted for this offense and therefore requests that this information be forwarded to the City Prosecutor for his review and disposition.

Citizen Comment: ____________________________________________

_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________

By signing below, I understand that a formal complaint may be filed and if so, I will be required to appear in court as a witness.

_________________________________________ ________________
Signature                                             Date
<table>
<thead>
<tr>
<th><strong>Date and Time Reported</strong></th>
<th><strong>Probable Type (Traffic, Natural, Suicide)</strong></th>
<th><strong>DR #</strong></th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>CORONER’S DR#</td>
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<thead>
<tr>
<th><strong>Date and Time Death Occurred</strong></th>
<th><strong>Location of Occurrence</strong></th>
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<tr>
<th><strong>Date and Time Original Illness or Injury</strong></th>
<th><strong>Location of Original Illness or Injury</strong></th>
<th><strong>Original Type Report</strong></th>
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<tr>
<th><strong>Victim’s Name</strong></th>
<th><strong>Residence Address</strong></th>
<th><strong>City</strong></th>
<th><strong>Zip</strong></th>
<th><strong>Res. Tele.</strong></th>
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<tr>
<th><strong>Date of Birth</strong></th>
<th><strong>Business Address</strong></th>
<th><strong>City</strong></th>
<th><strong>Zip</strong></th>
<th><strong>Bus. Tele.</strong></th>
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<tr>
<th><strong>Victim’s Occupation</strong></th>
<th><strong>Investigative Divisions or Units Notified (Divisions or Unit and Person contacted)</strong></th>
<th><strong>L.A. County Coroner</strong></th>
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<tr>
<th><strong>Probable Cause of Death</strong></th>
<th><strong>Reason</strong></th>
<th><strong>Date and Time Body Discovered</strong></th>
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<tr>
<th><strong>Victim’s Description</strong></th>
<th><strong>Sex</strong></th>
<th><strong>Race</strong></th>
<th><strong>Age</strong></th>
<th><strong>Height</strong></th>
<th><strong>Weight</strong></th>
<th><strong>Hair</strong></th>
<th><strong>Eyes</strong></th>
<th><strong>Build</strong></th>
<th><strong>Complexion</strong></th>
<th><strong>Marks, clothing, jewelry</strong></th>
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<tr>
<th><strong>Person Reporting Death</strong></th>
<th><strong>Address</strong></th>
<th><strong>City</strong></th>
<th><strong>Zip</strong></th>
<th><strong>Res./Bus./Cell. Telephones</strong></th>
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<tr>
<th><strong>Person Discovering Body</strong></th>
<th><strong>Address</strong></th>
<th><strong>City</strong></th>
<th><strong>Zip</strong></th>
<th><strong>Res./Bus./Cell. Telephones</strong></th>
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<tr>
<th><strong>Person Identifying Body</strong></th>
<th><strong>Address</strong></th>
<th><strong>City</strong></th>
<th><strong>Zip</strong></th>
<th><strong>Res./Bus./Cell. Telephones</strong></th>
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<tr>
<th><strong>Nearest Relative</strong></th>
<th><strong>Address</strong></th>
<th><strong>City</strong></th>
<th><strong>Zip</strong></th>
<th><strong>Res./Bus./Cell. Telephones</strong></th>
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<thead>
<tr>
<th><strong>Witnesses Name(s)</strong></th>
<th><strong>Address</strong></th>
<th><strong>City</strong></th>
<th><strong>Zip</strong></th>
<th><strong>Res./Bus./Cell. Telephones</strong></th>
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<thead>
<tr>
<th><strong>Doctor in Attendance at Scene</strong></th>
<th><strong>Business Address</strong></th>
<th><strong>City</strong></th>
<th><strong>Zip</strong></th>
<th><strong>Business/Cell Telephone</strong></th>
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<thead>
<tr>
<th><strong>Victim’s Regular Doctor</strong></th>
<th><strong>Business Address</strong></th>
<th><strong>City</strong></th>
<th><strong>Zip</strong></th>
<th><strong>Business/Cell Telephone</strong></th>
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<tr>
<th><strong>Doctor willing to sign certificate?</strong></th>
<th><strong>If Yes, Doctor’s Name</strong></th>
<th><strong>Coroner’s Case</strong></th>
<th><strong>Coroner notified by</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td></td>
<td>Yes</td>
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<tr>
<td>No</td>
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<td>No</td>
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<tr>
<th><strong>Removed by (emerg. unit /firm)</strong></th>
<th><strong>Removed to</strong></th>
<th><strong>Address</strong></th>
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<tr>
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<tr>
<th><strong>Mortuary</strong></th>
<th><strong>Address</strong></th>
<th><strong>City</strong></th>
<th><strong>Zip code</strong></th>
<th><strong>Business/Cell Telephone</strong></th>
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<tr>
<th><strong>Disposition of Victim’s Property</strong></th>
<th><strong>Relatives to be notified by</strong></th>
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**NARRATIVE – SEE PAGE TWO**

<table>
<thead>
<tr>
<th><strong>Date/Time Reported</strong></th>
<th><strong>Officer Reporting/serial no.</strong></th>
<th><strong>Supervisor Approving/serial no.</strong></th>
<th><strong>Date/Time</strong></th>
</tr>
</thead>
</table>
HERMOSA BEACH POLICE DEPARTMENT

O3.33 DEATH INVESTIGATIONS

POLICY

It shall be the policy of the Hermosa Beach Police Department to investigate the circumstances surrounding all deaths that occur in the City of Hermosa Beach.

REPORTING DEATHS TO THE CORONER

The on-duty Sergeant, or in his/her absence, Watch Commander, shall be responsible for notifying the Coroner when the circumstances surrounding a death place it within the Coroner’s jurisdiction. The Government Code of the State of California, Section 27491, directs the Coroner to inquire into and determine the circumstances, manner, and cause of the following deaths which are immediately reportable to the Coroner:

1. All violent, sudden, or unusual deaths.
2. Unattended deaths.
3. Wherein the deceased has not been attended by a physician within 20 days prior to death.
4. Related to, or following, known or suspected self-induced or criminal abortion.
5. Known or suspected homicide, suicide, or accidental poisoning.
6. Deaths known or suspected as resulting in whole or in part from or related to accident or injury either old or recent.
7. Deaths due to drowning, fire, hanging, gunshot, stabbing, cutting, exposure, starvation, acute alcoholism, drug addiction, strangulation and aspiration.
8. Where the suspected cause of death is Sudden Infant Death Syndrome (SIDS).
9. Death in whole or in part occasioned by criminal means.
10. Deaths associated with known or alleged rape or crime against nature.
11. Deaths occurring in our jail facility.
12. Deaths known or suspected as due to contagious diseases and constituting a public hazard.
13. Deaths from occupational diseases or occupational hazards.

14. Deaths under such circumstances as to afford a reasonable ground to suspect that the death may have been caused by the criminal act of another.

**DUTIES OF THE ON-DUTY SERGEANT OR WATCH COMMANDER**

The on-duty Sergeant or Watch Commander shall be responsible for the investigations of all deaths in the City of Hermosa Beach. All deaths shall be treated as potential homicides until and unless evidence and circumstances prove otherwise.

The on-duty Sergeant or Watch Commander shall take all necessary precautions to insure limited access to the death scene and protect the death scene from disturbance and contamination. A record of all who enter the death scene shall be incorporated into the death report.

1. The body is not to be touched or searched unless and until directed to do so by the Coroner.

2. Once the death scene is secure, witnesses shall be located, identified, and interviewed.

3. The death report shall be filled out as completely as possible.

4. The position and condition of the body shall be detailed in the report, i.e., direction in which the body is lying, location of the body, general appearance, etc.

5. The on-duty Sergeant or Watch Commander should cause the scene to be photographed as necessary.

6. The date/time of arrival of all investigative units shall be noted in the Death Report i.e., Coroner, Duty Detective, Mortuary, Homicide Team, etc.

7. All medications and drugs present at the death scene shall be noted in the Death Report.

In the event a person is seriously/critically injured as the result of suspected criminal activity, or is otherwise gravely disabled and may expire under the circumstances described in the procedure, an officer shall be detailed to stay with the person to ensure the custody of clothing, property, and the protection/preservation of evidence removed by the hospital personnel. In the cases of homicide or suspicious deaths, the officer should be prepared to take a dying declaration if necessary.

If the death appears to be a cause other than homicide, efforts shall be made to collect all information and evidence to support the cause of death, i.e., suicide, natural, or accidental. In the cases of natural deaths, any and all medical history of the deceased shall be obtained for the death report.
In the cases of suspicious or unusual deaths and homicides the Investigations Division Commander and the Chief of Police shall be notified.

APPROVED:

[Signature]

Greg Savelli
Chief of Police
PURPOSE

This policy establishes the reporting guidelines, criteria, and procedures for reported missing persons, including runaway juveniles, and cases of child abduction.

POLICY

It is the policy of this Department to accept any report, including any telephonic report, of a missing person, including runaway juveniles, without delay, in accordance with California Penal Code (PC) section 14200 et. seq. This policy shall also extend to unidentified children that are located within our jurisdiction. An immediate report must be made to the Department of Justice (DOJ) unless, upon arrival at the scene of the call, the officer can immediately and with certainty find the report as unfounded.

DEFINITIONS

**Missing Person:** Any person who is reported missing to a law enforcement agency, until the person is located or determined to be a voluntary missing adult. It also includes any child who is missing either voluntarily or involuntarily, or under circumstances not conforming to his/her ordinary habits or behavior and who may be in need of assistance.

Missing persons may include any of the following:

A. Parent/family abduction – includes a child who has been taken, detained, concealed, enticed away, or retained by a non-custodial parent or non-parent family member.

B. Runaway – any child who is voluntarily missing

C. Dependent adult – an adult who has physical or mental limitations that restrict his/her ability to carry out normal activities. [PC 14203(e)]

D. Catastrophe – missing person is possibly a victim of disaster

E. Lost – missing person who has strayed away or whose whereabouts are unknown.

F. Unknown missing – cases where there are insufficient facts to determine a disposition.

G. Voluntary missing adult – missing adult who has left on his/her own free will.

H. Stranger abduction – missing person taken by a stranger (includes cases of a known abductor who is not a family member).
I. Suspicious circumstances – circumstances which give rise to the belief that foul play may have been involved; persons are suffering from physical, mental, or emotional conditions which cause them to constitute a danger to themselves or others; the disappearance is out of character for the individual and no known reason can be determined.

MPS: California Department of Justice Missing Person System. This system allows the entry of missing persons and body parts into the California Law Enforcement Telecommunications System (CLETS). Entry will automatically be entered into the National Crime Information Center (NCIC) system.

At-Risk: Includes, but is not limited to, circumstances where evidence or indications exist that the missing person is a victim of foul play, is in need of medical attention, has no pattern of running away or disappearing, is the victim of kidnapping or parental abduction, or is mentally physically impaired.

BOLO (Be On the LookOut) Teletype: A message sent via computer to other agencies through CLETS. May include local and national locations.

Child/juvenile: any person under the age of eighteen (18) years.

Coroner Check: a check with the coroner in the localities where the missing person was last located.

Medical Records: X-rays of dental and body, and full medical records. This also includes fingerprints, if available.

Photo: most recent photograph available of the missing person.

AMBER Alert (America’s Missing: Broadcast Emergency Response): A statewide and national reporting system utilizing roadway/freeway lighting boards and other media outlets to alert the public of a child abduction.

**STATE MANDATES**

The following are the State of California mandates and guidelines for the initial response and follow-up to a missing persons report, as defined in sections 14205 – 14210(c) of the Penal Code:

A. Accept any report of a missing person without delay, regardless of jurisdiction.
B. Accept any report of a runaway juvenile without delay.
C. Accept reports of missing persons by telephone.
D. Assign priority to missing persons reports over non-emergency property crimes.
E. Make an immediate assessment of reasonable steps to be taken to locate the missing person, as defined in section 14205(a) PC, and determine if the person might be at risk.
F. Broadcast a BOLO, without delay, when a child is under the age of sixteen (16) or the person missing is considered at-risk.

G. If the person missing is under sixteen (16) years of age, or if there is evidence that the person is at-risk, a report must be submitted to the Attorney General’s Office through CLETS within four (4) hours of accepting the report. [PC 14205(b)]

H. Provide the reporting party with DOJ Form SS 8567, which authorizes the release of medical records and/or photographs.

The form states that if the person is still missing after thirty (30) days, the form is to be signed by a family member or next of kin and taken to the appropriate medical authority.

FERPA (Family Educational Rights and Privacy Act – 20USCS Section 1232g and the regulations adopted there under 34CFR 99) must be reviewed to ensure there is no privacy violation of the alleged missing person.

REPORTING PROCEDURES

The Communications Center will give a missing person report call priority over non-emergency property crime calls in determining order of dispatch.

The officer handling the missing person report must determine the category of missing person and complete a Missing Person Reporting Form (DOJ Form SS 8568, or equivalent). The Missing Person Reporting Form requires a complete description of the missing person including sex, race, height, weight, age, hair color, eye color, clothing, and any distinguishing marks/scar. Associates, possible destinations, and related vehicle descriptions may be included. The officer shall notify the Field Supervisor or Watch Commander of any reports of missing persons regardless of the classification.

Upon clearing the scene, the reporting officer shall respond, without delay, to the station and submit the report to a records officer. If the missing person was last seen in another jurisdiction, the officer taking the report shall call the jurisdiction and advise them of the circumstances.

The records officer, upon receipt of a Missing Person report, shall enter information into MPS as soon as possible, but no longer than four (4) hours after the initial report. (This entry will automatically be forwarded to NCIC.) Once it is entered, the officer will record the file control number (FCN) assigned by CLETS on the report.

AMBER ALERT SYSTEM

After receiving a report of a child abduction, the responsible law enforcement agency must conduct a preliminary investigation and determine if the specified criteria for an AMBER Alert activation have been met. All of the following conditions must apply:

1. A confirmed abduction has occurred.
2. The victim is seventeen (17) years of age or younger, or of proven mental or physical disability.
3. The victim is reasonably believed by law enforcement to be in imminent danger of serious bodily injury or death.
4. There is sufficient descriptive information of the child, captor or captor’s vehicle available that, if disseminated to the general public, could assist in the safe recovery of the victim.

AMBER Alert is not intended for cases involving runaways, missing children in which there is no evidence of foul play, or custody disputes that are not reasonably believed to endanger the life or physical health of a child.

AMBER Alert notifications can only be authorized by a Division Commander or the Chief of Police. Pursuant to the Department notification guidelines set forth in this manual, the on-duty Watch Commander will notify Command Staff to obtain authorization to initiate an alert. Requests for use of the AMBER Alert system should be made as soon as possible after a verified abduction has occurred.

Detailed procedures on the use of the AMBER Alert system are contained in a manual maintained in the Watch Commander’s office.

SUPERVISOR RESPONSIBILITY

Upon receiving a report of a missing person, the on-duty Watch Commander will be responsible for the following:

1. Obtaining briefing from the responding officer(s).
2. Determining if additional personnel or resources are needed to assist in the investigation.
3. Considering activation of the AMBER Alert system, if applicable.
4. Organizing and coordinating search efforts.
5. Ensuring that all required notifications have been made.

The Watch Commander will also ensure that all written reports contain accurate information and that the required computer entries have been completed.

INVESTIGATIVE FOLLOW-UP

The Detective Supervisor will be contacted by the on-duty Watch Commander in all missing person cases to assist with follow-up investigations if the individual is not immediately located. The Detective Supervisor will assign a detective to the missing person case. The detective will verify the accuracy of all descriptive information. Additional preliminary investigative follow-up activities will include:

1. Searching the area where the missing person was last seen for vehicles or known associates.
2. Searching areas and establishments frequented by the missing person.
3. Contacting friends and associates for additional information or leads.
4. Obtaining a brief history of recent family dynamics
5. Obtaining a recent photograph of the missing (if not already provided at the time of the report).
6. Contacting local jurisdictions and broadcasting a description of the missing person and circumstances involved in the disappearance.
7. Evaluating the need for additional resources or services.

The reporting person will be advised at the time of the report to contact the police department with any new information that is received or if the missing person has returned home or is located. The assigned detective will provide the reporting party with status updates as new information is received.

For long term open cases, the assigned detective will send a status letter to the reporting party as follows:

1. Every two (2) months for cases less than a year old.
2. Every six (6) months for cases more than one year old but less than five (5) years old.
3. Every year for cases open five years or more.

**JUVENILE INVESTIGATIONS**

When the missing person is a juvenile, the investigating officer must have a parent, legal guardian, or next of kin complete the DOJ form BCIA 4048, authorizing the release of dental or skeletal x-rays, or both. The form includes instructions on when to obtain these and submit them to the police department. If the missing person has no next of kin, then the investigating officer may file a written declaration authorizing the release of the records.

The following guidelines will be followed pursuant to PC 14206:

A. If the child is under sixteen (16) years of age and still missing after fourteen (14) days, the release form (BCIA 4048) must immediately be executed to obtain dental/skeleton x-rays and a photograph. The investigating officer must check with the coroner. The report, photograph, and the dental/skeletal x-rays must be submitted to DOJ within twenty-four (24) hours.

B. If it is determined the person missing is under eighteen (18) years of age and is at-risk, the dental/skeletal x-rays and a recent photograph should be immediately obtained. The investigating officer must immediately check with the coroner. The report, photograph, and the dental/skeletal x-rays must be submitted to DOJ within 24 hours.

C. If a child under 18 is still missing after thirty (30) days, the reporting party is required to obtain the dental records and give them to the investigating officer within ten (10) days.
If the missing juvenile is found or returns home, the investigating officer or detective will report the information to the records officer, who will then see that DOJ is notified within 24 hours and that the MPS entry is canceled. If the juvenile is located away from the home, the investigator must inform the reporting party that the child has been located and arrange for the child’s return to a responsible adult. In any case, a supplement to the original report will be completed noting the time, location, and physical condition of the located juvenile.

**ADULT INVESTIGATIONS**

When the missing person is an adult, the investigating officer must give the reporting party a BCIA 4048 form, to be completed by a qualifying relative of the missing person. If the missing person has no next of kin, then the investigating officer may file a written declaration authorizing the release of records. If the missing person has not been located within 30 days, the family member, legal guardian, or next of kin may authorize the release of dental or skeletal x-rays.

**FOUND MISSING PERSONS**

Pursuant to the requirements of PC 14207:

A. When a reported missing has been found, the investigating officer with the agency finding the person shall immediately report that information to DOJ.

B. When a child under twelve (12) years of age or a missing person determined to be at-risk is found, the report indicating that the person has been found shall be made not later than 24 hours after the person is found. The finding agency shall also report the finding to the law enforcement agency that made the initial missing person report.

C. When any missing person is found alive or dead, in less than 24 hours of the initial report, and there is reason to believe the missing person had been abducted, a report shall be submitted to DOJ.

D. If a missing person is found before the initial report is reported to DOJ, a missing person report shall still be submitted to DOJ.

In all cases, a supplement to the original missing person report will be completed. The report will note the time, date, location, and physical condition of the located missing person. This information will be given to a records officer, who will then cancel any automated system entries.

(CALEA 41.2.5; 41.2.6)

**APPROVED:**

![Signature]

Greg Savelli
Chief of Police
PURPOSE

This policy will establish guidelines for the recognition and appropriate handling of individuals exhibiting possible mental illness.

DEFINITIONS

Mental Illness: Any of various conditions characterized by impairment of an individual’s normal cognitive, emotional, or behavioral functioning. Such impairment may be caused by social, psychological, biochemical, genetic, or other factors such as physical injury or ailment.

Application for 72-hour Detention: An official written request to a medical facility with the ability to evaluate an individual’s mental health, which is made by a law enforcement officer by use of the application for 72-hour detention form (State of California Department of Mental Health Form MH-302, commonly referred to as a “5150 WIC form.”).

Self-committal: A voluntary action or request by a suspected or actual mentally ill person, wherein they believe they are in need of mental health treatment and desire voluntary placement or commitment into a mental health facility.

Danger to Self: A finding by the detaining officer based upon the person’s conduct, to include the use of words or actions showing intent to commit suicide or bodily harm, or words or actions indicating gross disregard for personal safety.

Danger to Others: A finding by the detaining officer based upon the person’s conduct, to include threats of physical harm against particular individuals or other persons, the attempt(s) to harm other persons, the means at hand to carry out threats or repeat attempts to injure another person, or the expressed intention or attempts to engage in activity that is dangerous to the public.

Gravely Disabled: A condition in which a person, as a result of a mental disorder, is unable to provide for his/her basic personal need for food, clothing, or shelter. Gravely disabled would include some or all of the following: signs of malnourishment or dehydration, inability to articulate a plan for obtaining food, no food available in the house (or at hand if not at home), irrational beliefs about food that is available (i.e.: belief that good food is “poisoned” or that rotting food is “okay”), the destruction or giving away of one’s clothing to the point where the person cannot adequately clothe themselves, and/or no reasonable plan to obtain shelter.
ABNORMAL BEHAVIOR RECOGNITION

Mental illness is often difficult for even the trained professional to define in a given individual. Officers, who are not trained mental health professionals, are not expected to make judgments of mental or emotional disturbance but should recognize behavior that is potentially dangerous or destructive to the individual or others.

The following are generalized signs and symptoms of behavior that may suggest mental illness, although officers should not rule out other potential causes such as reactions to substance intoxication or temporary emotional disturbances that are situation-motivated. Officers should evaluate the following symptomatic behavior in the total context of the situation when making judgments about an individual’s mental state and need for intervention, absent the commission of a crime:

A. Degree of Reactions. Mentally ill persons may show signs of strong and unrelenting fear of persons, places, or things. The fear of people or crowds, for example, may make an individual extremely reclusive or aggressive without apparent provocation.

B. Appropriateness of Behavior. An individual who demonstrates extremely inappropriate behavior for a given context may be emotionally ill. For example, a motorist who vents his/her frustration in a traffic jam by physically attacking another motorist may be emotionally unstable.

C. Extreme Rigidity or Inflexibility. Mentally ill persons may be easily frustrated in new or unforeseen circumstances and may demonstrate inappropriate or aggressive behavior in dealing with the situation.

D. In addition to the above, a mentally ill person may exhibit one or more of the following characteristics:

1. Abnormal memory loss related to such basic items as their name or home address.
2. Delusions – the belief in thoughts or ideas that are patently false, such as delusions of grandeur or paranoid delusions.
3. Hallucinations of any of the five senses (i.e.: hearing voices, feeling one’s skin crawl, seeing invisible persons or creatures, smelling strange odors, etc.)
4. Extreme fright or depression

(CALEA 41.2.7a)

DETERMINING DANGER

Most mentally ill persons are not dangerous, while some may represent danger only under certain circumstances or conditions. Officers may use several indicators to determine whether
an apparently mentally ill person represents an immediate or potential danger to him/herself, the officer, or others. These may include the following:

A. The availability of any weapons to the subject.

B. Statements by the person that suggest to the officer that the individual is prepared to commit a violent or dangerous act. Such comments may range from subtle innuendos to direct statements that, when taken in conjunction with other information, suggest a credible threat of such action.

C. A personal history that reflects prior violence under similar or related circumstances. The person’s history may be known to the officer, or family, friends, and neighbors may be able to provide such information. If applicable, the person’s previous mental health care provider may also provide information.

D. Signs of a lack of self control, such as an inability to sit still, rambling speech, or extreme irritation. Clutching one’s self or other persons and refusing to relinquish control, or emphatically begging to be left alone can also demonstrate a lack of control.

Failure to act prior to the arrival of officers does not guarantee that there is no danger. The volatility of the environment is a particularly relevant factor that officers must evaluate. Agitators that may affect the person or a particularly combustible environment that may incite violence should be taken into account.

When, in the judgment of the officer, the circumstances do not indicate that the individual must be taken into custody pursuant to 5150 WIC, the officer should provide the person with appropriate mental health referrals, such as providing names of mental health care resources or encouraging the person to voluntarily commit to a mental health facility.

**TACTICAL CONSIDERATIONS AND COMMUNICATIONS**

Officers should take the appropriate safety measures in the field, as well as during interviews and interrogations, when dealing with potential mentally ill persons. Upon arrival, take time to assess the situation.

There should be at least two officers present when conducting interviews and interrogations of suspected mentally ill persons, and always in cases where the individual will be taken into custody.

During field contacts, take steps to calm the situation. When possible, eliminate potential agitators or distractions, such as emergency lights/sirens and uninvolved bystanders, and conduct the interview or interrogation in a quiet and secure location. If practical, assume a quiet, non-threatening posture when approaching or conversing with the subject.

Communicate with the individual in an attempt to determine what is bothering him/her. Relate your concern and allow the subject to ventilate his/her feelings. If needed, guide the conversation towards subjects that help bring the person back to reality. Where possible,
gather information on the subject from family or acquaintances and/or request professional assistance if available and appropriate to assist in communicating with and calming the person.

To the extent possible, avoid topics that may agitate the person and do not threaten the individual with arrest or detention as this may create additional fright, stress, and potential aggression. At the same time, always attempt to be truthful with a mentally ill person. If the person becomes aware of the deception, he/she may withdraw from the contact and may become hypersensitive or retaliate in anger.

Alternatives to arrest should be considered to ensure the best treatment options are used, and to keep those with mental illness from being unnecessarily entered into the criminal justice system.

(CALEA 41.2.7c)

**PROCEDURE FOR IN VOLUNTARY COMMITMENT**

The field supervisor (if available) or the shift Watch Commander shall be notified in all instances wherein a person is being taken into custody pursuant to 5150 WIC.

When a person is taken into custody under the provisions of 5150 WIC, the subject shall be transported to the nearest mental health treatment facility. In lieu of transporting the person directly, the Los Angeles County Psychiatric Evaluation Team (PET) can, if available, be summoned to assist and evaluate the patient at the scene.

The subject may be transported by police car if this can be done with reasonable safety or the paramedics may transport if the subject is violent, out of control, or has a visible medical injury requiring immediate treatment. Any officer electing to transport a person to a mental health facility shall adhere to the guidelines for prisoner transport set forth in this manual.

State of California Department of Mental Health Form MH-302 must be completed and accompany the subject being detained to the hospital. Every effort should be made to make the subject aware of the “Detainment Advisement” located in the upper right-hand corner of the form. If advisement is not possible, complete the section labeled “Good Cause for Incomplete Advisement.”

If it appears likely that criminal charges will be filed against the subject, such intent shall be noted in the 72-hour detention report. The mental health facility is required by law to notify the Department in the event that the subject is released prior to the expiration of the 72-hour detention period.

The detaining officer is responsible for thoroughly searching the individual for weapons and contraband. The officer shall remain with the individual until he/she has been safely handed over to the mental health facility staff. The officer will return to field duty only after the staff has accepted custody and taken control of the individual.

(CALEA 41.2.7b)
FIREARMS/DEADLY WEAPONS AND CONTRABAND SEIZURE

Whenever a person is detained pursuant to 5150 WIC and is found to own, have in possession, or control any firearm or other deadly weapon, the weapon shall be confiscated pursuant to the provisions of section 8102 WIC. Any firearm or deadly weapon confiscated shall be booked as evidence if used in the commission of a crime. Otherwise, the weapon shall be booked as property held for safe-keeping. The detaining officer shall notify the individual of the weapon(s) seizure pursuant to the notification guidelines set forth in this manual. The admitting mental health care facility shall be notified of the confiscated weapon(s) via the appropriate entries on the Form MH-302.

The Detective Bureau Sergeant will have thirty (30) days from the time of commitment to initiate a petition in Superior Court for a hearing to determine whether the release of the weapon(s) would likely endanger the detained person or others. If a petition is filed, a notice will be sent to the detained person (at the address provided at the time of detention) advising the person of his/her right to a hearing.

If no petition proceeding is initiated within thirty (30) days, the confiscated weapon(s) will be made available for release, subject to the limitations, requirements, and approval by the Department of Justice.

Individuals seeking the return of their firearm(s) must submit a Law Enforcement Gun Release Program application, along with appropriate fees to the Department of Justice. If no petition is filed and the detained person does not retrieve the firearm(s) or deadly weapon(s) within six (6) months, the items will be disposed of in accordance with the evidence/property disposition procedures set forth in this manual.

MANDATORY TRAINING

Entry level personnel will receive training on handling persons with mental illness as part of the curriculum taught at the basic academy, or as part of in-house Department training. Additionally, all officers will receive initial Department training on the procedures established in this policy and they will also receive updated training when new techniques for dealing with mentally ill persons are developed, changes in law occur, or there are changes in local area community mental health policies and procedures. All personnel will receive documented refresher training in the handling of mentally ill persons at least every three years. In addition to utilizing outside training resources, this training may be held via scheduled in-house Department classes, use of force training, or at briefing training.

(CALEA 41.2.7d,e)

APPROVED:

[Signature]

Greg Savelli
Chief of Police
PURPOSE AND SCOPE

To delineate the statutory authority for the Hermosa Beach Police Department and to establish geographical boundaries for the jurisdiction of the Department. It is the policy of this Department to act independently where possible and patrol within the geographical boundaries of the City of Hermosa Beach, and upon necessity patrol outside the geographical boundaries of the City of Hermosa Beach.

To define and specify the scope of existing Mutual Aid agreements with bordering police agencies and other law enforcement agencies within the County of Los Angeles, and State of California.

JURISDICTION AND AUTHORITY

Police Department authority is established within the jurisdiction of the City of Hermosa Beach; and, under California Penal Code Section 830.1, jurisdictional authority extends throughout the State of California.

(GALEA 2.1.2)

GEOGRAPHICAL BOUNDARIES

The City of Hermosa Beach is bordered by the City of Redondo Beach, the City of Manhattan Beach, and the Pacific Ocean, as follows:

Municipal Boundaries - Descriptions

Western Boundary: Pacific Ocean/Beach (at high-tide line)
- The Beach is a municipally owned beach defined in Chapter 12 of the Hermosa Beach Municipal Code, Section 12.20.010 – originating at the high-tide line of the beach. The Municipal Pier is also municipally owned and defined in Hermosa Beach Municipal Code, Section 12.24.

Northern Boundary: (City of Manhattan Beach)
- The Pacific Ocean – east to The Strand
- The Strand – east to Neptune Avenue
- Neptune Avenue - east to Manhattan Avenue
- Manhattan Avenue - south to 35th Street
- 35th Street - east to Highland Avenue
- Highland Avenue – south to 35th Street (off-set angle)
• 35th Street – east to Morningside Drive
• Morningside Drive – south to 33rd Street
• 33rd Street – east to Ingleside Drive
• Ingleside Drive – south to Longfellow Avenue
• Longfellow Avenue – east to Valley Drive
• Valley Drive – east to Boundary Place
• Boundary Place – east to Sepulveda Boulevard/Pacific Coast Highway (SR-1)
• Sepulveda Boulevard/Pacific Coast Highway (SR-1) – south to Artesia Boulevard (SR-91)
• Artesia Boulevard (SR-91) – east to Harper Avenue

Eastern Boundary: (City of Redondo Beach)
• Harper Avenue – south to 11th Street
• Cross property south - to 10th Street/Reynolds Lane intersection
• 10th Street – south on Reynolds Lane to 9th Street
• Cross property - south – crossing 8th Street, 7th Street – to 7th Place
• 7th Place – west to Reynolds Lane (off-set angle)
• Reynolds Lane – south to Van Horne Lane (Redondo Beach)
• Cross property – south – passing Lomax Drive (Redondo Beach)
• South on Prospect Avenue – to city border (117 feet north, of the north curb line of Anita Street/190th Street)

Southern Boundary: (City of Redondo Beach)
• Cross property – west (parallel to Anita Street/190th Street) – to Valley Drive/Herondo Street intersection
• Herondo Street – west to The Strand
• The Strand – west to the Pacific Ocean

Municipal street boundaries, properties, and intersections are shared with the cities of Manhattan Beach and Redondo Beach (factual diagrams define these boundaries - measurements in feet).

A detailed official map of municipal street boundaries is located in the Boundary Maps of Hermosa Beach Manual.
(CALEA 2.1.1)

OPERATIONAL RESPONSIBILITIES

All calls-for-service, reports of crimes, criminal investigations, and/or any situations/incidents requiring law enforcement intervention/action, as well as the general welfare and safety of the community, as outlined in the Hermosa Beach Police Department Policies and Procedures, will be the primary responsibility of the Police Department.

MUTUAL AID

All requests for mutual aid assistance are governed by the State of California Law Enforcement Mutual Aid Plan, under authority Sections 8550, 8569, 8615, 8616 and 8668 of the California Government Code, the California Emergency Plan, and the California Master Mutual Aid Agreement.
As a component of the Standardized Emergency Management System [SEMS], the Mutual Aid System is based on four organizational levels: cities, counties, regions and the state. A county is an operational area along with its political sub-divisions. The state is divided into seven Law Enforcement Mutual Aid Regions. The County Sheriff is a key role player within the system. Each sheriff serves as the Operational Area Coordinator. Within each region, one sheriff is elected to serve as the Regional Mutual Aid Coordinator.

The basic concept provides that within the operational area, adjacent or neighboring law enforcement agencies will assist each other. Should the event require assistance from outside the county, the region will provide assistance to the impacted county. If the combined resources of the region are insufficient to cope with the incident, the Regional Coordinator contacts the State Law Enforcement Mutual Aid Coordinator at OES.

The Hermosa Beach Police Department is one of ten (10) local agencies in Southwest Los Angeles County which form the Area-G Platoon (refer to Area-G Protocols). Area-G was formed by the State Office of Emergency Services (OES) in 1994. This formal Mutual Aid agreement is outlined in the Hermosa Beach Police Department Area-G Protocols Manual, and includes the following law enforcement agencies:

- El Camino College
- El Segundo
- Gardena
- Hawthorne
- Torrance
- Inglewood
- Manhattan Beach
- Palos Verdes Estates
- Redondo Beach

Refer to the Hermosa Beach Police Department Area-G Protocols Manual.


**MUTUAL AID ACTIVATION**

In the event of any Mutual Aid request, the City of Hermosa Beach shall never be left without:

1. a patrol supervisor;
2. adequate police units to fulfill the requirements necessary to maintain law enforcement requirements (as outlined in the Hermosa Beach Police Department Policies and Procedures Manual) and the general welfare and safety of the City of Hermosa Beach.

Officers will not respond to any request for mutual aid assistance without the express approval of the on-duty Watch Commander.

There are three (3) types of Mutual Aid activations:

1. Interagency Mutual Aid
2. Tactical Response
3. Full Tactical Mobilization
Interagency Mutual Aid: a request from a neighboring agency for officers during an unplanned, short-term emergency period, to augment the requesting agency’s regular patrol field deployment (i.e., perimeter control, K-9 search).

The on-duty Watch Commander controls this activation. Proper and appropriate departmental notifications shall be made pursuant to Hermosa Beach Police Department Policies and Procedures.

Tactical Response: a request from a neighboring agency for officers and/or tactical emergency teams (SWAT, ERT, etc.), in an unplanned event for immediate need of resources (i.e., civil unrest, hostage situations, mass casualty situations, terrorist attacks, earthquakes).

The on-duty Watch Commander controls this activation. Proper and appropriate departmental notifications shall be made pursuant to Hermosa Beach Police Department Policies and Procedures. Resource commitments are outlined in the Hermosa Beach Police Department, Area-G Protocols Manual.

In the event of an emergency situation requiring a tactical response in Hermosa Beach, the Watch Commander or Incident Commander shall request a local law enforcement tactical team through dispatch; generally the Los Angeles County Sheriffs Special Enforcement Bureau (SEB). If SEB is not available, the Watch Commander or Incident Commander will request assistance from any available local tactical team.

Agency personnel shall maintain a secure perimeter at the scene until the arrival of a tactical team from another agency. Agency personnel may remain on the perimeter based on the needs and procedures of the tactical team. The tactical team commander will coordinate with the Watch Commander to assign specific responsibilities to Hermosa Beach operational components assigned to the incident.

(CALEA 46.2.1 a, c)

Tactical teams will not be called upon to supplement patrol, traffic, or other operations in the City which do no require a tactical response.

(CALEA 46.2.1b)

Full Tactical Mobilization: a requesting agency has completed an Operational Plan (EAP) before the actual event (i.e., planned demonstrations).

Activation: Refer to the Hermosa Beach Police Department, Area-G Protocols Manual.

(CALEA 2.1.2, 2.1.3)

REPORTING

All requests for mutual aid assistance, either sending or receiving, shall be reported through the chain-of-command to the Chief of Police in the Watch Commander’s Daily Log. This documentation shall include:

(1) Time of request
(2) Number of units assigned
(3) Units call signs
ANNUAL REVIEW

At the beginning of each calendar year, the Area-G Liaison Sergeant will review and update (if necessary) the Formal Mutual Aid Area-G Agreement as outlined by the State Office of Emergency Services (OES). The completed and/or updated Mutual Aid Agreement will be forwarded to the Chief of Police for review, approval, and/or signature (if required).

NATIONAL GUARD ASSISTANCE

The California Office of Emergency Services (OES) will dispatch the National Guard only in the event of a declared local emergency AND after local mutual aid efforts have proven to be insufficient to handle the emergency incident.

The City of Hermosa Beach Disaster Council under Hermosa Beach Municipal Code, Sections 2.56.020, 2.56.030, 2.56.040 and 2.56.050 empower the Mayor, upon the advice of Incident Commander(s), to request the Governor of the State of California to declare a state of emergency. Such request shall be immediately sent to the STATE Director of the Office of Emergency Services (OES). Upon acceptance of the request and subsequent declaration of a state of emergency by the STATE, the LOCAL director of Emergency Services (City Manager or his alternate) may request that the National Guard be called in to assist the local law enforcement efforts.

(FCALEA 2.1.4)

FEDERAL LAW ENFORCEMENT ASSISTANCE

The on-duty Watch Commander has the authority to request emergency assistance from local federal law enforcement agencies (FBI, DEA, ICE, etc.) by telephone or emergency communications systems. The on-duty Watch Commander shall then make departmental notifications as follows:

- Operations Division Commander
- TLO (situation dependent)

(CALEA 2.1.4)

APPROVED:

Greg Savelli
Chief of Police
PURPOSE

This policy specifies the circumstances and establishes procedures for first responder notifications in emergency situations and/or situations likely to generate significant community/media interest.

CRIMINAL EVENTS

Officers encountering significant incidents in the field shall ensure that proper and timely notification is made to the appropriate person(s) or entities according to the below-listed protocol. Unless specifically noted or instructed otherwise, notification to each successive supervisor must be performed in a timely manner by the next highest level supervisor so notified. If the person to be notified is unable to be reached or is otherwise unavailable, the next-level supervisor shall be notified.

A. Serious felonies/incidents – little or no workable information
   1. Field Supervisor
   2. Watch Commander

B. Serious felonies/incidents – CSI or workable information and/or suspect(s) information (includes missing persons)
   1. Field Supervisor
   2. Watch Commander
   3. Detective Supervisor (by Watch Commander)
   4. Division Commander (if deemed appropriate by the Watch Commander)

C. Death investigation – no suspicious circumstances
   1. Field Supervisor
   2. Watch Commander
   3. Coroner

D. Death investigation – suspicious circumstances
   1. Field Supervisor
   2. Watch Commander
   3. Detective Supervisor (by Watch Commander)
   4. Division Commander
E. Officer-involved shooting (on duty)

1. Field Supervisor
2. Watch Commander
3. Detective Supervisor (by Watch Commander)
4. Division Commander
5. Captain
6. Chief of Police
7. District Attorney’s office
8. Press Information Officer

F. Death of in-custody prisoner

1. Watch Commander
2. Detective Sergeant (by Watch Commander)
3. Division Commander
4. Captain
5. Chief of Police
6. Coroner

G. Criminal incident involving a City official or their immediate family

1. Field Supervisor
2. Watch Commander
3. Division Commander
4. Captain
5. Chief of Police

H. Officer-involved shooting (off duty)

1. Watch Commander
2. Division Commander
3. Captain
4. Chief of Police

**AMBER ALERT SYSTEM**

For cases involving suspected child abduction where the criteria for activation of the AMBER Alert System have been established, the following notifications shall be made: (Refer to AMBER Alert System activation criteria in the Policy O3.34 in this manual.)

1. Field Supervisor
2. Detective Supervisor
3. Watch Commander  
4. Division Commander  
5. Press Information Officer  
6. Chief of Police

**NON-CRIMINAL EVENTS**

Additionally, notifications shall be made to the following person(s) for the below-listed incidents.

A. Civil Defense or Natural Disaster Alert (other than authorized test)
   1. Division Commanders  
   2. Captain  
   3. Chief of Police  
   4. City Manager

B. City equipment involved in serious injury accident (regardless of fault)
   1. Division Commander  
   2. Captain  
   3. Chief of Police

C. Serious injury to Department employee
   1. Division Commander (to which the employee is assigned)  
   2. Captain  
   3. Chief of Police

D. Serious injury to City official or their immediate family, or other elected officials
   1. Division Commander  
   2. Captain  
   3. Chief of Police

**DEATH NOTIFICATIONS**

Members of the Hermosa Beach Police Department shall not make a death notification to next of kin unless specifically requested by the Coroner’s Office or another law enforcement or governmental agency. Upon such a request, the assigned officer shall make the notification in person. The Watch Commander shall have the option of sending a department Chaplain with the officer making the notification if one is available.

Death notifications shall not be made by phone or any other alternate means of communication. If, due to some extraordinary circumstance, the only available communication is by phone, then the Operations Division Commander must be contacted for approval prior to making the notification.
If the Hermosa Beach Police Department receives a request to make a notification to next of kin outside our immediate area, the Watch Commander shall contact the local law enforcement agency for that area in order to make the notification.

**OTHER EVENTS**

Any officer involved in off-duty police action is required to immediately notify the Department per Rules and Regulations Section 60.65. For any other incident not previously covered that is likely to generate or is generating immediate and/or heavy media interest, or there may be a question as the agency’s liability or those which may result in heightened community interest the following person(s) shall be notified:

1. Watch Commander
2. Division Commander
3. Captain
4. Chief of Police
5. Press Information Officer

(CALEA 41.2.4 and 11.4.5)

APPROVED:

Greg Savelli
Chief of Police
PURPOSE AND SCOPE

Current anti-terrorism philosophy embraces the concept that America’s law enforcement officers fill a critical position in the area of terrorism prevention. Law enforcement authorities must carry out their counter-terrorism responsibilities within the broader context of their core mission of providing emergency and non-emergency services in order to prevent crime, violence and disorder. In support of this, is it the Department’s duty to engage in overt efforts to more thoroughly gather, analyze and disseminate information and observations, of either a criminal or suspicious nature, which may prove critical to the intelligence cycle. This establishes Department policy for investigating and reporting crimes and non-criminal incidents that represent indicators of potential foreign or domestic terrorism, and incorporates within the Department Manual a procedure for gathering and maintaining information contained in such reports.

POLICY

It is the policy of the Hermosa Beach Police Department to make every effort to accurately and appropriately gather, record, and analyze information, of a criminal or non-criminal nature, that could indicate activity or intentions related to either foreign or domestic terrorism. These efforts shall be carried out in a manner that protects the information privacy and legal rights of Americans, and therefore such information shall be recorded and maintained in strict compliance with existing federal, state and Department guidelines regarding Criminal Intelligence Systems (28 Code of Federal Regulations (CFR), Part 23 and applicable California State Guidelines).

PROCEDURE

Suspicious Activity Report (SAR)

A Suspicious Activity Report (SAR) is a report used to document any reported or observed activity or any criminal act or attempted criminal act, which an officer believes may reveal a nexus to foreign or domestic terrorism. The information reported in a SAR may be the result of observations or investigations by police officers, or may be reported to them by private parties.

Incidents which shall be reported on a SAR are as follows:

- Engages in suspected preoperational surveillance (uses binoculars or cameras, takes measurements, draws diagrams, etc.);
Appears to engage in counter-surveillance efforts (doubles-back, changes appearance, evasive driving, etc.);

Engages security personnel in questions focusing on sensitive subjects (security information, hours of operation, shift changes, what security cameras film, etc.);

Takes measurements (counts footsteps, measures building entrances or perimeters, distances between security locations, distances between cameras, etc.);

Takes pictures or video footage (with no apparent esthetic value, i.e. camera angles, security equipment, security personnel, traffic lights, building entrances, etc.);

Draws diagrams or takes notes (building plans, location of security cameras or security personnel, security shift changes, notes of weak security points, etc.);

Abandons suspicious package or item (suitcase, backpack, bag, box, package, etc.);

Abandons vehicle (in a secured or restricted location, i.e. the front of a government building, airport, sports venue, etc.);

Attempts to enter secured or sensitive premises or area without authorization (i.e. “official personnel,” closed off areas of special events, secured areas at significant events such as appearances by politicians, etc);

Engages in test of existing security measures (i.e. “dry-run”, security breach of perimeter fencing, security doors, etc., creating false alarms in order to observe reactions, etc.);

Attempts to smuggle contraband through access control point (security entrance points at special events, entertainment venues, etc.);

Makes or attempts to make suspicious purchases, such as large amounts of otherwise legal materials (i.e. pool chemicals, fuel, fertilizer, potential explosive device components, etc);

Attempts to acquire sensitive or restricted items or information (plans, schedules, passwords, etc);

Attempts to acquire illegal or illicit explosives or precursor agents;

Attempts to acquire illegal or illicit chemical agent (nerve agent, blood agent, blister agent, etc.);
• Attempts to acquire illegal or illicit biological-agent (anthrax, ricin, Ebola, smallpox, etc.);

• Attempts to acquire illegal or illicit radiological material (uranium, plutonium, hospital x-ray discards, etc.);

• In possession of, or utilizes, explosives (for illegal purposes);

• In possession of, or utilizes, chemical agent (for illegal purposes, i.e. dry ice bomb, chlorine, phosgene, WMD attack, etc);

• In possession of, or utilizes, biological agent (for illegal purposes, i.e. terrorist device, WMD or a tool of terrorism, etc.);

• In possession of, or utilizes, radiological material (for illegal purposes, i.e. as a weapon, etc.);

• Acquires or attempts to acquire uniforms without a legitimate cause (service personnel, government uniforms, etc);

• Acquires or attempts to acquire official or official-appearing vehicle without a legitimate cause (i.e. emergency or government vehicle, etc.);

• Pursues specific training or education which indicate suspicious motives (flight training, weapons training, etc);

• Stockpiles unexplained large amounts of currency;

• In possession of multiple passports, identifications or travel documents issued to the same person;

• Espouses extremist views (verbalizes support of terrorism, incites or recruits others to engage in terrorist activity, etc.);

• Brags about affiliation or membership with extremist organization (“white-power”, militias, KKK, animal rights, abortion rights, etc.);

• Engages in suspected coded conversations or transmissions (i.e. email, radio, telephone, etc., i.e. information found during a private business audit is reported to police);

• Displays overt support of known terrorist networks (posters of terrorist leaders, etc.);

• Utilizes, or is in possession of, hoax/facsimile explosive device;
• Utilizes, or is in possession of, hoax/facsimile dispersal device;

• In possession of, or solicits, sensitive event schedules (i.e. dignitary visit arrivals/departures, airport arrivals/departures schedules, etc.);

• In possession of, or solicits, VIP appearance or travel schedules;

• In possession of, or solicits, security schedules;

• In possession of, or solicits, blueprints to sensitive locations;

• In possession of, or solicits, evacuation plans;

• In possession of, or solicits, security plans;

• In possession of, or solicits, weapons or ammunition;

• In possession of, or solicits, other sensitive materials (passwords, access codes, secret government information, etc.); and,

• In possession of coded or ciphered literature or correspondence.

**Employee Responsibilities**

Any Department employee receiving any information regarding suspicious activity of this nature shall:

1) Investigate and take appropriate action, to include any tactical response or notifications to specialized units.

   • **Note:** This section does not preclude, in any way, an employee taking immediate action during the commission of a criminal act, or in circumstances which require the immediate defense of life, regardless of the nature or origin.

2) If the activity observed is not directly related to a reportable crime, officers shall record the information collected from the person reporting, or their own observations, on a Suspicious Activity Report in accordance with the following guidelines:

3) If the person reporting is willing to be contacted by investigators, they shall be listed within the SAR.

4) Officers shall consider utilizing confidentiality of information to ensure reporting person confidentiality. If absolutely necessary, officers can enter “Anonymous” for person reporting. Any desire by a person reporting to remain anonymous does not exempt officers from the requirement to complete an SAR.

5) If the potential target of the activity can be identified, such as a government building or official under surveillance, that location or individual shall be listed within the
“Victim” portion of the SAR. Otherwise the “City of Hermosa Beach” shall be listed as the victim.

6) If the information is related to a regular criminal investigation (such as a bomb threat, criminal threats, trespassing, etc.), the officers shall complete the criminal investigation, make any appropriate arrests and complete any related reports. The officers shall include any additional information that provides the nexus to terrorism within then narrative of the crime or arrest report.

7) Should officers come across information that indicates possible terrorism-related activity while investigating an unrelated crime or incident (e.g., such as officers conducting a domestic violence investigation observe possible surveillance photographs and a map of the region surrounding a government facility), or should they conduct an impound or found property investigation which is suspicious in nature, the officers shall make no mention of this potential terrorism-related material or activity within the impound, property, crime or arrest report. Under these circumstances, the officers shall complete a separate SAR in addition to the crime or arrest report, and shall note the criminal investigation, impound or found property investigation as their source of their activity.

Note: Notify the on-duty Watch Commander immediately – DO NOT place SAR reports on hold – complete ASAP.

Note: Nothing in this Policy alters existing policies regarding notifications to specialized units as circumstances dictate for reasons of public safety – Bomb Squad, SWAT, Hazardous Materials Units, etc.

Watch Commander Responsibilities
Upon notification that officers have received information regarding suspicious activity, the Watch Commander shall:

- Ensure the information supports the completion of a SAR report and that no greater law enforcement response or notifications are currently needed;
- Review the report for completeness; and,
- Make appropriate notifications, as follows:
  1) Notify the Operations Division Commander
  2) Follow established department notification guidelines

Operations Division Commander Responsibilities
Upon notification from the on-duty Watch Commander regarding a submitted SAR, the Operations Division Commander shall:

- Review the submitted SAR
- Notify the Support Services Division Commander
- Notify the TLO
- Notify the Detective Sergeant
Support Services Division Commander Responsibilities
- Supply information to the Joint Regional Intelligence Center (JRIC) as the earliest convenience
- If applicable, notify Area-G Sergeant
- If applicable, direct to Area-G Sergeant or TLO to notify the Area-G Division Commander

Detective Sergeant Responsibilities
- As appropriate, conduct immediate debriefs/backgrounds of arrestees, and provide appropriate guidance to patrol officers.
- Ensure the SAR has been properly completed
- Complete an investigation per normal policies and guidelines.

TLO Responsibilities
The TLO under the supervision of the Area-G Sergeant is responsible for providing Department personnel with training pertaining to the proper handling of suspected terrorism-related activity and ensuring adherence to the guidelines established regarding developmental information and intelligence systems.

Audit Responsibility
The Operations Division Commander and Support Services Division Commander shall monitor compliance with this policy and shall ensure that all information is collected and maintained in strict compliance with existing federal, State and Department guidelines regarding Criminal Intelligence Systems (28 C.F.R., Part 23 and applicable California State Guidelines).

APPROVED:

Greg Savelli
Chief of Police
PURPOSE AND SCOPE

To establish a thorough and effective procedure for scheduled events and sports activities, for management of both audience and parking; and to coordinate the staff management groups who will regularly operate such functions throughout the City.

It is the policy of this Department to plan for and staff special events in a manner to insure the safety of all of those attending the event and to protect City facilities and property.

PROCEDURE

The City of Hermosa Beach utilizes several venues throughout the city for Special Events including, but not limited to:

1. the beach
2. the pier
3. Pier Plaza
4. Pier Avenue
5. Clark Stadium – Clark Building
6. Community Center
7. Valley Park

SPECIAL EVENTS

Within the city, a variety of special events and other forms of entertainment may be scheduled (including, but not limited to):

A. Annual:
   1. New Years Eve Celebration
   2. 4th of July (tactical/staffing only)
   3. St. Patrick’s Day Community Parade
   4. Volley Ball Tournaments (various sponsored events – CBVA, EVP, AAU, AVP)
   5. Fiesta Hermosa
   6. Hermosa Beach 5000
   7. Hermosa Beach Triathlon
   8. Sunset Concerts
   9. International Surf Festival
   10. Veteran’s Day Commemoration
B. Special Events:

1. Concerts
2. Fairs
3. Visiting Dignitaries or other VIP’s
4. Fundraisers
5. Sports events
6. Car shows
7. Little League events
8. Movies
9. Kiwanis, Rotary, and Women’s Club functions

C. Other:

1. highway construction/maintenance activities
2. picketing
3. demonstrations

Note: all events are listed on the following website under “Tentative Calendar of Events” (by year) – www.hermosabch.org

PERSONNEL

Resources most commonly incorporated into event management shall be:

A. Police Department:

1. Event Supervisor (Lieutenant and/or Sergeant)
2. Police Officers (including planned mutual aid)
3. Community Services Officers (Parking)
4. Parking and Transportation Services (contracted)
5. VIPS (Volunteers in Policing)
6. Other volunteers

B. Other:

1. Private Security
2. Fire/Medical Safety
3. Additional support services as required

RESPONSIBILITY AND PLANNING

The Operations Division Commander has the overall responsibility for planning and coordinating police staffing of special events.

A. The Operations Division Commander will meet in advance with the department(s) or individual(s) planning the event to prepare for the provision of police and support security services. These meetings will address the following items:

1. Type of event and projected attendance
2. History on any prior similar event
3. Special concerns such as alcohol use, or high risk activities
4. Staffing provided by the event organizers or sponsors

B. The Operations Division Commander will conduct research to determine the risk factors involved with the event. This will include:

1. Determining if there have been any previous experiences with the same event or group, criminal or otherwise;
2. Were any problems encountered or expected and how were they Resolved;
3. A site visit to assist in making staffing determinations and identifying potential problem areas.

C. For major or complex events, a written “Operation Plan” will be developed. Where appropriate, elements of ICS should be incorporated into the plan. This plan will include:

1. Specifics on the event including date, time, venue (location), event organizers or sponsors
2. An estimate of crowd size that incorporates traffic issues, including public transportation, and crowd control concerns
3. Any potential crime problems associated with the event with specific enforcement instructions
4. Coordination with outside agencies and departments. This will include:
   a. Developing contingency plans for traffic direction and control utilizing Parking Enforcement CSOs
   b. Determining the need for having medical personnel on site
   c. Incorporating the use of private security personnel into the public safety function
   d. Proposed staffing levels and deployment recommendations
   e. For major events, recommendations could include the additional jail and/ station staffing
   f. Some events may require the activation of the EOC or a mobile command post to facilitate coordination and communications between units
5. Use of special units or patrol tactics, if determined to be needed

6. Logistical requirements

7. Any special media issues

D. When staffing needs are determined, the Operations Division Commander will assign officers, including a supervisor(s), for the event.

E. The Event Supervisor will be advised of any prior intelligence gathered on the event or event organizers and he/she will be briefed as to any advance planning that has taken place.

F. The Event Supervisor will hold a briefing with all assigned personnel and advise them of staffing and event concerns.

G. The Event Supervisor will assign staff to specific locations or tasks based on the assessment of need and prior experience.

H. The Event Supervisor will provide Dispatch with a listing of assigned personnel and unit designations.

I. The Event Supervisor will maintain command of all personnel at the event and insure that all assigned officers are properly equipped.

J. At the conclusion of the event, the Event Supervisor will conduct a debriefing and prepare an After-Action Report (AAR) for submission to the Operations Division Commander. This report will include:

1. Identifiers on the event including the event manager, and the start and finish time
2. Specifics on staffing for all components inside and outside the Department
3. Information on arrests, ejections, medical aids, etc
4. Intelligence concerns
5. Complaints
6. Comments, recommendations, and suggestions

SPECIAL CONSIDERATIONS

Sale/Serving of Alcohol at Events

The sale and/or serving of alcohol at any event will be strictly governed and determined in accordance with provisions and appropriate permitting issued by the City.

Sales and/or serving shall not be permitted outside the event facility and no alcohol shall be allowed in or taken out of the event facility.
Sales and/or serving shall be terminated immediately if, in the opinion of the Event Supervisor, continued sales and/or service during the event compromises the security and safety of those attending and/or participating in the event

**DUTY ASSIGNMENTS**

1. Event beginning time will be the time the event is scheduled to start

2. Deployment of the Event Supervisor and special event personnel will begin 30 minutes prior to the admitting time.

3. Deployment of Parking Control Officers shall begin 30 minutes before event time. On-duty CSO's and patrol officers shall assist with the placement, activation, and conversion of traffic and parking control devices when appropriate

4. All assigned personnel should attend a pre-event briefing to review the Operations Plan

5. All personnel assigned shall be responsible for the immediate notification of problems or hazardous conditions which are developing, or may develop and pose a subsequent threat to the security and safety of the guests, participants or of the event

6. Special event personnel shall not leave their assigned area until relieved for breaks as scheduled by the Event Supervisor. The Event Supervisor shall schedule breaks in an organized and timely manner to ensure that all personnel remain focused and alert throughout the event

7. Deployed personnel may be relieved of duty only at the discretion of the Event Supervisor

8. Patrol units may be summoned by the Event Supervisor or his designee in cases of an emergency

*(CALEA 46.2.6, 46.2.7)*

**APPROVED:**

Greg Savelli
Chief of Police
POLICY

There has been a great increase in the number of bombings across the nation. Many of these bombs are very sophisticated, explosive devices that are capable of detonation upon touch. In many of these cases, the police are often called in advance and “warned” about the intended bombing. Due to the danger to both lives and property, the following procedure shall be followed:

1. When a bomb warning call is received, the dispatcher or the employee receiving the call shall obtain as much information as possible concerning the call. Every effort should be made to ascertain as much information as possible including such facts as the exact location of the bombing, the location of the bomb, the time of detonation and possible reason for the bombing. A determined afford by the employee taking the call my save lives and property.

2. The communications center shall immediately notify the Watch Commander and alert the Fire Department for standby. The Watch Commander shall then have the responsibility to make further notifications as deemed necessary and in accordance with Policy O3.37 in this manual. These notifications may include the Detective Sergeant, LASO Bomb Squad, the Division Commanders and/or the Chief of Police.

3. The officers responding to the location shall appraise the person(s) in control of the location as to the situation. If a time for detonation is known, this information shall be given to the person(s) in control of the location. The decision to evacuate the premises, especially a business, shall be left to the person or persons in control of the premises. If the Watch Commander or Officer in Charge of the situation determines that a “Menace to the Public Health” exists, he has the authority to evacuate and clear the location as stated in Section 409.5 of the California Penal Code. Justification for invoking 409.5 is generally more than a telephone call threatening such occurrence. Officers shall advise the person(s) in control of the premises that evacuation is recommended for the safety of others, but the decision whether to evacuate or not shall be up to the person or persons in charge of the premises, unless the Watch Commander determines that “A Menace to the Public Health” exists.

4. Officers shall take care of their words or actions to avoid any “panic” type situation.

5. Once the building is evacuated, one of the following procedures shall be followed:

A. [Redacted]
6. If the premises is not evacuated, the officers shall do the following with the permission of the person in control of the premises:

A. 

B. 

7. If no bomb is found, do not discount the possibility of it still being there. Officers shall advise the person(s) in control of the location that if any suspicious objects are found, they should not touch or tamper with them, but immediately notify the police.

8. If in the event a bomb is found, the officers shall isolate it and not tamper with it. All persons, including the officers, shall evacuate the area, seal off the area from any possible interference, and call the appropriate experts.

9. In the event the Police Station is the target of an alleged bomb threat, the Watch Commander shall notify the ranking officer in the Station and then conduct an immediate, systematic, and thorough search of the building.

10. In all cases when an officer of this department confronts a bomb, or what he strongly suspects is a bomb, he shall not move or touch the device. He shall clear the area and advise the Watch Commander.

Caution: 

APPROVED: 

Greg Savelli  
Chief of Police
The location of the City of Hermosa Beach on the South Bay Coast increases the potential hazards of natural, technological, terrorism, and war related hazards, as well as civil unrest. The City of Hermosa Beach Emergency Operations Plan has incorporated the National Incident Management System (NIMS) and has been adopted to help prepare a response to and recovery from critical incidents and/or catastrophic events, and help mitigate the outcomes that may be associated.

During a critical incident, the Hermosa Beach Police Department will primarily be concerned with the protection of life and property, enforcement of criminal laws, maintaining order, and coordination or assistance in the movement of people and resources in and around the affected area. Additionally, such emergencies may require law enforcement to undertake a number of tasks not typically performed on a daily basis, including protection and security of critical facilities, enforcing curfews and controlling access to impacted or damaged areas. Upon implementation of the Emergency Management Plan, the Hermosa Beach Police Department will be charged with directing and coordinating all city law enforcement assets and resources during the course of the emergency situation.

Critical Incidents are natural or manmade catastrophic events, or criminal law violations or civil disturbances, which require an emergency response to protect life or property. Catastrophic events include floods, hurricanes, earthquakes, accidental explosions, air disasters, and tsunami. The commission of criminal law violations or involvement in civil disturbances including riots, disorders, acts of terrorism, threats of, and intentional explosions, hostage/barricaded persons situations, mass arrests, and violence arising from dissident gatherings and marches, political conventions, and labor disputes.

Critical Incidents are typically of such magnitude that they necessitate a heightened emergency response, require additional resources, extended on-scene command, recall/augmentation of personnel, and/or multi-agency response and support in order to protect life and property, prevent escalation, and restore order. Due to the multitude of catastrophic event possibilities it becomes necessary that this “Operations and All-Hazards Plan” be basic, flexible, and subject to modification to be effective in our response. (CALEA 46.1.2)
I. AUTHORITY FOR IMPLEMENTATION

In the event of a catastrophic event, man-made or natural, the City of Hermosa Beach Emergency Operations Plan shall be implemented. The following are considered authority for this implementation:

A. The City of Hermosa Beach Mayor or City Manager
B. The City of Hermosa Beach Police Chief
C. The Captain, Division Lieutenant, or Watch Commander

II. DEFINITIONS COMMAND PROTOCOL AND COORDINATION OF OPERATIONS

A. CIVIL DISTURBANCE – Any domestic emergency such as a demonstration, strike, riot, and/or public panic, which has the potential of causing injury or property damage.

B. CRITICAL INCIDENT – Incidents that are typically of such magnitude that they necessitate a heightened emergency response, require additional resources, extended on-scene command, recall/augmentation of personnel, or multi-agency response and support in order to protect life and property, prevent escalation, and restore order. Response to a Critical Incident will be determined by the type of incident, magnitude, and necessary personnel needed.

C. COMMAND POST – A designated location where assistance is provided to the incident commander with the tasks of commanding the operation such as maintaining a system of communications, acquiring additional personnel and equipment, accumulating, utilizing and disseminating information, and coordinating efforts with law enforcement and other agencies.

D. EMERGENCY MANAGEMENT PLAN – the City of Hermosa Beach Emergency Operations Plan - An all-inclusive emergency action plan using the National Incident Command System (NIMS) and adopted by the City Council for the management and control of a catastrophic event.

E. EMERGENCY OPERATIONS CENTER (EOC) – A pre-designated facility established to coordinate and support the overall agency response during an unusual occurrence or high risk incident. The EOC is operated and staffed by personnel from the City of Hermosa Beach and volunteers from the community.

F. INCIDENT COMMANDER – Will normally be of supervisory rank and is responsible for the planning, exercising, execution and facilitation of resources and emergency management plans. During the activation of the Incident Command System (ICS), the incident commander serves as liaison to other
governmental organizations or agencies. An incident commander may initially be the on duty watch commander and can escalate to the Chief of Police. Under routine situations, the incident may be left under the command of the initial responding watch commander and overseen by the Operations Division Commander. Should the incident escalate and require additional resources or personnel, extended on scene command, multi-agency support, and implementation of the Incident Command System and the Hermosa Beach Emergency Operations Center shall require the Operations Division Commander or designee to respond to the on-scene command post and assume the role as Incident Commander. Ultimately, an incident commander is a supervisor who has complete authority for conducting the overall operation.

G. INCIDENT COMMAND SYSTEM (ICS) – A system for command, control, and coordination of a response that provides a means to coordinate the efforts of individual persons and agencies as they work toward the common goal of stabilizing an incident while protecting life, property and the environment.

H. STAGING AREA – A location designated by the incident commander for the assembly of available resources, including personnel and equipment, for response to the incident.

I. UNIFIED COMMAND – A multi-agency command incorporating officials and personnel from agencies with jurisdictional responsibilities at an incident scene. When an incident’s magnitude exceeds the capabilities, resources or jurisdiction of one agency, the ICS of an agency can evolve into and participate in an established Unified Command structure.

III. COMMAND PROTOCOL AND COORDINATION OF OPERATIONS

A. In accordance with the City of Hermosa Beach Emergency Operations Plan, the Chief of Police or designee shall assume incident command of a catastrophic event involving a natural or accidental man-made disaster. The Chief of Police or designee shall also assume incident command of an event involving a criminal incident or civil disturbance.

B. The Chief of Police or designee shall exercise full authority over the operations and management of all Hermosa Beach Police Department personnel and resources, and be the liaison with the EOC in the event of activation of the City’s Emergency Operations Plan.

C. The Division Commanders are responsible for planning and coordinating functions and response of assigned division personnel and resources to a critical incident. The Chief of Police or designee shall assume Incident Command and overall agency responsibility for planning and managing the law enforcement critical incident response for a catastrophic event or civil disturbance involving
extended on-scene response and recall of personnel. The Patrol Division Commander shall serve as the Assistant Incident Commander. (CALEA 46.1.1)

D. During the course of a Critical Incident, the Hermosa Beach Police Department has primary responsibility for:

1. Establishing on-scene command post
2. Law enforcement operations and investigation
3. Scene security and staging area security
4. Evacuations and warnings
5. Communications with other law enforcement agencies
6. Coordination with Emergency Operations Center

IV. INCIDENT COMMAND SYSTEM

A. The Incident Command System (ICS) shall be the standard operating procedure for all Critical Incidents involving extended operational response. The ICS is comprised of five (5) primary elements: Command, Operations, Logistics, Planning and Finance/Administration.

B. Each of the primary elements will have assigned personnel as needed to conduct the operation. The Incident Commander exercises all control for the event and directs the efforts of the personnel in charge of each of the functional elements.

C. For some types of critical events (tsunami, flooding) where warning is given, a specific incident scene may not exist in the initial response planning phase and the Chief of Police, or his designee, may accomplish initial response actions, such as mobilizing personnel and equipment and issuing assignments. As the potential threat becomes clearer, and as a specific site or sites become identified, an Incident Command Post (ICP) may be established and direction and control of the response will be transitioned to an Incident Commander located at the EOC or on-scene.

D. Should a critical incident occur without warning, the first officer to arrive on scene will implement the mutual aid system through the communication center and serve as incident commander until relieved by a supervisor or more qualified individual. The incident commander will establish an Incident Command Post (ICP) and provide an assessment of the situation to the next level supervisor and Communications Center, identify response resources needed, and direct on-scene response. The Incident Command System shall be implemented in accordance with the Hermosa Beach Emergency Operations Plan.
V. INITIATION OF THE EMERGENCY OPERATIONS PLAN

Once the appropriate level of response has been determined, the Operations Division Commander or designee will be responsible for initiating the Emergency Operations Plan and assume Incident Command until properly relieved. As additional personnel arrive at the scene, they will be assigned to various functions or phases of the operation as needed, including but not limited to:

A. The Operations Division Commander or Designee will be responsible for Incident Command consisting of the following: (CALEA 46.1.3a-h)

1. activating the incident command system
2. establishing a command post
3. initiating the notification and mobilization of additional agency personnel.
4. obtaining support from other agencies.
5. establishing a staging area, if deemed necessary.
6. providing public information and maintaining media relations.
7. maintaining the safety of all affected personnel.
8. preparing a documented after action report.

B. The Patrol Watch Commander or Designee will be responsible for the Operations Function consisting of the following: (CALEA 46.1.4a-f)

1. establishing inner and outer perimeters
2. delegating personnel to conduct evacuations if necessary
3. maintaining command post and scene security
4. providing for detainee transportation, processing and confinement
5. delegating personnel to direct and control traffic
6. conducting a post incident investigation

C. The Planning Section Officer or Designee will be responsible for the Planning function consisting of the following:

1. preparing and documenting incident action plan
2. gathering and disseminating information and intelligence
3. planning post-incident demobilization

(DALEA 46.1.5a-c)

D. The Logistics Section Officer or Designee will be responsible for the Logistics function consisting of the following areas:

(CALEA 46.1.6a-e)

1. communications/command post locations
2. establish staging area
3. transportation
4. medical support
5. supplies, food, temporary shelter and rest
6. specialized team and equipment needs

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E. The Finance/Administrative Officer or Designee will be responsible for the Finance/Administration function consisting of the following: (CALEA46.1.7a-d)

1. recording personnel time
2. procuring additional resources
3. recording expenses
4. documenting injuries and liability issues

VI. PERSONNEL ALLOCATION

The Command Staff is assigned to carry out staff functions needed to support the Incident Commander in preparation for and during a catastrophic event and may utilize additional designated personnel to assist in carrying out their area of responsibility. A list of those personnel utilized during the incident, and a list of non-utilized personnel shall be forwarded to the Incident Commander by each Section Officer. The Incident Commander shall maintain a list of sworn and non-sworn personnel available for deployment in additional position assignments not specifically identified in the General Staff functions. These positions include designation of Liaison Officer (LO), a Safety Officer (SO) and a Public Information Officer (PIO). Additional assistants and command staff positions may be assigned, as determined by the Incident Commander. (CALEA 46.1.3)

VII. LEVELS OF MOBILIZATION/ACTIVATION

Many natural catastrophic events follow some recognizable build-up period during which planning and actions can be taken to achieve a gradually increasing state of readiness. Readiness/Activation Levels will be determined by the Mayor, City Manager, Chief of Police, and/or the Command Staff.

A. Level 1: Normal Conditions: Emergency incidents occur and local officials are notified. One or more departments or agencies may respond to handle the incident; an incident command post may be established. Limited assistance may be requested from other jurisdictions pursuant to established inter-local agreements. Increased readiness actions may be appropriate when the situation similar to the following occur:

1. **Weather/Tornado Watch:** A weather system has developed that has the potential to impact the local area. Readiness actions may include regular situation monitoring, a review of plans and resource status, determining staff availability and placing personnel on-call.

2. **Tsunami/Flash Flood Watch:** indicates flash flooding is possible due to heavy rains occurring or is expected to occur. Readiness actions may include increased situation-monitoring, reconnaissance of known trouble spots, deploying warning signs.
3. **Civil Disturbance:** For incidents with a previous history of problems, readiness actions may include reviewing security, traffic control, fire protection, and first aid planning with organizers and determining additional requirements.

Declaration of “Level 2” will generally require the initiation of the “Increased Readiness” activities to include personnel stand-by alerts.

The normal operations of government are not affected.

B. **Level 2: Partial EOC Activation (High Readiness):** Refers to a situation with a significant potential and probability of causing loss of life and/or property. Normally requires a full activation of the Police Department’s ICS structure for emergency operations and activation of the Hermosa Beach Emergency Operations Center. Twelve hour shifts may be established, along with staging of emergency operations/response resources. This condition will normally require some degree of warning to the public. The Neighborhood Watch and CERT groups can be activated, and the Code Red Alert System may be utilized.

1. **Weather/Tornado Warning:** A weather system may impact the local area within 72 hours. Readiness actions may include continuous storm/tornado monitoring, identifying worst-case decision points, increasing preparedness of personnel and equipment, updating evacuation checklists, verifying evacuation route status, and providing the public information for techniques on how to protect homes and businesses and provide information on the evacuation routes. The EOC may be activated at this time.

2. **Tsunami/Flash Flood Warning:** Issued to alert persons that a tsunami or flash flooding is imminent or occurring on certain areas, and immediate action should be taken. Readiness actions may include notifying the public about the warning, evacuating low-lying areas, securing shelters to house evacuees, and continuous situation monitoring.

3. **Civil Disturbance:** Civil disorder or criminal incident involving relatively large-scale localized violence is imminent. Readiness actions may include increased law enforcement presence, putting hospitals and fire departments on alert, and continuous situation monitoring.

C. **Level 3: Full EOC Activation:** A major local or regional disaster wherein resources in or near the impacted area are overwhelmed and extensive State and/or Federal resources are required. Notifications to the residents via local media, neighborhood watch and the Code Red Alert System should be used and appropriate evacuation or emergency information given. Neighborhood Watch volunteers, CERT, and other volunteers can be mobilized to assist in evacuations and controlling crowds at the evacuation centers. A local emergency can be
proclaimed along with a State of Emergency and a Presidential Declaration of an Emergency or major disaster would be requested. All coordination and direction activities will be accomplished from the EOC. The field response level will report to and receive direction from the EOC. Depending on the event, twelve hour shifts will be established.

1. **Weather/Tornado Threat:** The evacuation decision period is nearing for an approaching tropical weather system that may impact the local area. Readiness actions may include continuous situation monitoring, full activation of the EOC, recommend precautionary actions for special facilities, placing emergency personnel and equipment into position for emergency operations, and preparing public transportation resources for evacuation support.

2. **Tsunami/Flash Flood Warning:** Flooding is imminent or occurring at specific locations. Readiness actions may include evacuations, rescue teams on alert, sheltering evacuees and/or others displaced by the flooding, and continuous monitoring of the situation.

3. **Civil Disturbance:** Civil disorder or criminal incident is about to erupt into large-scale and widespread violence. Readiness actions may include having EMS units on stand-by, law enforcement units present for duty, notifying the DDC that assistance may be needed and keep them apprised of the situation, and continuous monitoring of the situation is required.

4. **Earthquake or Other Natural Disaster:** The extent or injuries and damage are more than our resources can handle and mutual aid is necessary for an extended period.

**VIII. INCIDENT COMMAND SYSTEM FIELD MANUAL**

In addition to the Hermosa Beach Police Department policy and procedures, the Hermosa Beach Emergency Operation Plan shall be available for use as a guideline for various critical incidents or catastrophic events.

A. The Plan shall be maintained by the Operations Division Commander and a copy place in the watch commander office for reference.

B. The Emergency Operation Plan will be made available to all personnel, who will familiarize themselves with the contents.
IX. SOUTH BAY REGIONAL PUBLIC COMMUNICATIONS AUTHORITY (RCC) RESPONSIBILITIES

A. It shall be the responsibility of RCC to ensure that proper notifications are made regarding any reported critical incident or as directed by an on-scene Incident Commander. Hermosa Beach Police Department Records/Jail personnel can also make notifications as needed. The patrol watch commander will determine who is to be notified and by whom.

B. Upon notification of the activation of the Emergency Operations Plan (Incident Command System), RCC Supervisors or Records/Jail personnel shall notify appropriate Command Staff personnel and Division Commanders by radio or phone, identifying the level of mobilization.

1. A situation alert may be issued for any high risk incident, special event or unusual occurrence. Such events may include demonstrations, large crowd events, or dignitary protection details, etc.

2. Additional situation alerts may be issued as an incident escalates or de-escalates.

3. A detailed log of all notifications shall be maintained throughout the critical incident.

X. SPECIAL CONSIDERATIONS IN ESTABLISHING COMMAND AND RESOURCE AREAS

A. Command Post Selection and Activation

5. A field command post shall be established for all Critical Incident events that require a major commitment of Departmental resources for an extended period of time. A field command post may be established by the supervisor at the scene for any event or occurrence regardless of the size of the operation.

6. The creation of a field command post helps the Incident Commander on the scene with tasks of commanding the operation while maintaining a system of communications, acquiring additional personnel and equipment, accumulating, utilizing and disseminating information and coordinating efforts with other agencies.

7. The location for a field command post should be:

a. In the vicinity and strategic to the occurrence
b. A site readily located and accessible to responding personnel
c. Of sufficient space to accommodate personnel and their vehicles
d. Near to public services (i.e. telephone, electrical, water, restrooms, etc.) whenever possible

e. Secure and defensible as much as possible

8. Whenever possible, situation maps that have been prepared to detail building, structure, streets, routes, pre-planned barricade areas, etc., for use in determining perimeters, evacuation zones, staging areas, etc., will be maintained in the Communications Center or Mobile Command Post and will be made available to the Incident Commander.

B. Media Staging Area Selection and Activation

1. A media staging area will be established by the PIO as soon as possible with security provided by law enforcement personnel. The media staging areas should be located far enough away so as not to effect any operations and/or planning.

2. In addition, the media should be used by personnel to transmit information to the public to enhance the operations, i.e. media alerts to avoid barricaded streets, rumor control, etc.

3. Incident Commanders should note that with instant access capability to communications, on-site news crews, cell phone, etc., information will spread rapidly regarding an incident of significance. Commanders must be sensitive to this and should make the media a partner to ensure that accurate and timely information is released to the public to avoid, as much as possible, incorrect rumors and speculation.

C. Resource Staging Area Location Selection and Activation

In critical events requiring large numbers of personnel, or those which continue for an extended period of time, it may be necessary to establish a staging area separate from the field Command Post. This allows command operations to remain free from disruption. The de-escalation of the staging area is determined by the Incident Commander in charge.

XI. MUTUAL AID

A. The Incident Commander may request and direct additional local law enforcement as needed and transition the ICS to a Unified Command System.

B. In the event the incident has escalated to the degree that requires the response of multiple agencies and resources, the management of the incident would transition from the ICS to a Unified Command System. The unified command structure is used when personnel and equipment from various agencies or jurisdictions become involved.
C. Upon activation of the Emergency Operations Plan, the Hermosa Beach Police Department will work in conjunction with the other involved agencies in accordance with and as called for in the Unified Command System.

D. If additional personnel are needed, the Chief of Police or his designee will contact the Los Angeles County Sheriff’s Department Emergency Operations Bureau or other such agencies, as deemed necessary.

E. If additional assistance is needed from a Federal Law Enforcement Agency, the Sheriff or his designee will be responsible for such notification and request.

F. Should State or Federal military assistance be necessary to augment local law enforcement efforts involving a Critical Incident or other emergency situation, the city will make the request to the Los Angeles County Sheriff’s Emergency Operations Bureau. They will make the request to the State of California Office of Emergency Services who will make a determination and make official contact with the Governor or appropriate Federal Agency. (CALEA 2.1.4)

G. In the event of the suspension of civil liberties (commonly known as martial law), mobile field forces will be assembled and assigned to work with the National Guard.

XII. SPECIAL OPERATIONS

Should the on-scene Incident Commander determine that an event requires specialized units to supplement patrol functions, the scene will be secured and an appropriate perimeter established. The Communications Center will contact the requested specialized unit (Bomb Squad, Canine, Crime Control Unit, Crime Scene Unit, Investigations, air unit, SWAT) to respond. The on-scene Incident Commander will maintain command of the incident; however, specialized unit personnel will be responsible for evaluating and determining appropriate actions to be taken by the specialized unit with support from the patrol function. (CALEA 46.2.1)

XIII. DE-ESCALATION PROCEDURES

A. As the incident de-escalates, the Incident Commander will release personnel and stand down from the event in a manner that will accommodate the needs of Incident Command Personnel while not producing a law enforcement void.

B. Personnel will be assigned to devastated areas for the period of time necessary to maintain order and prevent looting.

C. De-escalation should be a gradual process, allowing proper relief personnel assigned to the incident for a protracted period of time. A full return to duty schedule should occur as appropriate personnel are available. The lengths of shifts may vary due to allowances for rest and recovery of all personnel.
D. The de-escalation procedures will include the collection of rosters, event logs, incident reports, and other necessary documentation from each deputy or supervisor involved in the incident.

E. The area Patrol Commander or their designee shall collect all essential data, and produce an incident report of HBPD response and actions.

F. The Incident Commander will be responsible for preparing an After Action Report using detailed activity summaries submitted by Operations, Planning, Logistics, and Finance if these functions were established during the incident.

G. The Incident Report and After Action report shall be forwarded to the Chief of Police through the Operations Division Commander and to the Accreditation Manager.

XIV. TRAINING (CALEA 46.1.9)

A. All affected police department personnel shall be required to complete appropriate NIMS training for their rank and/or position. Key personnel in positions identified in the ICS manual will be trained in the requirements of the positions to be staffed. In addition, the Support Services Division Commander shall conduct or coordinate annual training on the Incident Command System. Documentation of the annual ICS training shall be maintained by Support Services Commander.

B. Other training shall include participation in field or table-top exercises with multiple agency involvement.

C. The Hermosa Beach Police Department Critical Incident Plan shall be updated as needed.

XV. EQUIPMENT (CALEA 41.1.3 & 46.1.8)

A. Equipment designated for use in response to critical incidents shall be maintained in operational readiness status and documented inspections shall be conducted at least quarterly.

B. Equipment available for critical incident response will vary in number and includes, but is not limited to:

1. Mobile Command Post (available through Area G)
2. Armored Vehicle (available through Area G)
3. Generators (two @ PD)
4. Area lighting (@ PD)
5. Level “C” suits
6. Pop-up tents (3)
C. All first responders assigned to the Department are issued protective equipment including gas masks and protective gear for use if involved chemical, biological, radiological, and nuclear weapons (CBRN), and hazardous materials. Additionally, all police vehicles are equipped with an “Emergency Response Guidebook” and officers receive training on awareness level guidelines, appropriate actions, and use of protective equipment in response to CBRN events. (CALEA 46.3.4)

XVI. MUTUAL AID TO CRITICAL INCIDENT

A. In the event of an unforeseen Critical Incident, the Hermosa Beach Police Department would move to expand emergency response and containment operations, through immediate use of mutual aid from local agencies.

B. Upon arrival at a potential critical incident (CI), the first responding patrol officer shall evaluate the scene and relay all pertinent information to his/her supervisor, as well as the Communications Center. Based on a totality of information, i.e. the first responder’s report, the supervisor on-view/on-scene evaluation of the incident, the on-duty Patrol Watch Commander will then make the decision to classify the scene as a Critical Incident. At that time the Watch Commander shall notify the Communications Center and request mutual aid.

C. Upon notification of the CI, Communications Center will notify surrounding agencies of the request for mutual aid. The Communication Center supervisor will broadcast a designated dedicated radio channel for all responding units. All responding units shall then acknowledge and immediately switch to the designated channel using direct communications between units. The number of agencies contacted will be based on information from the watch commander, depending on the size of the incident and personnel needed.

D. The Watch Commander area will establish an Incident Command Post (ICP) at the scene to direct and control emergency operations at the incident site and determine if a Mobile Command Post or other resource response is necessary.

E. Upon arrival on scene, the Operations Division Commander will assess the incident and determine if it will require extended on-scene command (in excess of 18 hours and require the recall or augmentation of personnel), additional resources, or multi-agency response and support, in order to protect life and property, prevent escalation, and restore order. If the incident will be short term in nature, the Operations Division Commander can elect to keep the watch commander as the ICS commander shall continue as incident commander or take over the command of the ICS to ensure appropriate management of the scene. In such incidents where a large scale, extended on-scene command is required, the Operations Division Commander or more experience command staff will assume Incident Command using the Incident Command System.
I. SPECIAL EVENTS

A. Special events include parades and other similar events, each of which are handled through individual operations plans which are specific to the circumstances.

B. Depending on the nature of the event, the Operations Division Commander or Community Lead Sergeant shall coordinate and approve special event operations plans which will include, at a minimum:

   1. Personnel qualification requirements, if any.
   2. Command and control.
   3. Written estimates of traffic, crowd, and/or crime problems anticipated.
   4. Logistics requirements.
   5. Coordination inside and outside the department.
   6. Contingency plan for traffic direction and control.
   7. After-action report

(CALEA 46.2.7)

VIP SECURITY PLAN

I. VIP SECURITY PLAN

A. General:

   1. All requests for security services for VIP visitors will be directed to the Operations Division Commander or designee, who will make an administrative decision as to the level and nature of services to be provided.

   2. The Operations Division Commander or designee will designate a single individual as supervisor and coordinator of any given security detail.

   3. The security team coordinator will meet, as required, with the advance party/VIP security representative, and will prepare necessary plans for provision of security services.

B. VIP visitors will generally fall into one of three types, which affect the level of necessary protection as follows:

   1. Quiet, private, visits with no or limited public activity. Requires little or no security.
2. VIP known by name or position, but not by actual physical appearance. May require limited security prior to public appearance, more security after.

3. Readily recognizable VIP making public appearances. Law enforcement security assistance required.
(CALEA 46.2.6)

APPROVED:

[Signature]

Greg Savelli
Chief of Police
PURPOSE

This policy establishes this department’s position on the utility and management of its volunteer programs and provides guidance on its management and administration.

POLICY

Volunteers can be an important part of any organization and are proven to be a valuable asset to law enforcement agencies. Volunteers help to increase police responsiveness, service delivery, information input, and they provide new program opportunities. In addition, volunteers can bring valuable skills and expertise to the job and prompt new enthusiasm.

It is the policy of this police department to use qualified volunteers for specified tasks and duties that can create efficiencies for the department and improve services to the community. Volunteers are intended to be ambassadors for the City and to supplement and support, rather than supplant, sworn officers and civilian personnel.

DEFINITIONS

Volunteer: Someone who performs service for the department without promise, expectation, or receipt of compensation for services rendered. This may include unpaid chaplains, unpaid reserve officers, interns, and persons providing administrative support. Volunteers are not sworn officers.

VIP PROCEDURES

A. Administration

1. The volunteer coordinator, or his or her designee, shall be responsible for the following:

a. Recruiting, selecting, and training qualified VIP’s for various positions
b. Maintaining employment records for each VIP
c. Maintaining the VIP handbook, which outlines expectations, policies, and responsibilities for all VIP’s
d. Maintaining a record of VIP schedules and work hours
e. Completion and dissemination as appropriate of all necessary paperwork and information
f. Planning periodic recognition events  
g. Administering discipline when warranted

2. All Department members’ requests for VIP assistance shall be routed through the normal chain of command for review and proper selection.

**B. Recruitment**

VIP’s shall be recruited on an on-going basis consistent with this department's policy on equal opportunity nondiscriminatory employment. A primary qualification for participation in the application process shall be an interest in and an ability to assist the agency in serving the public.

**C. Screening**

1. All prospective VIP’s shall complete the volunteer application form.

2. All VIP applicants must be able to minimally meet all requirements set forth in Policy O3.42 in order to be considered for the VIP Program.

3. The Volunteer Program Coordinator, or designee, shall conduct a face-to-face interview with an applicant under consideration.

4. A documented background investigation shall be completed on each VIP applicant and shall include, but not necessarily be limited to, the following:
   a. Traffic and criminal record
   b. Employment
   c. References

**D. Selection and Placement**

1. Upon their selection, applicants shall receive a confirmation letter prior to the start of service.

2. All VIP's shall receive a copy of the volunteer handbook.

3. All VIP’s shall be required to sign a volunteer agreement.

4. VIP’s shall be placed only in job assignments or programs that are consistent with their knowledge, skills, abilities, and the needs of the Department.

**E. Position Description**

1. VIP’s shall be provided with a comprehensive written position description detailing their duties.

2. VIP’s shall be used only in accordance with this description. VIP’s shall not work without a written job description or outside the limits of job responsibilities specified in the job description.
3. Position descriptions shall be reviewed periodically to ensure that they accurately reflect the volunteer's duties and responsibilities.

F. Training/Meetings

1. VIP’s shall be provided with an orientation program to acquaint them with the department personnel, and policies and procedures that have a direct impact on their work assignment.

2. VIP’s shall receive position-specific training to ensure they have adequate knowledge and skills to complete tasks required by the position.

3. VIP’s shall attend and complete at least one (1) Hermosa Beach Police Department Community Police Academy within one (1) year of placement in the Volunteer program.

4. VIP’s will meet as a group on a monthly basis and shall receive periodic ongoing training as deemed appropriate by their immediate supervisor or volunteer coordinator.

5. Training shall reinforce to VIP’s that they may not intentionally represent themselves as, or by omission infer that they are, sworn officers or other full-time members of the department. They shall always represent themselves as volunteers.

6. All VIP’s shall comply with the rules of conduct and with all orders and directives, either oral or written, issued by the department. (CALEA 16.4.2)

G. Fitness for Duty

1. No VIP shall report to work or be on duty when his or her judgment or physical condition has been impaired by alcohol, medication, other substances, illness, or injury.

2. VIP’s shall report to their immediate supervisor any changes in status that may affect their ability to fulfill their duties. This includes, but is not limited to, the following:
   a. Valid Driver License
   b. Medical condition
   c. Arrests
   d. Criminal investigations
   e. Reside in Hermosa Beach (members brought on after May 2013)

3. While not a requirement, the program is structured for a “senior” or “retired” resident who can volunteer their time during regular daytime business hours.
H. Uniforms/Dress Code

1. VIP’s shall conform to department-approved dress consistent with their duty assignment.

2. Uniforms authorized for VIP’s shall be readily distinguishable from those worn by sworn officers. The approved attire for Hermosa Beach VIP’s is a polo type shirt with embroidery or screen printing identifying the wearer as a Police Volunteer, and black trousers. In times of inclement weather, VIP’s may also wear a black windbreaker with white lettering in identifying them as Police Volunteer.

3. No volunteer shall wear his or her uniform or identifiable parts of that uniform while off duty.

I. Confidentiality

1. With appropriate security clearance, VIP’s may have access to confidential information such as criminal histories or investigative files. Unless otherwise directed by a supervisor or departmental policy, all police information shall be considered confidential. Only that information specifically identified and approved by authorized personnel shall be released. Confidential information shall be given only to persons who have a need and a right to know as determined by departmental policy and supervisory personnel.

2. Each VIP shall sign a nondisclosure agreement. Subsequent disclosure of any confidential information, verbally, in writing, or by any other means, shall be grounds for immediate dismissal and possible criminal prosecution.

3. VIP’s shall not address public gatherings, appear on radio or TV, prepare any article for publication, act as correspondents to a newspaper or other periodical or internet blog, release or divulge any information concerning the activities of the agency, or maintain that they represent the agency in such matters without permission from their immediate supervisor or the on-duty watch commander.

J. Property and Equipment

1. VIP’s shall be issued an identification card that must be worn at all times while on duty.

2. Any fixed and portable equipment issued by the agency shall be for official and authorized use only.

3. Any property or equipment issued to a volunteer shall remain the property of the agency and shall be returned at the termination of service.

(CALEA 16.4.3)
K. Duties

1. The VIP program is a “task specific” support program for the Police Department and the City. The assignment of tasks will come from the Program Coordinator.

2. Each VIP will be assigned to a particular organizational component, or unit, of the Department based upon their skills, interests, and the needs of the Department.

3. Once a VIP has been assigned to a particular unit, that unit’s supervisor will be responsible for supervising the VIP’s activities which will be recorded on a Volunteer Activity Log. The unit supervisor shall be responsible for providing specific direction and training, relative to the job assignment. The supervisor shall forward the Volunteer Activity Log, and any other relevant information, to the Volunteer Program Coordinator.

4. Undirected non-task specific patrolling is not permitted. Structured patrol will be assigned by the Watch Commander and will be performed utilizing the VIP Patrol Activity Log (PAL). The completed PAL shall be submitted to the Watch Commander at the conclusion of the volunteer’s shift.

5. If a VIP is unable to report for duty as assigned, he/she must contact their immediate supervisor, or in the absence of a supervisor, the on-duty Watch Commander, as soon as practicable and with as much advanced notice as possible.

6. Assigned tasks for VIP Members may include, but are not limited to, the following:
   - Monitor/check schools during parent drop-off and pickup
   - Assist with the “Walking School Bus” program
   - Conduct “Vacation Checks” of specified residences
   - Conduct “You are Not Alone” checks of specified residents
   - Assist with counter duty or other assigned administrative tasks in the Records Bureau
   - Perform Live Scan finger printing through requests
   - Check PD vehicles for correct equipment
   - Stand a post and monitor the skate park
   - Stand a post and monitor The Strand “walk zone” near the Pier Head
   - Transport PD vehicles to City Yard, car wash or RCC as needed
   - Stand a post and monitor the Taxi Zone near Pier Plaza
• Check the handicapped parking zones in the city using the PAL
• Structured bicycle/T3 patrol specifically using the PAL
• Structured foot patrol specifically using the PAL
• Structured vehicle patrol specifically using the PAL
• Other duties as may be assigned by Watch Commander, immediate supervisor, and/or Volunteer Coordinator

L. Hours

1. VIP’s shall volunteer a minimum of 8 hours per month. VIP Members not meeting this requirement may be subject to removal from the program.

2. VIP’s will be assigned to specific duties primarily between 0600-2200HRS.

3. VIP’s can volunteer their time after 2200HRS, but their duties will generally be based at the HBPD station at the approval/discretion of the Coordinator and/or Watch Commander.

M. Vehicles

1. With proper training, and in accordance with Policy O3.25 of this Manual, VIP’s may be directed to operate marked or unmarked Police Department vehicles, including the T3, Polaris UTV, and bicycle. Whenever reasonably possible, an “out of service” marker should be placed on a marked police vehicle during operation by a VIP’s. VIP’s are prohibited from using the forward facing red emergency lighting/sirens on any Police Department vehicle. VIP’s willfully violating this are subject to removal from the VIP program and possible prosecution for violations of the California Vehicle Code.

2. Before a VIP operates any police or city owned vehicle, they shall complete the department approved Vehicle Inspection Report (VIR). The VIR shall document any potential damage and operational status of the vehicle to be used by the VIP Member. The VIR shall be submitted to the Watch Commander before the vehicle is operated. At the discretion of the Coordinator, Watch Commander, etc., completion of the VIR can be waived in certain instances.

N. Disciplinary Procedures/Termination

1. A VIP may be removed from the volunteer program at the discretion of the Chief of Police or his/her designee. Termination of VIP’s shall not be subject to due process considerations and VIP’s shall have no property interests in their continued employment.
O. Evaluation

1. An evaluation of the overall volunteer program shall be conducted on an annual basis.

2. Periodic personnel evaluations shall be conducted with volunteers to ensure the best use of human resources available, to ensure personnel problems can be identified and dealt with promptly and fairly, and to ensure optimum job satisfaction on the part of volunteers.

VOLUNTEER CHAPLAINCY PROGRAM

The Chaplaincy Corp is comprised of ordained clergy from established and recognized faiths within the community. The chaplains prove most valuable in situations where counseling or trauma support is needed. The purpose of the Chaplaincy Program is to respond, with officers, to situations involving death, serious injuries, suicide and domestic violence. The chaplains console family members and offer spiritual guidance and support while leaving the officer available to focus on the police investigation. The chaplains are on an “on call” schedule and are required to respond to emergency situations when called.

Officers, staff, volunteers and family members, regardless of rank or religious preference, are encouraged to seek a chaplain’s counsel, secure in the knowledge that such communication will be classified as privileged, except when the safety of the individual, a co-worker, or the public is in jeopardy.

A. Qualifications

1. A chaplain shall be an ordained, licensed, or certified to perform religious functions and a person in good standing with a recognized religious body.

3. The chaplain shall go through and successfully complete a background check with the Hermosa Beach Police Department. This screening consists of an application, criminal history (fingerprint) check, background check, resume, and interview.

4. A chaplain must have the ability to be tactful and considerate in his or her approach to all people.

5. A chaplain shall not be accepted or maintained if convicted of any offense. The Chief of Police will have final determination.

6. A chaplain is required to go through training with the Hermosa Beach Police Department and be eligible to qualify as an International Conference of Police Chaplains (ICPC) basic certified chaplain.

B. Chaplain’s Role with the Hermosa Beach Police Department

1. The chaplain’s primary responsibility is to stand ready to provide care and service when requested by the Hermosa Beach Police Department. This
position is a strictly volunteer position and there will be no compensation given for the service provided by chaplains. Compensation or donations shall not be taken while performing his or her duties as a chaplain.

2. The chaplain understands that all information or communications that take place within his or her role as chaplain is to be held in the strictest confidence.

3. The chaplain shall complete monthly contact/call reports on his or her activities as required by the Hermosa Beach Police Department.

4. The chaplain shall attend regular meetings and a minimum of four (4) training activities as scheduled by the Hermosa Beach Police Department.

5. The chaplain shall complete his or her ride along schedule (4 hours minimum a month), or as required by the department, in a timely manner. This will also include attending officers briefing at either 6AM or 6PM.

6. The chaplain shall be familiar with the notification procedures established by the Hermosa Beach Police Department and conform to them.

7. The chaplain shall be subject to proper protocol procedures and discipline. He or she shall report to the ranking officer in charge when arriving at the scene of the emergency.

8. When the chaplain is on an on-call status, he or she will be able to immediately respond to a cell phone, or land line notification. Any change in the on-call status must be reported promptly to the Hermosa Beach Police Department chaplaincy supervisor and patrol watch commander.

9. The chaplain shall not release any information to the news media, insurance agencies, or private attorneys regarding cases in which he or she is involved.

10. The chaplain shall not publicly criticize any law enforcement officer, department official, fellow chaplains, or departmental policy or action. Any chaplain having a grievance or objection shall address the matter through department channels.

11. The chaplain shall follow proper procedures as outlined in this document and the general orders of the Hermosa Beach Police Department as they apply to him or her.

12. All city issued equipment shall be used only when volunteering in an official manner as outlined in this general order.
C. **Operational Procedures**

1. The Division Commander, Watch Commander, on-scene supervisor may request a chaplain response in incidences such as:
   
   a. Suicides (attempt suicides)
   b. Accidental deaths
   c. Homicides
   d. Any critical incident or issue involving a Hermosa Beach Police Department employee who would benefit from their professional counseling, including officer involved shootings
   e. Family disturbances and incidents, which would benefit from their professional counseling
   f. Death Notification
   g. Any incident that in the judgment of the Watch Commander a chaplain would facilitate the department in accomplishing its mission
   h. Emergency Incident Preparedness/Response

2. A list of the on-call chaplains and their cell phone number will be maintained in the Watch Commander’s office. This list will be provided to the Watch Commander’s office on a monthly basis by the chaplaincy supervisor. Days of religious observance will be excluded. Chaplains will respond to the scene within 30 minutes of being called.

3. Chaplains shall be permitted to ride with officers in police department vehicles, cross police lines, and observe police operations, provided that the watch commander has been notified and approves such activity.

4. Chaplains shall not be evaluators of officers and will not be required to report on an officer’s performance or conduct.

5. Chaplains shall not use their position to convert anyone to their denomination. Chaplains are to stay neutral and not profess any specific religion over another.

6. Chaplains should assist an officer in the diffusion of a conflict when requested to do so by an officer.

7. Chaplains are voluntary members of the Hermosa Beach Police Department, and shall be held accountable for their actions.

8. Chaplains report directly to the chaplaincy supervisor under the Department’s chain of Command. The chaplain will be under the supervision of the watch commander when responding to a call out.
D. Uniforms and Credentials

1. Chaplains, when responding to a scene, shall wear department approved attire. The chaplain shall display on their person proper identification issued by the Hermosa Beach Police Department when called upon to perform such duties. The approved attire for Hermosa Beach Police Department chaplains is a black polo type shirt with embroidery identifying the wearer as a Hermosa Beach Police Department chaplain. In times of inclement weather, chaplains may also wear a black windbreaker identifying themselves as Hermosa Beach Police Department chaplains.

2. No emblems or pins which represent a specific faith may be worn upon the department uniform.

E. Chain Of Command

Chaplains shall be required to follow the department’s chain of command set forth by the Hermosa Beach Police Department. Chaplains shall report directly to the Support Services Division Commander

APPROVED:

Sharon Papa
Chief of Police
PURPOSE

The purpose of this Policy is to establish Department policy defining the scope of acceptable deployment for reserve police officers and to clarify Penal Code Section 832.6 to establish uniformity in implementing and conducting the Reserve Police Officer Program.

POLICY

The primary responsibility of Hermosa Beach police officer personnel is the protection of life and property. The Reserve Police Officer Program's primary function is to assist the police department towards that goal.

DEFINITIONS

The following apply to California POST definitions for reserve officers:

1. "Level I Reserve" refers to a reserve officer trained as described in Penal Code Section 832.6(a)(1), and who is assigned specific police functions or to the prevention and detection of crime and the general enforcement of the laws of the state, whether or not working alone. The authority of a "non-designated" Level I reserve officer shall extend only for the duration of assignment to specific police functions. The Department does not employ “designated” Level I reserve officers, per Penal Code Section 830.6(a)(2). (full peace officer powers 24 hours per day).

2. "Level II Reserve" refers to a reserve officer trained as described in Penal Code Section 832.6(a)(2), who works under the immediate supervision of a peace officer possessing a basic academy certificate, and is assigned to the prevention and detection of crime and the general enforcement of the laws of the state.

3. "Level III Reserve" refers to a reserve officer trained as described in Penal Code Section 832.6(a)(3), who is deployed in limited support duties not requiring general law enforcement powers in their routine performance.

LAW ENFORCEMENT POWERS

Reserve officers in the City of Hermosa Beach are assigned as "non-designated" reserve officers. This provides the reserve officer all police powers outlined in Penal Code Section 830.6(a)(1) only for the duration of assignment to specific police functions. Reserve officers do not have any law enforcement powers while off-duty.
Reserve officers may not carry a weapon off-duty except as authorized by the Chief of Police.

LIABILITY

Reserve officers have public liability protection equal to that provided to full time officers. (CALEA 16.3.7)

DUTIES AND RESPONSIBILITIES

Level I and Level II reserve officers are primarily assigned to the general enforcement of laws and, as such, are generally assigned to the Patrol Division. Level III reserve police officers are assigned to duties which do not generally require enforcement of laws in their routine performance.

Reserve officers within the organization can be assigned to and work other duties within the various divisions of the Police Department. Reserve officers may drive police vehicles at the discretion of their supervisors.

Reserve officers are on call for emergency situations where additional manpower is necessary. In addition to emergency use, reserves can be used for general law enforcement duties, transportation of prisoners, priority patrol projects, and assistance with special programs. All duties can be performed on a day-to-day basis, or scheduled in advance. The day-to-day exposure in general law enforcement duties is designed to help a reserve officer become familiar with the daily operations of the department and to help the reserve become competent in his ability to perform his job.

Special requests for reserve officer assistance, except emergencies, must be submitted to the Reserve Coordinator for proper assignment and scheduling. In an emergency, reserve officers may be contacted directly by the Watch Commander, the Reserve Coordinator, or by any member of the Command Staff.

A reserve officer is required to work a minimum of 20 hours per month (minimum patrol shift is four hours). Included in the 20 hours is any required training meeting, the quarterly qualification shoot as scheduled, and any other required training. Unexcused failure to meet the minimum obligations of the program or any part thereof with regard to attendance is grounds for discipline up to and including termination from the reserve program.

EMPLOYEE JOB STATUS AND COMPENSATION

Reserve officers are considered part-time employees of the department, and as such, are not entitled to participate in the state employee's retirement system, nor do they receive any medical benefits.

Reserve officers, while on duty, are covered for any medical treatment necessary arising from sustaining any on-duty injury, and are eligible for State of California disability coverage.

The City of Hermosa Beach is self-insured and provides liability coverage for all employees, including reserve officers while they are on duty.
Compensation for working an extra job position will be paid at a rate of the following:

Level I hourly rate equivalent to second step base pay full time officer.
Level II hourly rate equivalent to first step base pay full time officer.
Level III is not eligible for extra job positions.

For the purpose of compensation, “extra jobs” are defined as:

1. Mandatory court appearance pursuant to subpoena. (“On-call” subpoenas not included unless subsequently ordered to appear in court)
2. Special Detail overtime pursuant to posted sign-up notice in the Watch Commander’s office. (Refer to HBPD MOU Article 30)
3. Mandatory shift coverage to satisfy shift minimum staffing requirements. (Refer to HBPD MOU Article 31)
4. Any other unscheduled work assignments as directed by the Department due to City emergency.

Reserve officers may not work more than 80 hours per month. Reserve officers are required to log all hours worked on the reserve time sheet log.

Reserve shift specifications are:

1. A minimum of four hours per patrol shift up to a maximum of eighteen hours of continuous “on-duty” time.
2. A maximum of eighteen hours per 24 hour period.
3. A minimum of twenty hours and a maximum of eighty hours per month.

If a reserve officer cannot work a scheduled shift or assignment, the officer must notify either the shift Watch Commander or the Reserve Coordinator at least one hour prior to the shift or assignment starting time. The officer will be required to explain the reason for his/her absence.

**RETIREMENT PROGRAM**

A reserve officer may retire from the Department if he/she has at least 10,000 hours of service or a minimum of twenty years of service with the City and is in good standing. A reserve officer who meets the qualifications shall submit a memorandum to the Chief of Police expressing their desire to retire.

If granted, the retired reserve officer will be eligible to receive the following from the City:

1. A “Retired Reserve Officer” flat badge and identification card.
   *(CALEA 16.3.1)*
RESERVE POLICE OFFICER PROGRAM ORGANIZATION

Reserve Coordinator

The Reserve Coordinator is a regular sergeant selected by the staff of the Police Department. The Reserve Coordinator reports to the Operations Division Commander on reserve personnel matters. The Reserve Coordinator shall have functional supervision of the reserve officer program and all reserve officers.

Reserve Steering Committee

The Reserve Steering Committee is comprised of the Reserve Coordinator and the Reserve Squad Leader(s). It shall be the responsibility of the Reserve Steering Committee to evaluate reserve officer requests for advancement and forward a recommendation, along with the correct paperwork, to the Support Services Division Commander.

HERMOSA BEACH POLICE RESERVE OFFICER RANKS - LEVEL I

Basic Level I Reserve Officer

Requirements - Graduate from a POST regular basic course, or equivalent.

Duties - The duties of a Basic Level I Reserve Officer are assigned by a supervisor. A Basic Level I Reserve Officer must work under the direct supervision of a full-time officer who possesses a "Basic" POST certificate.

Advanced Level I Reserve Officer

Requirements – In addition to the requirements for the Basic Level I Reserve Officer, an Advanced Level I Reserve Officer must satisfactorily complete a minimum of 200 hours of general law enforcement experience. Additionally, an Advanced Level I Reserve Officer must successfully complete the Department's Field Training Program (a minimum of 400 hours) and have their training manual properly signed off and all evaluations submitted. (Level I Reserve Officers who possess a current POST Reserve Peace Officer Certificate are not required to complete the Department’s standard Field Training Program but must complete the truncated Field Training Program.) Upon completion of training, the reserve officer must submit an application for advancement along with the written recommendation of two training officers and a patrol sergeant to the Reserve Coordinator. A Field Practical Problem examination will then be administered by the Reserve Coordinator. The Field Practical Problem examination will consist of a mock patrol exercise, after which the reserve officer will be expected to write an appropriate police report. The problem will be evaluated by the Reserve Coordinator and a minimum of two field training officers. Upon an applicant's successful completion of the above requirements, the Reserve Coordinator will forward the appropriate recommendations to the Support Services Division Commander for final review and authorization.
Duties - The duties of an Advanced Level I Reserve Officer are assigned by a supervisor. An Advanced Level I Reserve Officer may work patrol with any regular officer or any other Advanced Level I Reserve Officer. Solo assignments, including patrol, may be assigned to an Advanced Level I Reserve Officer with approval of the shift Watch Commander. An Advanced Level I Reserve Officer must work a patrol shift with a Field Training Officer once every three months and be evaluated.

**HERMOSA BEACH POLICE RESERVE OFFICER RANKS - LEVEL II**

Requirements - Prior to exercising duties as a Level II Reserve Officer, the reserve officer must have completed the POST Level II and Level III training modules. A Level II Reserve Officer is not required to complete the Department’s Field Training Program.

Duties - The duties of a Level II Reserve Officer are the same as for a Basic Level I Reserve Officer.

**HERMOSA BEACH POLICE RESERVE OFFICER LEVEL III**

Requirements - Prior to the exercise of duties as a Level III Reserve Officer, the reserve officer must have completed the POST Level III training module.

Duties - The duties of a Level III Reserve Officer are assigned by a supervisor. The duties of a Level III Reserve Officer are limited support duties. These duties include traffic control, security at parades and sporting events, evidence transportation, parking enforcement, report taking and other duties that are not likely to result in physical arrests. A Level III reserve officer will be evaluated once every three months by two Field Training Officers.

**UNIFORMS, EQUIPMENT AND BADGES**

All reserve officers shall be issued all necessary safety equipment, including a vest, by the Department.

The uniforms and equipment issued to Level I and Level II reserve officers shall be the same as issued to regular sworn police officers. Because of the nature of their assignment, reserve officers will not receive the full complement of uniforms that would be issued to a full-time sworn officer. (Refer to HBPD Policy and Procedures Manual section A1.21)

The uniform for a Level III reserve officer shall consist of a blue polo shirt with an embroidered badge in silver over the left breast and the employees name and “Reserve Officer” embroidered in silver over the right breast.

The reserve officer will receive a Department-issued firearm, or may carry an authorized firearm from the approved optional weapon list for sworn personnel pending training and qualification. Level III reserve officers are not authorized to carry a firearm. (CALEA 16.3.4)
RESERVE POLICE OFFICER SELECTION, TRAINING AND EVALUATION

Selection:

The basic minimum criteria for the reserve officer position are the same as for the position of full-time police officer. The entry-level age for both reserve officer and police officer is 21.

All applicants must submit a completed city Personnel Department application. Applications will be accepted on a continuous basis.

All applicants must have successfully completed the minimum POST requirements for the designated reserve level (I, II, or III) for which they are applying prior to submitting the application.

Each reserve officer applicant must then successfully complete the following selection procedures:

1. Oral Board
2. Extensive background investigation / Polygraph examination
3. Chief of Police interview
4. Psychological evaluation
5. Medical evaluation (including a drug testing procedure)

In addition, Level II and Level III officers must satisfactorily complete a reading and writing ability assessment prior to appointment.

Reserve Officer selection criteria is set forth by statute and POST commission and can be found in POST Commission procedure H-2 in the POST Administrative Manual. The Department is bound by statute and commission regulation to adhere to these standards. (CALEA 16.3.2)

Training:

Each reserve officer must successfully complete a POST regular basic academy or POST certified Level II, or Level III academy pursuant to POST regulations and commission procedure H-3 located in the POST Administrative Manual.

Level I and Level II reserve officers are required to attend all department training in mandated subject areas such as first aid, CPR, baton, weaponless defense, and others mandated by statute or regulation.

Level I and Level II reserve officers must initially successfully complete a firearms orientation course, and in accordance with Policy O3.15, shall demonstrate their proficiency in the care and use of department approved duty firearms at least twice annually. Reserve officers must attain at least the minimum qualification score for each of the shoots.

Reserve officers may attend any other Department training and are encouraged to do so.
In order to be certified as a reserve officer and receive a POST Reserve Peace Officer Certificate as issued pursuant to POST procedure H-4, the Level I Reserve Officer must successfully complete the POST regular basic academy and complete a 400 hour field training officer program. A request must be submitted to POST with supporting documentation to apply for the Reserve Peace Officer Certificate issued pursuant to POST Commission Regulation 1007. This certificate is not required by statute, nor is it necessary to exercise peace officer powers as a Level I (non-designated) Reserve Officer. All reserve officers who meet the requirements for the certificate should apply for it to show successful completion of their training effort. (CALEA 16.3.3, 16.3.5, 16.3.6)

**Evaluation:**

All reserve officers participating in the Field Training Program will be issued a training manual which must be retained until the completion of the training program. Field Training Officers will sign off the completion of training in the various functional areas within the training manual. The training manual, when complete, will be placed in the reserve officer's training file. Reserve officers participating in the Field Training Program shall receive performance evaluations in accordance with the requirements of the program.

All reserve officers shall receive periodic performance reviews. Such reviews shall be conducted no less than annually. The Reserve Coordinator will review each reserve officer’s monthly timesheets; the patrol sergeant who most supervised the reserve officer during the rating period shall be responsible for completing the evaluation. Once completed, the evaluation will be forwarded to the Operations Division Commander for review. (CALEA 16.3.8; 35.1.2)

**TRAINING DOCUMENTATION**

The Reserve Coordinator shall document reserve officer training and experience by establishing and maintaining files on each reserve officer. These files will contain all documentation on a reserve officer's training and any documentation necessary to evaluate that reserve officer's performance.

**CARRYING CONCEALED WEAPON (C.C.W.) PERMIT**

The Chief of Police may issue C.C.W. permits to qualified reserve officers who are currently employed with the Hermosa Beach Police Department. The C.C.W. permit may be denied or revoked at any time by the Chief of Police.

The C.C.W. permit is issued only for reasons of personal safety. The reserve officer does not have any peace officer powers while off-duty and will have only those powers afforded to any private citizen.

If a C.C.W. permit is granted by the Chief of Police, the reserve officer shall be prohibited from carrying a concealed weapon while working any job or assignment not associated with the Hermosa Beach Police Department.
1. When issued, C.C.W. permits are valid for four years (from the date of issue) and must be renewed. The reserve officer is responsible ensuring the C.C.W. permit remains valid.

   The Police Department will pay for all administrative costs associated with obtaining and maintaining the permit.

2. If the reserve officer meets the criteria set forth for eligibility, he or she must first direct a memorandum to the Chief of Police explaining his or her eligibility. If the Chief of Police approves, the Reserve will complete all necessary paperwork which will be kept in a permanent file in the office of the Chief of Police.

   When the Department of Justice returns a NON-PROHIBITIVE firearms eligibility status for the applying reserve officer, he or she will then sign and be given a copy of the CONDITIONAL ISSUANCE OF C.C.W. PERMIT TO RESERVE by the Support Services Division Commander prior to being issued the C.C.W. permit.

3. To be eligible for a C.C.W. permit, the employee must be a reserve officer appointed pursuant to Section 830.6 of the Penal Code.

4. The reserve officer will adhere to all firearm policies of this Department including attending all required qualification periods for both on-duty weapons and off-duty weapons as established under Section O3.15 of this manual. Failure to qualify may result in the suspension of the C.C.W. permit. The Reserve will carry only those handguns authorized by this Department under Section O3.15 of this manual.

5. The Chief of Police may deny a C.C.W. permit because of outside activities or employment deemed to be in conflict with Departmental interests. In the event that a reserve officer is suspended from duty, requests a leave of absence, or is terminated or resigns, the C.C.W. permit will either be suspended or revoked.

6. For a Reserve who retires in good standing and has met the qualifications for a C.C.W. permit, the Chief of Police, in his/her sole discretion, may renew the retired Reserve C.C.W. permit. Any subsequent renewal will be at the sole discretion of the Chief of Police.

7. The Chief of Police, in his/her sole discretion, may deny, restrict, suspend or revoke the C.C.W. permit at any time. The decision of the Chief of Police is final and there is no appeal process.
Attachment A: Reserve Officer Bylaws
THEMOSA BEACH POLICE DEPARTMENT RESERVE CORPS
BYLAWS

(Revised February 2010)

The effectiveness of the Hermosa Beach Police Reserve Officer Program depends upon sound administrative leadership, guidance, and support given to all members of the Hermosa Beach Police Reserve. These bylaws are adopted for this purpose.

Each member of the Reserve Corps shall receive a copy of, or have electronic access to, the Reserve Corps Bylaws and Hermosa Beach Police Department Policy and Procedures Manual. Each member has the responsibility to be familiar with the content. Violations may result in disciplinary action or dismissal. Changes or additions will be made from time to time and such modifications are effective upon issuance. Each member is responsible for ensuring they are up to date with the current bylaws and policies.

The Chief of Police, Reserve Coordinator, or a Division Commander has the authority to issue general orders which may modify the Policy and Procedures Manual as may be necessary for temporary or emergency purposes.

Due to the variety of situations encountered by Reserve Corps Members, it is impossible to formulate an exhaustive manual governing the conduct of Reserve Members in all cases. Of necessity, members will be required to exercise good judgment in determining their course of conduct in the general discharge of police responsibilities while on duty and in their personal conduct off duty.

If any section or provision of these Reserve Corps Bylaws are for any reason held to be invalid, the remainder of the Reserve Corps Bylaws shall not be affected.

Any perceived incompatibility between this document and the HBPD Reserve Police Officer Program Policy (Section O3.43) shall be resolved by following what is expressed in the department policy.
LAW ENFORCEMENT OFFICER CODE OF ETHICS

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

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

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

POLICE RESERVE OFFICER PROGRAM PURPOSE AND AUTHORITY

It is the policy of the Department that the reserve officer force shall serve to augment and supplement the regular police force to better accomplish the Department goals, special projects, and needs of additional manpower. Each reserve officer serves in a voluntary capacity with no monetary compensation, except as authorized per policy. Reserve officers are appointed to office and serve at the pleasure of the Chief of Police. Reserve officers are considered “at-will” employees and acquire no vested property rights of the Department while serving in an official capacity.

Reserve officers are empowered under the law to perform as peace officers while on duty. When not on duty, reserve officers have only the powers of a citizen and therefore shall not carry handguns except as authorized by the Chief of Police through issuance of a CCW permit. Reserve officers may not be engaged in any type of employment where the employment may cause a conflict of interest with the Police Department. If there is any question or if the officer is in doubt whether or not the employment may cause a conflict of interest, the officer shall, prior to accepting the employment, submit a written request for clarification through the proper chain of command. Reserve officers shall not engage in any full-time, part-time, temporary employment, or any activity involving the use or authority of official police identification or credentials, or carrying of any firearm.
under the authority of a CCW permit issued by this department without the expressed written permission of the Chief of Police. Reserve officers wishing to apply for permission will submit a written request outlining the full nature of the employment or activity and submit the request through the chain of command. The request will be recommended for approval/disapproval by the Support Services Division Commander and submitted to the Chief of Police for final disposition. Written approval from the Chief of Police must be received prior to the reserve officer’s acceptance of employment or participation in the activity.

RESERVE MEETINGS

Level I, II, and III reserves are required to attend scheduled reserve meetings. The Reserve Coordinator is responsible for scheduling these meetings. In addition, special meetings may be held periodically throughout the year.

Failure to attend meetings without excused authorization, resulting in three or more unexcused absences per calendar year, is grounds for disciplinary action and/or dismissal from the force.

LEAVE OF ABSENCE

A personal leave of absence for up to three months may be granted by the Reserve Coordinator with approval from the Chief of Police. Any reserve officer absent for more than three months will be dismissed from the force with the option of applying for reinstatement. The Chief of Police may, in exceptional situations, grant an extension. All requests for personal leave of absence will be submitted in writing to the Reserve Coordinator.

RESERVE MEMBERSHIP

All members of the Hermosa Beach Police Reserve Corps shall have first met all POST required certifications, passed all screening processes, and any test, examination, or requirement as may be established from time to time by the City of Hermosa Beach and/or Chief of Police. All reserve personnel shall have an oath of office duly administered by the City Clerk of Hermosa Beach.

OPERATIONS

The reserve force is to be utilized as a supplement to the regular force in ordinary operations and in time of special need or emergency, not as replacements for regular officers. They also provide a limited pool of recruits for department vacancies.

For routine operations, reserve officers schedule their own work times. They report to the on-duty patrol supervisor for deployment and assignment. Such assignments may include but are not limited to patrol, traffic, desk reports, records, investigations, special functions, details, or any other assignment according to the needs of the Department.
and the reserve officer's authorized duties pursuant to his/her designated duties as authorized by his/her reserve Level classification.

Reserve officers are strictly confined to performance of duties as authorized by their individual Level I, II, or III classifications.

Reserves will complete a time and activity log in the Reserve Police Officer Timesheet Logbook immediately following their tour of duty or other work assignment. Reserve officers who become involved in police actions will without exception, complete and turn in all appropriate paperwork at the end of their shift, unless specifically authorized to do otherwise by the on-duty Watch Commander.

**ABSENCES**

Except as herein provided, all absences from mandated meetings, qualification shoots, and training or any other special details or events shall be noted in writing, requesting to be excused and providing the reason, by proper memorandum or email through the Reserve Coordinator at least 48 hours preceding the absence. If a reserve officer requests to be excused from a meeting or mandated event due to unanticipated circumstances (such as illness, family emergency, etc.) within 48 hours preceding the event, the officer shall notify the Reserve Coordinator or shift Watch Commander as soon as possible by telephone or email. Three un-excused absences from any assignment per calendar year may result in disciplinary action or dismissal from the reserve force.

**MEDICAL LEAVE**

Level I and II reserve officers sustaining debilitating injuries while off duty will notify the Reserve Coordinator by memorandum as soon as possible and will submit documentation advising the nature and extent of the injury or illness and the estimated date of return-to-duty status. Reserve officers will not be allowed to return to duty without a written doctor's release. Medical leaves will be limited to six months. If a Level I or II reserve officer has not returned to duty status within that time, the officer may be dismissed from the reserve force with the option of applying for reinstatement. The Chief of Police may grant an extension in exceptional situations. A reserve officer may be required to submit to a complete physical evaluation to determine fitness for duty prior to being allowed to return to duty after an extended leave.

**CHAIN OF COMMAND**

Unless otherwise directed by the Chief of Police, all correspondence, complaints suggestions, requests, etc. shall be dispatched through the Reserve Coordinator. The Reserve Coordinator reports to the Operations Division Commander. The Reserve Coordinator is the chief Reserve Corps Administrative Officer. All matters pertaining to reserve officers or reserve functions are to be addressed and directed through the Reserve Corps chain of command.
WRITTEN MEMORANDUMS

All reserve officers submitting written communications or requests to the Reserve Coordinator will do so by written memorandum or by email. All memorandums will be neat and businesslike.

DISCIPLINARY PROCEDURE

Any reserve officer found guilty of committing an act of misconduct or a violation of Department policy may be terminated or suspended for a fixed period of time. All alleged acts of misconduct shall be investigated by the internal affairs section of the police department.

These bylaws shall supersede any and all prior bylaws of the Reserve Corps and these bylaws are hereby deemed effective as of the date of approval and signing by the Chief of Police.

_________________________    _____________________  
Greg Savelli       (date)  
Chief of Police  
Hermosa Beach Police Department

_________________________    _____________________  
Kevin Averill       (date)  
Reserve Coordinator  
Hermosa Beach Police Department
PURPOSE

The City Council adopted Hermosa Beach Municipal Code Section 8.24.080 relating to noise prohibitions for animals and fowls on 12-12-2000 under Ordinance 00-1209.

Barking Dogs and Other Noisy Animals

It is unlawful to keep, maintain, or cause or permit to be kept or maintained upon any premises in the city, or to permit or allow to be running at large, any dog or other animal which repeatedly barks, howls, whines, crows, or makes loud or unusual noises in such a manner as to either disturb the peace and quiet or interfere with the comfortable enjoyment of life and property of any person or persons. The owner or other person in control or custody of the dog or other animal in violation of this Section may be cited by a Community Services Officer or Law Enforcement Officer at the scene upon a determination of a violation of the Municipal Code.

Evidence of a Barking Dog or Other Noisy Animal

In making a determination whether a violation of the Municipal Code has occurred, evidence of the following shall be considered:

1. The nature, volume and frequency of the barking or other noise;
2. The time or times of day when the noise is heard by the complaining parties;
3. The apparent reasons or provocations for the dog or other animal to emit the noise, if any;
4. The location or locations on the property where the dog or other animal is kept;
5. The manner in which the dog or other animal is kept;
6. The number of persons complaining about the barking or other noise;
7. Any other relevant evidence concerning the alleged barking dog or other noisy animal problem.

Community Services Officers and Law Enforcement Officers should tape record the violation and download the recording on the department’s computer.

PROCEDURE

Disposition of Barking Dog or Other Noisy Animal

Enforcement of this Section may be initiated by issuance of an administrative citation by a Community Services Officer or Law Enforcement Officer or by way of complaint from any person alleging a violation of this Section. Prior to commencing a prosecution for violation of this Section, the affected parties can use Dispute Resolution Services and/or afford the owner of
the dog or other animal a reasonable opportunity to take one or more of the following actions to abate the noise:

1. Train or retrain the dog or other animal to cease creating a violation;
2. Keep the dog or other animal indoors during specified hours, or other similar measures be taken, to eliminate the violation; or
3. Remove the dog or other animal from the city permanently, or for a specified period of time after which time the animal may be returned as long as steps have been taken such that the violation will not recur.

Recovery of Law Enforcement Costs

The animal owner or custodian who has received one citation pursuant to Section 8.24.080, after having been given a reasonable opportunity to abate the noise pursuant to the above actions, shall be liable for the following costs incurred by the City:

1. The actual cost to the City for law enforcement services responding to any subsequent calls complaining of a violation of Section 8.24.080;
2. Injuries to any city personnel or law enforcement officers responding to any such calls.

The Police Department shall accurately compute the cost of providing such services in accordance with the schedule of rates and charges for personnel and equipment contained in the law enforcement services agreement and advise the City Manager of such costs as well as any other costs of injuries to personnel resulting from the law enforcement response. The City Manager shall bill said costs to the animal owner or custodian. Payment shall be due and payable within thirty (30) days of the billing date. If the amount due is not paid, the city may collect the debt, as well as any fees and costs incurred in its collection, pursuant to all applicable provisions of law.

The remedies set forth in this section are not exclusive and may be used in addition to those set forth elsewhere in the Municipal Code or by law.

CONCLUSION

The city recognizes that these types of offenses are very aggravating to the citizens; however, we also recognize that there are certain legal procedures which must be followed. The criminal process may not be the best solution to solving the problem and therefore we encourage citizens to attempt to solve the problem by reaching an agreement with the neighbor or by using the local mediation services available. An additional remedy to the victim is to file their own civil action in an attempt to receive a restraining order.

APPROVED:

Greg Savelli
Chief of Police
POLICY

The Animal Noise Report is to be used to assist a victim in the proper completion of the City of Hermosa Beach dog barking crime/incident report.

PROCEDURES

In order to provide the most efficient method to resolve dog barking cases, this citizen report procedure has been developed. A basic outline of the process involved is as follows:

A. A dog barking incident occurs in which a victim feels that the law regarding barking dogs has been violated (Refer to Policy O3.44).

B. The victim may write/telephone the Hermosa Beach Police Department’s Community Services Division to obtain the package of information regarding dog barking cases. The package of the information and reports are available for pick up at the Police Department or they may be mailed to the victim.

C. Included with the package of information is the crime/incident report form. The victim will complete the form by very carefully following the instructions provided below, and upon completion, the document must be returned to the Hermosa Beach Police Department’s Community Services Division at the address shown on the report form.

D. If after a review of the citizen report form, it is determined that the ordinance has been violated, a warning letter will be mailed by the City to the suspect, and a blind copy will be sent to the victim. A copy of that warning letter is attached.

E. Hopefully, the warning letter will be sufficient to solve the problem, if however, another meritorious citizen complaint report is received within two months from the mailing of the other warning letter, charges will be filed against the suspect.

F. The Municipal Code provides the following:

Each separate offense determined to be an Administrative Violation shall be punishable by:

1. A fine not exceeding One Hundred and No/100th ($100.00) dollars for the first violation.
2. A fine not exceeding Two Hundred and No/100ths ($200.00) dollars for second violation by the same person of the same ordinance within twelve (12) months of the date of the first violation.

3. A fine not exceeding Five Hundred and No/100ths ($500.00) dollars for a third and each additional violation by the same person of the same ordinance within twelve (12) months of the date of the first violation.

All fines set forth in this section shall be subject to court imposed, statutory mandated assessments.

**DETAILED INSTRUCTIONS FOR COMPLETION OF REPORT**

**WARNING, YOU MUST PROVIDE AN ENTRY FOR EACH ITEM ON THE REPORT FORM. IF A PARTICULAR ITEM IS NOT APPLICABLE TO YOUR SITUATION, PLEASE SO INDICATE BY THE SYMBOL “N/A”. EACH CATEGORY OF INFORMATION HAS BEEN ASSIGNED A NUMBER, AND THE INSTRUCTIONS FOR COMPLETING EACH NUMBERED CATEGORY CORRESPOND WITH THE PARAGRAPH NUMBERS BELOW.**

1. **VICTIM INFORMATION:** The victim in the case must be a person who actually witnessed the dog barking information contained in this report. The City will not provide the suspect with the victim’s identity, unless a case is filed in court. If a case is filed, the victim will receive a subpoena which will notify them to appear in court as a witness in the trial.

2. **SUSPECT INFORMATION:** No case can be filed in court unless the full name and address of the suspect is provided. The suspect would be the person who owns the dog, or who has the control of the dog. It is not necessary for you to ask for ownership documents, etc.; however, unless you obtain the name and address of the suspect, the chances of the City filing a court case are very remote.

   If you have made efforts but have been unable to learn the identity of the suspect, the Animal Control Officers will attempt to learn the name; however, this process will delay your case and may ultimately prevent a court filing.

3. **SOURCE OF INFORMATION:** This category relates to the method by which you learned the suspect. You should include in this space information such as “I asked the suspect their name; I asked neighbors of the name; I checked certain official records; etc.” Prior to the City filing a case, we must be satisfied that you used a reliable method to learn the identity of the suspect.

4. **SUSPECT DESCRIPTION:** You must fully complete this category, so that we may be certain that the correct individual appears in court. Additionally, if the individual does not appear in court, this information will be necessary for an arrest warrant.

5. **NUMBER AND DESCRIPTION OF DOGS:** This category should be completed by indicating the number of dogs at the suspect’s premises, and a brief description of each dog.
6. **DATE OF OFFENSE:** This category should contain information regarding the specific date of the events. If there are numerous dates or times within a day that an offense occurs, you should make photocopies of this report, and complete a separate report for each incident.

7. **TIME OF BARKING:** You should be very specific with regard to the hour of the day or night that the barking began, and that the barking ended. Please note whether it is a.m. or p.m. Also please note that if the barking is no continuous, you must estimate the total time of barking within an hour.

8. This category is self-explanatory on the report form.

9. This category is self-explanatory on the report form.

10. This category is self-explanatory on the report form.

11. This category is self-explanatory on the report form.

12. **ADDITIONAL WITNESSES:** You must list the full name, address, and telephone numbers of any additional witnesses to the offense. Please note that these people must be willing to come to court and testify if a case is filed. Again, please remember that the City is powerless to act unless victims or witnesses are willing to come to court and testify.

13. **ADDITIONAL REPORTS:** You must note the number of additional incident reports which are attached to the main report, and also indicate the dates of previously filed reports. This simply means that when you are submitting one package of reports, we need to know how many attachments are included.

14. **SIGNATURE:** You must sign the report, and indicate the date and time that the report is written. This date and time does not necessarily have to be the same time as the incident, however, it would be helpful if the report is written immediately after the incident. Also, please note that it is a criminal offense to submit a false report.

**CONCLUSION**

The City recognizes that these types of offenses are very aggravating to citizens; however, we also recognize that there are certain legal procedures which must be followed. The criminal process may not be the best solution to solving the problem, and therefore we encourage citizens to attempt to solve the problem by reaching an agreement with the neighbors or by using the local mediation services available. An additional remedy to a victim is to file their own civil action in an attempt to receive a restraining order.
Attachments:  Barking Dog Procedure
Animal Control Complaint Letter
What to Do When Your Dog Barks
Second Complaint Letter
What to Do When Your Neighbor’s Dog Barks
**City of Hermosa Beach**

**Animal Noise Incident Report**

Community Services Department  
540 Pier Avenue  
Hermosa Beach, CA 90254  
(310) 318-0209

### COMPLETE ALL ITEMS BELOW

<table>
<thead>
<tr>
<th>WITNESS INFORMATION</th>
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<tbody>
<tr>
<td><strong>NAME:</strong> (Last, First, Middle)</td>
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<td><strong>ADDRESS</strong> (City, State, Zip Code)</td>
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<th>INFORMATION ON NOISE</th>
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<tr>
<td><strong>LOCATION OF NOISE</strong></td>
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<th>DATE/TIME OF NOISE</th>
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<tr>
<td><strong>WHERE IS ANIMAL WHEN NOISE OCCURS</strong> (Inside, Outside, Front/Rear Yard, etc.)</td>
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<tr>
<td><strong>WHERE WERE YOU OR WITNESS WHEN THE NOISE WAS HEARD</strong> (Inside or Outside Residence, Front/Rear Yard)</td>
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### ADDITIONAL WITNESS INFORMATION

| **NAME:** (Last, First, Middle) | **DATE OF BIRTH** |
|---------------------------------|
| **ADDRESS** (City, State, Zip Code) |

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### DESCRIPTION OF NOISE

| **COMMENTS** (List details of the noise problem (i.e. Duration and circumstances on what causes the animal to make noise)) |

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<thead>
<tr>
<th>PERSON MAKING REPORT</th>
<th><strong>DATE/TIME OF REPORT</strong></th>
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**FOR OFFICE USE ONLY**

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| CLASSIFICATION | **RD** |
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**City of Hermosa Beach**  
Animal Noise Incident Report  
Community Services Department  
540 Pier Avenue  
Hermosa Beach, CA 90254  
(310) 318-0209
BARKING DOG PROCEDURE
OPEN FILE BY ADDRESS OF DOG OWNER

FIRST OFFENSE

OWNER HOME
GIVE COPY OF WARNING LETTER
NOTIFY COMPLAINING PARTY OF ABOVE ACTION

OWNER NOT HOME
LEAVE DOORKNOB NOTICE
FOLLOW UP CONTACT IF NO RESPONSE IN 72 HOURS
MAIL WARNING LETTER IF NO RESPONSE IN 72 HOURS

ADVISE COMPLAINING PARTY TO KEEP DETAILED RECORD

SECOND OFFENSE

ANIMAL CONTROL OFFICER WITNESSES OFFENSE
OFFICER COMPLETES INCIDENT REPORT
CONTACT OWNER
COOPERATIVE
REFER TO MEDIATION

ANIMAL CONTROL OFFICER DOES NOT WITNESS OFFENSE
COMPLAINANT COMPLETES INCIDENT REPORT
NON-COOPERATIVE
ISSUE CITATION

NO OWNER AVAILABLE
LEAVE NOTICE FOR OWNER TO CALL
OWNER CALLS BACK
REFER TO MEDIATION

SEND SECOND LETTER
OWNER DOES NOT CALL
REFUSES MEDIATION
SEND SECOND LETTER

THIRD OFFENSE

MEDIATION UNSUCCESSFUL
GIVE COMPLETE FILE TO CITY PROSECUTOR

NO MEDIATION
GIVE FILE TO PROSECUTOR
Dear Resident:

This letter is to inform you that a complaint has been received by the City of Hermosa Beach Police Department, Animal Control Division, regarding a barking dog at your address.

Because you may not be aware of the disturbance to your neighbors caused by the barking we are sending you this courtesy notice. It is the responsibility of the dog owner, or the person in control of the dog, to ensure that the animal has a current Hermosa Beach dog license, and take the necessary steps to prevent excessive barking.

Please be advised that the first time violation of the Hermosa Beach Municipal Code Section 8.24.080 carries a fine of up to several hundred dollars, and further violations carry increased fines. You may wish to contact the South Bay Resolution Service at (310) 376-7007 for suggestions on dealing with this matter. If additional complaints are received, and a case is filed in court by the City Prosecutor, you will be notified regarding your court appearance.

Thank you in advance for your cooperation in this matter.

Sincerely,

Animal Control
(310) 318-0209
WHAT TO DO WHEN YOUR DOG BARKS

As a dog owner you are legally responsible for the care and well being of your pet. If you receive a complaint that your dog’s bark is disturbing your neighbors, it’s best that you take immediate action.

IF YOU RECEIVE A COMPLAINT
Stay calm and take time to understand the situation. If your neighbor approaches you, try to work out a reasonable solution. You may be living next to them for a long time, so it’s best to make the situation livable for everyone involved. If the City receives a written complaint, you will receive a letter informing you of the disturbance. You will need to resolve the issue in a timely manner, or it could become a criminal matter. If the City receives a second written complaint within two months, the matter will be referred to mediation.

MEDIATION
The South Bay Center, a mediation service contracted by the City, attempts to work with the parties, by phone or in person, to find an acceptable solution through assisted negotiations.

SMALL CLAIMS COURT
Your neighbor has a right to take the matter to Small Claims Court, if they feel they are entitled to collect monetary compensation, up to $5,000, for disturbances created by your dog.

DISTURBANCE VIOLATION
If, for some reason, the barking continues, the City has opted a program to charge owners for multiple responses to their residence by either an animal control officer or a police officer.

GET INFORMATION
If possible, find out what time of the day your dog’s bark is the most disturbing. Many times the disturbance is created when dog owners are away from home for long periods of time. Many disturbance calls occur during the day, when most people are at work.

FIXING THE PROBLEM
Make sure your dog’s mental and physical needs are met. See to it that your dog has a comfortable, dry area to sleep in and that they are left with plenty of food and water. Have plenty of things for your dog to chew on and toys to play with to keep them occupied. Perhaps changing your dog’s eating habits may help. If you normally feed your dog in the evening, try feeding them in the morning before you leave. Get out and take your dog for a walk. Have a dog sitting service, or your neighbor, stop by during the day to visit with your dog or take him on a walk. Seek help from a professional trainer to correct behavioral problems. Use a barking collar which can emit a noise, a spray of citronella or an electrical shock when a dog barks.
Dear Resident:

This is the second time that the excessive barking of your dog(s) has caused your neighbor(s) to complain to the city regarding the noise.

As you have been previously advised, it is the responsibility of the dog owner, or person in control, to take whatever measures are necessary to prevent excessive barking.

Once again, each violation of HBMC Section 8.24.080 (each incident of disturbing barking) carries a fine that can exceed $100 with additional mandatory penalty assessments added on. It is your choice at this time, whether or not you contact the South Bay Dispute Resolution Service at (310) 376-7007 for suggestions on abatement of this problem.

Please be aware that this is the final notice that you will receive. Further incidents will result in the filing of charges at court. If such action is necessary, you will be advised of the date of your mandatory appearance.

Thank you for your immediate attention to this problem.

Respectfully,

Kerry F. Rosell
Community Services Supervisor
WHAT TO DO WHEN YOUR NEIGHBOR'S DOG BARKS

The City of Hermosa Beach is committed to improving the quality of life for all residents. If you have a problem with barking dogs in your neighborhood, here are some of the things you can do.

TALK WITH YOUR NEIGHBOR
Give your neighbor the benefit of the doubt. Don’t assume they are aware of the situation and refuse to take responsibility. Many disturbance calls occur during the day, when most people are at work. Dog owners may be unaware that their dog is even creating a disturbance. Dogs can bark out of loneliness, boredom, separation anxiety, being teased or because of nearby strangers.

PUT IT IN WRITING
If the problem continues, write a letter to your neighbors. State the situation and, without using threats. Let the owner know if things don’t improve, you’ll be forced to notify local authorities. Keep a record of the number of requests you have made to your neighbor. Also, keep a written record of the disturbances.

CALL ANIMAL CONTROL
When efforts to resolve the situation with your neighbor directly have been unsuccessful, call Animal Control at 310-318-0209 and a barking dog complaint form will be sent to you. Once you have completed and returned the form, a letter will be sent to the dog owner informing them of the seriousness of the disturbance, and the possibility of future criminal charges should the barking continue. Try to give the owner at least 10 days to remedy the situation. If the barking continues, submit another complaint form and the matter will be referred to mediation.

MEDIATION
The South Bay Center, a mediation service contracted by the City, attempts to work with the parties, by phone or in person, to find an acceptable solution to the problem. In most cases, the Center is successful in getting a lasting solution to the problem. Call the Center at 310-376-7007 for mediation assistance.

SMALL CLAIMS COURT
You may decide to collect monetary compensation for up to $5,000 through Small Claims Court. The City Attorney’s office cannot provide you with legal advice but it has prepared an informational guide to assist citizens through the process.

AS A LAST RESORT
If, for some reason, efforts fail and the barking continues, the City has adopted a program to charge owners of barking dogs for violation of Hermosa Beach Municipal Code 8.24.080.
PURPOSE AND SCOPE

This policy establishes guidelines for the use of canines to augment police services to the community including, but not limited to locating individuals and contraband and apprehending criminal offenders.

POLICY

It is the policy of the Hermosa Beach Police Department that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

ASSIGNMENT

Canine teams should be assigned to the Operations Division. However, they may be assigned by the Watch Commander to other functions, such as routine calls for service, based on the current operational needs. Officers appointed to the position of canine handler have no vested interest in the position. The assignment to the canine unit is not a promotion and is not compensated as such.

The officer must recognize that this position requires working unusual hours, weekends, nights, holidays, and is subject to call outs at any time. The officer must be willing to participate in speaking engagements and demonstrations while providing a positive image for the department. (CALEA 41.1.5a)

CANINE COORDINATOR

The canine coordinator shall be appointed by and directly responsible to the Operations Division Commander.

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

a) Reviewing all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program.

b) Maintaining a liaison with the vendor kennel.

c) Maintaining a liaison with command staff and functional supervisors.

d) Maintaining a liaison with other agency canine coordinators.
e) Maintaining accurate records to document canine activities.

f) Recommending and overseeing the procurement and maintenance and periodic inspections of equipment and services for the teams of handlers and canines.

g) Scheduling all canine-related activities

h) Ensuring the canine teams are scheduled for regular training to maximize their capabilities.

**REQUESTS FOR CANINE TEAMS**

Operations Division members are encouraged to request the use of a canine. Requests for a canine team from department units outside of the Operations Division shall be reviewed by the Watch Commander.

I. **OUTSIDE AGENCY REQUESTS**

   All requests for canine assistance from outside agencies must be approved by the Watch Commander and are subject to the following.

   a) Canine teams shall not be used for any assignment that is not consistent with this policy.

   b) The canine handler shall have the authority to decline a request for any specific assignment that he/she deems unsuitable.

   c) It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.

   d) It shall be the responsibility of the canine handler to complete all necessary reports or as directed.

II. **PUBLIC DEMONSTRATIONS**

   All public requests for a canine team shall be reviewed and, if appropriate, approved by the canine coordinator or the Operations Division Commander prior to making any resource commitment. The canine coordinator is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety protocols. Canine handlers shall not demonstrate any apprehension work unless authorized to do so by the canine coordinator or the Operations Division Commander.

**REPORTING DEPLOYMENTS, BITES, AND INJURIES**

Any unintended bite or injury caused by a canine, whether on- or off-duty, shall be promptly reported to the canine coordinator and Watch Commander. Unintended bites or injuries caused by a canine should be documented in an Incident Report, not in a canine use report, which shall immediately be forwarded to the canine coordinator and the Operations Division Commander. The injured person shall be promptly treated by emergency medical services personnel and, if appropriate, transported to an appropriate medical facility for further treatment.
If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual’s injured and uninjured areas shall be photographed as soon as practicable after first tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current department evidence procedures. The photographs shall be retained until the criminal and/or civil proceeding is completed and the time for any related civil proceeding has expired.

Each handler will be required to file all reports pertinent to his/her canine assignment along with other logs/reports at the end of each working day. All reports resulting from completed incidents shall be submitted per department regulations. All incidents with notable conclusions in which canines are used shall be brought to the attention of the Operations lieutenant via the canine supervisor.

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

**NON-APPREHENSIONS GUIDELINES**

**I. ARTICLE DETECTION**

A canine trained to find objects or property related to a person or crime may be used to locate or identify articles. A canine search should be conducted in a manner that minimizes the likelihood of unintended bites or injuries.

**II. BOMB/EXPLOSIVE DETECTION**

Because of the high risk of danger to the public and officers when a bomb or other explosive device is suspected, the use of a canine team trained in explosive detection may be considered. When available, an explosive-detection canine team may be used in accordance with current law and under certain circumstances, including:

a. Assisting in the search of a building, structure, area, vehicle, or article where an actual or suspected explosive device has been reported or located.

b. Assisting with searches at transportation facilities and vehicles (e.g., buses, airplanes, trains).

c. Preventive searches at special events, VIP visits, official buildings, and other restricted areas. Searches of individuals should remain minimally intrusive and shall be strictly limited to the purpose of detecting explosives.

d. Assisting in the search of scenes where an explosion has occurred and an explosive device or secondary explosive device is suspected.
At no time will an explosive-detection trained canine be used to render a suspected device safe or clear.

**HANDLER SELECTION**

The minimum qualifications for the assignment of canine handler include:

a) An officer who is currently off probation.

b) Residing in an adequately fenced, single-family residence (minimum 5-foot high fence with locking gates).

c) The residence shall also have an area adequate to set up a city-supplied kennel. The kennel shall be made of chain link or equivalent material. The minimum size of the kennel will be 4’ X 8’ X 6’ long. A roof will also be secured on the top of the kennel to prevent escape or injury to the canine.

d) A garage that can be secured and can accommodate a canine vehicle.

e) Living within 25 miles from the Hermosa Beach City limits.

f) Agreeing to be assigned to the position for a minimum of four years.

g) The assignment to canine handler does not prohibit the handler from promotion to a higher rank during the assignment.

*(CALEA 41.1.5b)*

**HANDLER RESPONSIBILITIES**

The canine handler shall ultimately be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, affection and living conditions.

*(CALEA 41.1.5d)*

The canine handler will be responsible for the following:

a) Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.

b) The handler shall maintain all department equipment under his/her control in a clean and serviceable condition.

c) When not in service, the handler shall maintain the canine vehicle in a locked garage, away from public view.

d) When a handler is off-duty for an extended number of days (2 or more weeks), the assigned canine vehicle should be stored at the Hermosa Beach Police Department facility. Handlers shall permit the canine coordinator to conduct spontaneous on-site inspections of affected areas of their homes as well as their canine vehicles to verify that conditions and equipment conform to this policy.
e) Any changes in the living status of the handler that may affect the lodging or
environment of the canine shall be reported to the canine coordinator as soon as
possible.

f) When off-duty, the canine shall be in a kennel provided by the City at the home of
the handler. When a canine is kenneled at the handler’s home, the gate shall be
secured with a lock. When off-duty, the canine may be let out of the kennel while
under the direct control of the handler.

g) The canine should be permitted to socialize in the home with the handler’s family
for short periods of time and under the direct supervision of the handler.

h) Under no circumstances will the canine be lodged at another location unless
approved by the canine coordinator or Watch Commander.

i) When off-duty, the handler shall not involve the canine in any law enforcement
activity or official conduct unless approved in advance by the canine coordinator
or Watch Commander.

j) Whenever a canine handler is off-duty for an extended number of days, it may be
necessary to temporarily relocate the canine. In those situations, the handler shall
give reasonable notice to the canine coordinator so that appropriate arrangements
can be made.

k) The canine handler shall not take the dog with him/her on personal or family
outings without prior approval from the canine coordinator.

EQUIPMENT

Each canine handler will be issued:

(a) Dog collar
(b) Six-foot leash
(c) Water bowl
(d) Grooming brush
(e) Specialized canine patrol vehicle

(CALEA 41.1.5e)

CANINE IN PUBLIC AREAS

The canine should be kept on a leash when in areas that allow access to the public. Exceptions
to this rule would include specific law enforcement operations for which the canine is trained.

a) A canine shall not be left unattended in any area to which the public may have
access.
b) When the canine vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the canine. The handler shall also ensure that the unattended vehicle remains inhabitable for the canine.

**HANDLER COMPENSATION**

The canine handler shall be available for call-out under conditions specified by the canine coordinator.

The canine handler shall be compensated in accordance to the Police Officer’s Association MOU Article 28.

**CANINE INJURY AND MEDICAL CARE**

In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the canine coordinator or Watch Commander as soon as practicable and appropriately documented.

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained in the canine file.

**TRAINING**

Before assignment in the field, each canine team shall be trained and certified to meet current POST guidelines or other recognized and approved certification standards. Cross-trained canine teams or those canine teams trained exclusively for the detection of narcotics and/or explosives also shall be trained and certified by the California Narcotic Canine Association (CNCA) or other recognized and approved certification standards established for their particular skills.

(CALEA 41.1.5b)

The canine coordinator shall be responsible for scheduling periodic training for all department members in order to familiarize them with how to conduct themselves in the presence of department canines. Because canines may be exposed to dangerous substances, as resources are available, the canine coordinator should also schedule periodic training for the canine handlers about the risks of exposure and treatment of it.

All canine training shall be conducted while on-duty unless otherwise approved by the canine coordinator or Watch Commander

I. CONTINUED TRAINING

Each canine team shall thereafter be recertified to a current POST, CNCA or other
recognized and approved certification standards on an annual basis. Additional training considerations are as follows:

a) Canine teams should receive training as defined in the current contract with the Hermosa Beach Police Department canine training provider.

b) Canine handlers are encouraged to engage in additional training with approval of the canine coordinator.

c) To ensure that all training is consistent, no handler, trainer or outside vendor is authorized to train to a standard that is not reviewed and approved by the department.

II. FAILURE TO SUCCESSFULLY COMPLETE TRAINING

Any canine team failing to obtain and maintain certification shall not be deployed in the field for tasks the team is not certified to perform until certification is achieved. When reasonably practicable, pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties. If the canine team is unable to successfully complete the required training and certification, the canine and/or the canine handler may be removed from the canine program.

III. TRAINING RECORDS

All canine training records shall be maintained in the canine handler's and the canine's training file at the police department.

Performance records for the canine will be maintained to provide a basis for the Chief of Police to determine the effectiveness of the canine program. A record on each canine will be kept regarding performance while in training as well as the performance of the handler (CALEA 41.1.5c)

IV. TRAINING AIDS

Training aids are required to effectively train and maintain the skills of canines. Officers possessing, using or transporting controlled substances or explosives for canine training purposes must comply with federal and state requirements. Alternatively, the Hermosa Beach Police Department may work with outside trainers with the applicable licenses or permits.

EXPLOSIVE TRAINING AIDS

Officers may possess, transport, store, or use explosives or destructive devices in compliance with state and federal laws (Penal Code § 18800; 18 USC § 842; 27 CFR 555.41).

Explosive training aids designed specifically for canine teams should be used whenever feasible. Due to the safety concerns in the handling and transportation of explosives, inert or
non-hazardous training aids should be employed whenever feasible. The use of explosives or destructive devices for training aids by canine teams is subject to the following:

a) All explosive training aids, when not in use, shall be properly stored in a secure facility appropriate for the type of materials.

b) An inventory ledger shall be maintained to document the type and quantity of explosive training aids that are stored.

c) The canine coordinator shall be responsible to verify for verifying the explosive training aids on hand against the inventory ledger once each quarter.

d) Only members of the canine team shall have access to the explosive training aids storage facility.

e) A primary and secondary custodian will be designated to minimize the possibility of loss of explosive training aids during and after the training. Generally, the handler will be designated as the primary custodian while the trainer or authorized second person on-scene will be designated as the secondary custodian.

f) Any lost or damaged explosive training aids shall be promptly reported to the canine coordinator, who will determine if any further action will be necessary. Any loss of explosives will be reported to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

APPROVED:

Milton McKinnon
Acting Chief of Police
Canines

I. GENERAL INFORMATION
The following contains general information, procedures, and guidelines for the canine unit and the
officers assigned to the unit.

All dogs assigned for duty with the canine unit shall be purchased and maintained by the
Department. The canines remain the property of the Department for the duration of the
assignment.

A personnel file will be developed and all records of the use and maintenance of each dog will
be submitted to and maintained by the canine coordinator. The canine handler shall keep the
health records and shot records of the canines up to date. The records shall be maintained in the
canine files.

Retirement and/or permanent separation of dogs assigned to the canine unit shall conform to city
ordinance as it pertains to city owned property. The current handler may be offered the opportunity
to purchase the retired canine from the city for a fee. Should the handler be allowed to purchase
the dog, he/she shall assume all responsibility and liability for the dog thereafter.

Dogs selected for service with the City of Hermosa Beach shall satisfy recognized criteria and
standards as adopted by the Department. The Operations lieutenant and the canine coordinator
shall participate in the selection of the canine.

Employees assigned as canine handlers shall be selected on the basis of qualifications criteria
established by policy 309- Canines.

Police service canines entrusted to a handler is the sole responsibility of the handler for health
care, feeding, grooming, cleanliness, training, and maintenance of performance standards.

- Dogs shall be groomed, inspected, and worked daily.
- Dog kennels shall be cleaned daily and maintained in a sanitary condition.
- Dogs shall be fed only the prescribed diet and on a schedule established by the kennel
  master/trainer or department veterinarian.
- Canine vehicles shall be cleaned as often as required to ensure a sanitary condition.
- Clean up of any dog excretion in any place shall be the responsibility of the handler.

II. MEDICAL
The department will contract with a qualified veterinarian who shall have the sole responsibility
for medical care, routine and emergency examinations and issuance of directives relative to
treatment of dog injuries/illnesses. This service is to be used for all non- emergency veterinary
services. The dog will be taken to the veterinarian for examinations and medications. In the event
of an emergency, any available qualified veterinarian may treat the dog. However when practical,
the department veterinarian should be consulted prior. Handlers shall not diagnose or initiate
Canines

treatment for medical problems associated with the dog unless necessitated by an emergency and no formal medical treatment is immediately available. All injuries, illness, check-ups and medical treatment will be documented and maintained in the canine file. The handler will notify the canine coordinator as soon as practical when emergency medical care is required.

III. OFF DUTY RESTRICTIONS
When the canine handler is unable to care for the canine or is away from home and the canine for a period of 24 hours or more (not planned/extended vacations), the handler may elect to house the canine with a department approved facility or leave the canine at their residence to be cared for by an adult family member, trainer, or authorized knowledgeable adult with prior approval by the canine coordinator. Before the canine is left at the residence with someone other than the assigned handler, the handler shall notify in writing the handler’s length of time of absence and the name and telephone number of the person caring for the canine that has received approval. The canine coordinator shall immediately be notified of any injury, illness or incident involving the care and welfare of the canine. It is the responsibility of the handler to see this is done.

Whenever the canine handler anticipates taking a vacation or an extended number of days off, it may be necessary to temporarily relocate the police dog. In those situations, the handler shall give reasonable notice to the canine coordinator so that appropriate arrangements can be made.

IV. PUBLIC RELATIONS
All canine program personnel assigned to public relations duties shall prepare themselves, their canines, and all equipment in such a manner as to present a professional image to their audiences.

V. REPORTING PROCEDURES
Canine Review/Investigation:
All reports, narratives and photographs will be submitted to the canine coordinator. The canine coordinator will review the submitted material, and if needed, conduct any follow up investigation.

VI. CANINE VEHICLE AND EQUIPMENT
In addition to all other Hermosa Beach Police Department orders, policies, and procedures, the canine officers are responsible for the following:

- Maintaining clean and sanitary units, vehicle equipment and required canine K-9 equipment in vehicle.
- Off-street parking and reasonable security while parked at the officer’s residence.

VII. TRAINING
Handlers shall utilize constant training techniques to keep their canines trained to their fullest capabilities.

Upon completion of the initial POST training certification, minimum training standards will be followed by each canine handler as follows:
Canines

The canine teams train monthly with the department authorized kennels. These training records are forwarded to the canine program coordinator each month by the trainer.

Additionally, all handlers should devote a minimum of two hours per week to keep the dog at the level required for the work and to improve upon areas where there may be problems. This training is to be conducted and recorded on the handler’s monthly training log. Narcotic Canine teams will attend annual POST drug detection re-certification.

VIII. INCIDENT FORMS AND PERFORMANCE RECORDS
A simple form titled Canine Incident Report has been devised which will be used by the handler each time he/she uses the canine in the field. The form describes the incident in which the dog was actually used and whether or not the arrest could have been made if the canine had not been present. This form is submitted to the canine coordinator and retained in the canine file. This form will not only provide the necessary statistics on the use of the canine, but will also be of benefit to the trainer. He/she may find problems the handler is encountering with his/her canine in the field and can direct training to correct the problem. Of course it must be realized that the deterrent factor, which is one of the program’s greatest assets cannot be statistically evaluated.
PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Digital Computer (MDC) system in order to ensure appropriate access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between department members and Dispatch.

POLICY
Hermosa Beach Police Department members using the MDC shall comply with all appropriate federal and state rules and regulations and shall use the MDC in a professional manner, in accordance with this policy.

PRIVACY EXPECTATION
Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

RESTRICTED ACCESS AND USE
MDC use is subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDC system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDC by anyone to their supervisors or Watch Commanders.

Use of the MDC system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration or practices of the Department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the MDC system is prohibited and may result in discipline.

It is a violation of this policy to transmit a message or access a law enforcement database under another member’s name or to use the password of another member to log in to the MDC system unless directed to do so by a supervisor. Members are required to log off the
MDC or secure the MDC when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

I. USE WHILE DRIVING

Use of the MDC by the vehicle operator should be limited to times when the vehicle is stopped. Information that is required for immediate enforcement, investigative, tactical or safety needs should be transmitted over the radio.

Short transmissions, such as a license plate check, are permitted if it reasonably appears that it can be done safely. In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

**DOCUMENTATION OF ACTIVITY**

For a unit to be properly tracked, each unit must be entered or logged individually. Therefore, each unit must check in or out of service either verbally with the dispatcher or the unit may do so via their MDC. One unit shall not check in or out of service for another unit.

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

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

a) All contacts or activity shall be documented at the time of the contact.

b) Whenever the activity or contact is initiated by voice, it should be documented by a dispatcher.

c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDC.

I. STATUS CHANGES

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

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDC when the vehicle is not in motion.

II. EMERGENCY ACTIVATION

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

Members should ensure a field supervisor and the Watch Commander are notified of the incident without delay.

Officers not responding to the emergency should refrain from transmitting on the police radio until a no-further-assistance broadcast is made or if they are also handling an emergency.

**EQUIPMENT CONSIDERATIONS**

I. MALFUNCTIONING MDC

Whenever possible, members will not use vehicles with malfunctioning MDCs. Whenever members must drive a vehicle in which the MDC is not working, they shall notify Dispatch and the Watch Commander. It shall be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the police radio. The member and/or Watch Commander will document the malfunctioning MDC and submit the appropriate repair request(s).

II. BOMB CALLS

When investigating reports of possible bombs, members should not communicate on their MDCs when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDC could cause some devices to detonate.

III. INSTALLATION OF EXTERNAL DEVICES AND SOFTWARE

Only authorized technicians shall install, uninstall, or otherwise modify peripherals, devices, or software on an MDC.

APPROVED

[Signature]

Acting Chief of Police
PURPOSE

The purpose of this policy is to specify the circumstances in which the Mounted Enforcement Unit (MEU) may be used. In addition, the policy will provide a general overview of the Mounted Unit program for the benefit of personnel not assigned to the program.

ORGANIZATION

The MEU will be managed by a Lieutenant as directed by the Chief of Police. The MEU Lieutenant will assign a MEU Sergeant to supervise, coordinate, and/or handle administrative functions of the unit. The MEU will function as a citywide detail.

RESPONSIBILITIES

General responsibilities of the MEU include:

1. Officers should not position their horse close to a person who is sitting or lying on the ground as to constitute a hazard.
2. Officers shall not allow an on-duty mount to be fed by citizens.
3. Officers should not run the horse or gallop unless there is an emergency situation that is ongoing and only after due regard is given for the safety of the horse, officer, and citizens.
4. Only when the officer has control of the horse, and permission is given, will a citizen be allowed to approach and touch the horse. The officer will determine the number of persons who may touch or approach the horse so as not to constitute a hazard.
5. Horses are not to be left unattended while outside the trailer.
6. Horses should not be allowed to graze while on duty.
7. Prisoners shall not be transported on horseback, or led with a rope or other device.
8. Horses shall always be under the control of the MEU officer. The horse shall be secured with a lead rope if the officer intends to take a break.
9. The MEU officer will attempt to keep the horse from defecating or urinating on the sidewalks or in a crosswalk. If the horse defecates, the officer will pick it up and carry it away, place it into a flowerbed or planter, or dispose of it in an appropriate manner.
10. All accidental injuries to citizens will be reported to the on duty field supervisor. The MEU Sergeant and MEU Lieutenant must be notified. A memorandum outlining the incident must be written to the Chief of Police. If the injury is sustained as a result of enforcement action, a use of force memorandum should be prepared following department policy.

11. A field supervisor, the MEU Sergeant and MEU Lieutenant will be notified of any injury(s) sustained by a horse while on duty. If the injury requires immediate medical attention, a veterinarian may be called. A written account of the incident will be submitted to the Chief of Police.

12. Civilians shall not be allowed to sit on or ride a police horse during deployments. Police officers who are not part of the mounted enforcement unit will not be allowed to ride the police horse.

**OPERATIONAL PROCEDURES**

The MEU assignment is a collateral duty for officers. It is not a full time function of the Police Department. All deployments will be at the discretion of the MEU Lieutenant or his/her designee. The request for any deployment shall be completed via chain of command.

MEU personnel are used to establish high visibility patrol to reduce crime, assist in crowd control at special events, including but not limited to parades, festivals, organized demonstrations, and to provide support for community events and special beat projects.

1. MEU officers should be deployed in teams of two to insure safety of officers and citizens. If an outside agency mounted officer is deployed in Hermosa Beach, a Hermosa Beach MEU officer will be his/her partner whenever possible.

2. Call out requests will be made to the MEU Sergeant via the MEU Lieutenant.

3. Horses must be bathed and/or brushed prior to any deployment. All issued safety equipment will be worn while on duty.

4. Reimbursement will be made for feed expenses up to $150 per month per horse. Care and exercise for the horse is done on the officer’s own time. MEU officers are considered on duty one hour prior to deployment and one hour after.

5. MEU officers train once a month or at the discretion of the MEU Sergeant. Personnel assigned to the unit must complete a POST Mounted Officer Basic course.

6. Prior to assignment to the MEU, officers must be willing to sign a Mounted Unit Enforcement Unit Agreement in regards to “Horse Training and Grooming.” A copy of this agreement is attached.

(CALEA 41.1.4 a, b, c)

**SELECTION PROCEDURES**

An officer off probation of any rank and qualified reserve officers may become a member of the unit. An interest memorandum will be submitted to the MEU Sergeant, which includes the officer’s minimum qualifications, skills, and experience. The MEU Lieutenant will
review the memorandum and seek input from the applicant’s current and previous supervisors, the MEU Sergeant, and members of the MEU. The MEU Lieutenant will then make a recommendation, via the chain of command to the Chief of Police. The Chief of Police, at his/her sole discretion, will decide on their selection to the unit or on their removal from the unit. Prior to a selection to the unit, the following is a list of minimal equipment requirements by the applicant:

1. Interested personnel must provide or have access to a western style saddle (brown or black), halter and lead rope, bit, headstall and reins, saddle pad and other required tack and equipment, baton/bokken, and all grooming equipment. A saddle pad and breast collar with “Police” designation is highly recommended.

2. Unit members will have access to a horse trailer and tow vehicle.

3. Unit members will provide a department authorized uniform.

(CALEA 41.1.4 d)

APPROVED:

[Signature]

Sharon Papa
Chief of Police
PURPOSE

To establish proper radio procedure and conduct which conform to rules and regulations of the Federal Communications Commission (FCC), and establish procedures for radio broadcasts, dispatching, and field units response to incidents.

ADMINISTRATION

The South Bay Regional Public Communications Authority (RCC) is a joint powers authority currently owned by the Cities of Gardena, Hawthorne and Manhattan Beach, while also providing communications services under contract to the cities of El Segundo and Hermosa Beach. RCC processes approximately 250,000 police and fire incidents annually in the Southern California region, commonly referred to as the South Bay. (CALEA 81.1.1)

A. Administration

1. RCC provides the following services as part of the Communications Center function:
   a. Radio communications
   b. Mobile Data communications
   c. Telephone communications
   d. Dissemination of Emergency 9-1-1 calls for service
   e. Dissemination of Non-Emergency 9-1-1 calls for service
   f. CLETS and NCIC information
   g. Local law enforcement records information
   h. Teletype communications
   i. Fax communications
   j. TTY/TDD communications
   k. Recording of radio and telephone communications
   l. Inter-agency communications
   m. Operations of the Computer Aided Dispatch System (CAD)

B. FCC Regulations

The Federal Communications Commission is a regulatory agency that is charged with managing the use of the radio spectrum in a manner that protects the public interest.

1. Radio operations by all employees shall be conducted in accordance with the procedures and requirements as established by the Federal
Communications Commission. The following items are the most crucial operating rules that all employees must adhere to:

a. All radio transmissions will be restricted to a practical and minimal transmission time.

b. Priority shall be given to communications involving potential harm to persons or property.

(South Bay Regional Public Communications Authority has access to all of FCC’s current rules and regulations via the internet.)

2. Prohibited transmissions

a. Use of profane, indecent, or obscene language. Your microphone can and often does pick up background conversations.

b. Interrupt a distress or emergency message.

c. Send false call letters or a false distress or emergency message.

d. Create willful or malicious interference (clicking of the microphone button constitutes a violation as an unidentified signal and creates interference).

e. Transmit unnecessary, unidentified or superfluous communications or signals.

3. All current FCC Licenses are maintained by the Hermosa Beach Police Department and RCC.

(CALEA 81.1.2)

C. Communications Center Access

Authorized personnel are limited to those persons who operate and command the Communications Center and to others specifically authorized by the Shift Managers i.e., Public Safety employees or maintenance/repair/cleaning personnel.

(CALEA 81.3.1 a, b)

D. Recording and Reviewing Recorded Radio Transmissions/Telephone Conversations

1. Recording

a. The agency has the capability of immediate playback of recorded telephone and radio conversations while it maintains continuous recording of radio transmissions and emergency telephone conversations.
Recordings shall be retained in the Communications Center for a minimum of 100 days.

Unless a recording is to be retained for evidence purposes at the department’s request, it is subject to destruction and/or recycling by the Communication Center. (CALEA 81.2.8a)

b. Recordings shall be secured in a locked area in the Communications Center’s server room. Archived media is stored in a secured access room (CALEA 81.2.8 b)
Access to the Communications Center recordings is restricted to communications personnel who are authorized by the Communications Operations Manager and/or Administration Manager to produce copies of recordings as enumerated in this Policy.

2. Review (CALEA 81.2.8 c)

a. Review of the recordings shall be limited to personnel with a legitimate need such as, investigative, administrative review, training, etc.

b. Requests for a copy of a recording may be made by completing the “SBRPCA Tape Request” form, retrievable from the Communications Center intranet.

1) All recording requests must be referred to shift Supervisor via web email form or fax.

2) When the recording is made, the requester will be notified and may pick up the recording at the Communications 9-1-1 Center.

c. The Department can request a copy of a recording if it is this Department’s incident call. If not our incident call, permission must be obtained from the outside agency.

GENERAL

A. The Department provides 24-hour, toll free voice and TTY telephone access for emergency calls for service, via the Communications Center, which can be contacted by any one of the following in an emergency situation: (CALEA 81.2.1)

1. 9-1-1: (Emergency) Used primarily for calls for service that involved public safety or crimes in progress.
2. 310-524-2750: (Non-Emergency) Used to report incidents that may require an immediate response by a police officer, but the event does not involve an immediate threat to the public’s safety.

3. Operator assistance: May be used as an alternative means for requesting assistance.

4. The telephone system is designed to separate emergency and non-emergency phone lines.  (CALEA 81.3.3)

B. Communications Center personnel have immediate access to the following departmental resources:

1. Officer in charge (via officer’s MDC or radio sign-on).  
   (CALEA 81.2.5 a)
2. Duty roster for all personnel (via officer’s MDC or radio sign-on).  
   (CALEA 81.2.5 b)
3. Residential telephone numbers of all department employees, via the Watch Commander. If the Watch Commander is unavailable, Records and Jail Personnel also have access to residential telephone numbers. 
   (CALEA 81.2.5 c)
4. Visual maps detailing Hermosa Beach Police Department’s service area, located at each HBPD designated workstation.  (CALEA 81.2.5 d)
5. Officers’ status indicator through CAD of all active units.  
   (CALEA 81.2.5 e)
6. Written procedures and telephone numbers for procuring emergency and necessary external services through use of the emergency call out binders and reference books are denoted on the individual information sheets for each external service. Following are actions to be taken during business/non-business hours:  (CALEA 81.2.5 f)
   a. Business Hours – During regular business hours, contact is accomplished by way of the allied agencies regular business telephone numbers located in the City Telephone Directory, CAD system, or reference books.
   b. Non-Business Hours – After hour contact is conducted by following the call out guidelines denoted on the various external services call out sheets located in the CAD system, emergency call out binder, or reference books located at each workstation.

7. Police Task Force tactical dispatching plans.  (CALEA 81.2.5 g)

C. Communications Center personnel answer all incoming calls in accordance with Chapter 3 of the South Bay Regional Public Communications Authority Training Manual. In addition, questions are asked of the caller to determine the validity, nature, whether an emergency or non-emergency response is required and priority of the call.  (CALEA 81.2.6 a)
D. Communications Center personnel will advise the caller that an officer will be dispatched as soon as possible if their situation requires police response. Communications Center personnel will refer a caller who does not require a police response to the appropriate assistance agency. (CALEA § 81.2.6 b)

E. The Communications Center shall serve as the 24-hour contact point to respond to victim/witness requests for information and/or services to include initial and subsequent requests, in accordance with Chapter 3 of the South Bay Regional Public Communications Authority Training Manual. (CALEA § 81.2.7)

F. Communications Center personnel will immediately relay information from misdirected emergency calls for service to the appropriate agency by either directly transferring or calling the agency directly. (CALEA § 81.2.12)

1. If an employee must transfer a police, fire or emergency medical call that was received on a 9-1-1 line to another PSAP, they can do it by pressing the appropriate transfer button on the 9-1-1 phone equipment at the workstation. The call taker should remain on the line to insure the transfer is completed.

2. If an employee must transfer a call received on a 7-digit phone line, they may transfer the call by establishing a three-way call, or they may relay pertinent information directly to the other PSAP or dispatch center phone, and advise the original caller to stay off their phone, if possible, so that the other dispatch center can call them.

G. Communications Center Personnel are CPR certified and trained to provide emergency first aid instruction (EMD) over the telephone, radio, or MDC. (CALEA § 81.2.14)

COMMUNICATIONS TO AND FROM FIELD PERSONNEL

A. To ensure employee safety and efficiency, field personnel maintain constant communications with the emergency dispatcher. This informs the emergency dispatcher, fellow officers, and supervisors of a patrol officer’s status, location and the status of any incident to which he/she is responding. Field personnel are identified by unit number during all communications. (CALEA § 81.2.4 a, c)

1. Voice Dispatch

Priority E calls, priority one calls, priority two calls which have just occurred, those that require cover, and any other call at the officer’s or dispatcher’s discretion, shall be dispatched by both voice and MDC.
2. MDC Dispatch
   
a. Priority three calls, and any other call at the Watch Commander’s or dispatcher’s discretion may be dispatched by MDC only.

B. For a unit to be properly tracked, each unit must be entered or logged individually. Therefore, each unit must check in or out of service either verbally with the dispatcher or the unit may do so via their MDC. One unit shall not check in or out of service for another unit. (CALEA 81.2.4 b)

C. Twenty-four Hour Continuous Two-Way Communication Capability

   1. The Communications Center operates twenty-four hours a day to provide continuous two-way communication capability with on duty employees.

   2. Patrol Officers shall have portable radios to stay in constant radio contact with the Communications Center, whenever it is necessary for them to be away from their vehicles or out on foot. Constant contact with the Emergency Dispatcher permits employees to:

      a. Respond to calls for service.
      b. Request assistance, if necessary.
      c. Receive orders or instructions.
      d. Exchange pertinent information. (CALEA 81.2.2)

PROCEDURES

A. Incident Information

   1. Call histories for request for service or self-initiated activity will generally include the following information:

      a. CAD incident number: Automatically assigned by the CAD system. (CALEA 81.2.3 a)

      b. Date and time of request: Automatically assigned by the CAD system at the time the call is entered. (CALEA 81.2.3 b)

      c. Name and address of the complainant, if available: Entered by the call-taker. (CALEA 81.2.3 c)

      d. Type of incident reported: Entered by the call-taker. (81.2.3 d)

      e. Location of incident reported: Entered by the call-taker (CALEA 81.2.3e)
f. Identification of officers(s) assigned as primary and backup: Determined at the time the call is dispatched/entered by the dispatcher.  (CALEA 81.2.3 f)

g. Time of dispatch: Automatically assigned by the CAD system when the call is dispatched.  (CALEA 81.2.3 g)

h. Time of officer’s arrival: Entered by the officer(s) or the dispatcher via a computer command.  (CALEA 81.2.3 h)

i. Time of officer’s return to service: Entered by the officer(s) or the dispatcher via a computer command.  (CALEA 81.2.3 i)

j. Disposition of incident: Entered by the primary officer or dispatcher via a computer command.  (CALEA 81.2.3 j)

k. Information obtained by the reporting party that is pertinent to the call for service. Entered by the dispatcher via CAD.

B. Response to Incidents  (CALEA 81.2.4 e)

1. Priorities have been established to provide for the most effective response to calls for service with available patrol officers. These priorities are determined by the severity of the crime, whether the incident is in progress or has just occurred, or whether the likelihood that a delay in response might cause the suspect to flee or to return.

2. The Computer Aided Dispatch System is designed and programmed to assist Communications Center personnel by prioritizing calls.

3. On calls that are high priority, in progress, involved violence or potential violence, besides the primary response unit, the emergency dispatcher will send one or more backup units to the location of the incident.

4. Whenever necessary, officers en route to, or on the scene of a call, may request backup units via radio or by activating their MDC emergency button.  (CALEA 81.2.4 g)

5. When not already occupied by another incident of a serious nature, a supervisor or Watch Commander will be dispatched to an incident if requested by a member of the public, and under the following circumstances (not limited to):
   a. Homicide
   b. Serious Assault
   c. Robbery
   d. Natural/man-made disaster  (CALEA 81.2.4 f)
D. Agency Assist Backups (CALEA 81.2.4 d)

Emergency dispatch will only dispatch an Allied Law Enforcement Agency as a backup when requested by the assigned unit or field supervisor and/or authorized by the on-duty Watch Commander.

E. Communications with Interacting Agencies (CALEA 81.2.4 d)

1. When employees of our Department enter into another jurisdiction for law enforcement purposes, they may contact the local agency to advise of their presence and activity.

2. When employees of outside agencies enter the City of Hermosa Beach for the purpose of carrying out law enforcement operations, they are requested to contact our Department to advise of their presence and activity.

3. When assisting on a call for service, field personnel from interacting agencies will be directed by dispatch to switch to the main frequency being utilized for the incident they are responding to.

F. Response to Private Security Alarms (CALEA 81.2.13)

The Hermosa Beach Police Department and RCC do not monitor private security alarms.

G. Access to CLETS/NCIC Information Systems (CALEA 81.2.9)

1. South Bay Regional Public Communications Authority maintains the switch for access by local law enforcement agencies to the California Law Enforcement Telecommunications System (CLETS) and to National Crime Information Center (NCIC). The Department depends on CLETS and NCIC for information necessary to accomplish various aspects of the law enforcement function from their MDC’s, and designated CAD access terminals in the station. The Police Department maintains a separate dedicated CLETS connection for other Police Department access.

2. Employees receiving CLETS and NCIC information are responsible for maintaining the confidentiality of the information. All employees are required to read and sign confidentiality statements at the time of hire, which advise of the penalties for misuse of criminal justice information. Statements are renewed annually.
H. Emergency Messages (CALEA 81.2.11)

Citizens or other law enforcement agencies may contact Communications Center personnel and request that our department notify third party individuals about an emergency situation.

1. Emergency messages may include, but are not limited to:
   a. Serious illness of a family member.
   b. Injury as a result of an accident or crime
   c. A hospital needing to speak to a family member
   d. Law enforcement agency needing to speak to a family member.
   e. Requests approved by the Watch Commander.

2. All emergency notification requests will be entered as a call for service into the CAD system and dispatched to the appropriate beat officer.

3. Personal notification will be attempted. If personal contact cannot be made, a note to contact the requesting party will be left at the residence.

4. The procedure to follow when accepting a request for emergency notification includes:
   a. Obtain as much information from the requesting party as may be necessary to answer questions that may be asked by the person being notified.
   b. Obtain the name and telephone number of the person(s) the party being notified should contact for additional information.
   c. If appropriate, obtain the name and address of a third party that may act as a support for the person to be notified.

**EQUIPMENT**

A. Equipment such as antennas and electrical power distribution points shall be fenced with entry restricted to authorized personnel only. (CALEA 81.3.1 a, d)

B. All Communication Center personnel shall follow internal policies regarding the appropriate use and care of agency equipment and are responsible for the security and protection of the equipment. (CALEA 81.3.1 b)

C. In the event of a power failure, the emergency generator will automatically engage, supplying power to the Communication Center to maintain operations. (CALEA 81.3.1c)

1. Emergency backup power supplies will be inspected and tested at full load on a weekly basis by the Communications Center Staff. A log is maintained documenting each inspection and test. (CALEA 81.3.2)
D. The alternate 9-1-1 Answer Point, located in the City of Torrance Police Department Communications Center, is the site of the alternate answering point for South Bay Regional Public Communications Authority calls. If it is necessary to implement alternate routing for 9-1-1 calls, South Bay Regional Public Communications Authority will send personnel to staff the alternate PSAP and as soon as that occurs, the tandem switch will be activated in order to divert the calls via automatic re-routing by the area telephone company. (CALEA 81.3.1 c)

E. The Communications Center radio system has the necessary equipment capability to access an inter-jurisdictional, regional, or area law enforcement radio system.

F. The Communications Center has multi-channel mobile and portable radio equipment capable of two-way operation on a joint safety frequency or frequencies. Systems available through the South Bay Regional Public Communications Authority are:
   (CALEA 81.3.4)
   1. California Law Enforcement Mutual Aid Radio System (CLEMARS) – A statewide radio system for law enforcement agencies which can be accessed on the desk-top radios in the Communications Center.
   2. California On Scene Emergency Coordination Radio System (CALCORD) – A statewide local public safety and Special Emergency agencies radio system for use during disaster or other emergencies where Interagency coordination is required. The Communications Center cannot broadcast or monitor this frequency, as it is not authorized for local base station installation.
   3. County Law Enforcement Radio System – This system provides mutual aid communications for Los Angeles County managed by the LACO Sheriff’s office.
   4. County Fire Radio System – This system provides communications with all fire districts and departments within Los Angeles County.
   5. City and County Local Government Radio Systems – These systems provide communications to various city and county agencies.

APPROVED:

[Signature]
Sharon Papa
Chief of Police
PURPOSE

To establish policies and procedures related to domestic violence cases, temporary restraining orders, and criminal stay away orders.

POLICY AND GENERAL PROVISIONS

Domestic violence is defined as any harmful, physical contact or the threat thereof between persons who are spouses, cohabitants, who have previously been spouses or cohabitants, or have children in common.

Officers shall treat all domestic violence in violation of the law as criminal conduct. Response to domestic violence incidents shall be the same as all other requests for police assistance in cases where there has been physical violence or the threat thereof.

There shall be no substitute for initiating appropriate crime reports and arrest options in domestic violence cases where physical violence has occurred.

The existence of the elements of a felony crime or the willingness of the victim to make a private person’s arrest on misdemeanor offenses shall determine the proper method of handling domestic violence calls.

In accordance with state law and department policy, an arrest shall be made when there is reasonable cause to believe that a felony has been committed.

Where an officer has reasonable cause to believe that a misdemeanor has occurred in their presence, the suspect may be either be issued a citation or arrested and booked.

Where an officer has probable cause to believe that a misdemeanor charge of assault and battery as described in 243(e)(1) PC has occurred, the officer may arrest with or without a warrant in accordance to 836(d) PC. The arrested shall either be cited or booked.

DOMESTIC VIOLENCE ARRESTS

FELONY ARRESTS: In accordance with State law, officers may make a felony arrest when there is probable cause to believe a felony has occurred.

MISDEMEANOR ARREST: Officers may make a misdemeanor arrest when:
- There is reasonable cause to believe that a misdemeanor has occurred in the officer’s presence (836(a)(1) PC;
- There is probable cause to believe that a protective order has been violated and that the subject had knowledge of the order, whether or not the violation occurred in the officer’s presence (836(c) PC);
- There is probable cause to believe that the subject has committed a domestic violence assault or battery, and the officer makes the arrest as soon as probable cause arises (836(d) PC).

- Officers shall evaluate the likelihood of a “continuing offense” (one of the statutory conditions under which an arrest rather than a citation is required). Any one of the following factors may indicate there would be a continuing offense:
  1. The suspect has a prior history of arrests or citations involving domestic violence.
  2. The suspect has previously violated valid temporary restraining orders, and/or stay away orders.
  3. The suspect has a prior history of other assaultive behavior (i.e.: arrests/convictions for battery or aggravated assault)
  4. Statements of the complainant that the suspect has a history of physical abuse towards the complainant.
  5. Statements of the victim expressing fear of retaliation or further violence should the suspect be released.

PRIVATE PERSON’S ARREST: If there is insufficient cause for the officer to make an arrest, the officer shall inform the victim of his or her right to make a citizen’s arrest, including advising the victim how to safely execute the arrest (836(b) PC). The victim shall be made aware of the elements of the crime, which the suspect may have committed. Officers shall accept a private person’s arrest and shall not dissuade a victim from making a lawful private person’s arrest.

PRIMARY AGGRESSOR: Officers shall make reasonable efforts to identify and determine the primary aggressor in any domestic violence call. The primary aggressor is the 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. Officers are discouraged but not prohibited from making dual arrests (13701 PC).

DOMESTIC VIOLENCE REPORTING

A crime report shall be written in all cases of domestic violence (13730(c) PC) and shall include all of the following:

1. Whether weapons were involved (13730(a) PC),
2. Any signs of usage of drugs/alcohol (13730(c) PC)
3. Whether any law enforcement agency had previously responded to a domestic violence call at the same address involving the same suspect or victim (13730(c) PC)
COURT PROTECTIVE ORDERS

Restraining/Protective Orders- There is different types of restraining orders issued by a court in domestic violence situations. Penal Code section 13710 requires law enforcement agencies to maintain a complete and systematic record of protective orders with respect to Domestic Violence incidents, restraining orders, and proofs of service in effect.

There are three types of restraining/protective orders:

1. Emergency Protective Orders that are obtained by a police officer from the Superior Court by phone,
2. Restraining Orders that are obtained by the victim from various departments within the civil court
3. Criminal Protective/Stay-Away Orders that are issued by the criminal court.

All three of these protective orders are enforceable in any county, regardless of where issued. The Federal Violence Against Women Act requires states to enforce restraining orders issued in other states. These orders remain valid regardless of the actions of the protected person (13711(c) PC).

EMERGENCY PROTECTIVE ORDERS

Officers may obtain an Emergency Protective Order (EPO) for a victim of domestic violence. The law requires that at least one judge, commissioner, or referee by reasonably available to orally issue, by phone or otherwise, an Emergency Protective Order when a law enforcement officer has reasonable basis to believe that a person is in immediate and present danger of domestic violence based upon the person’s allegation of a recent instance of abuse or threat of abuse. The officer shall advise the victim of their right to an EPO and that there is no cost to obtain an EPO. Regardless of the victim’s preference, the officer may request an ex parte Emergency Protective Order from the on-call judge.

REQUESTING AN EMERGENCY PROTECTIVE ORDER

An EPO may be obtained to protect any person who is eligible for a domestic violence protective order including parties who are currently or were formerly married, related by blood or marriage, parents of the same child (born or unborn), living together, dating or engaged, or one party acting on behalf of a minor.

The criteria’s listed above are not required for Emergency Protective Orders in stalking cases. Refer to 646.91 PC.

The handling officer shall contact the on duty judge to obtain and EPO by telephone or otherwise and assert the grounds for the belief that the order is appropriate.

Upon oral issuance of the order by the on-call judge, the officer requesting the order shall reduce the terms of the order to writing, using the Judicial Council form and sign the order.
ISSUING THE ORDER

The officer shall serve both parties with the EPO and distribute the copies as indicated on the form. Officers are required to advise both parties, if present, of the contents of the order. The “Proof of Service” portion at the bottom of the application shall be completed upon service to the restrained party.

If the restrained party is no longer at the scene, their copy should be given to the protected person for service to the restrained person. Anyone at least 18 years of age, who is not a party to the order, can serve the restrained party.

The officer shall advise the protected person to go to the Clerk’s Officer, Superiors Court of Los Angeles, Southwest District, 825 Maple Avenue, Torrance, during business hours, before the expiration date and time of the order. The order will not remain in effect longer than five court days. The protected person may petition the court to extend the order for up to three years.

If the situation dictates, the officer may obtain an EPO even if the victim does not want one.

In cases involving children where no child custody order exists, an EPO can include temporary child custody provisions.

A law enforcement officer who acts in good faith to enforce an Emergency Protective Order is not civilly or criminally liable (Family Code Section 6272(b)).

If the EPO is denied, the officer shall complete a crime report and include the circumstances of the case and the attempt to obtain an EPO.

VERIFICATION OF RESTRAINING ORDERS

Whenever a complainant advises an officer of the existence of a restraining order, the officer shall:

1. Verify that the protective order is on file with this department or already entered in the Department of Justice Domestic Violence Restraining Order System (DVROS); or, if not, obtain a copy of the order from the complainant.
2. Ascertain the terms of the order and whether the order is still in effect. If there is no expiration date on the civil order, the order is valid for three years from the date of issuance, with the exception of permanent orders issued pursuant to a divorce, which never expire. An Emergency Protective Order is valid for five court days after the day of issuance. The duration of Criminal Protective/Stay-Away orders varies with each other.
3. Verify that the subject has notice of the order, either by his or her presence in court when the order was made, or by proof of service of a copy of the order.
4. Determine whether the protective order has been violated and take appropriate action.

**ARREST AND ENFORCEMENT CRITERIA**

Restraining orders and protective orders are effective and enforceable immediately upon issuance by the court regardless of the jurisdiction of origin.

Violation of a protective order may be a misdemeanor (166.4 PC, 273.6 PC), a felony, or a federal offense, depending on the term(s) violated. Officers may make an arrest when there is probable cause to believe the subject of the restraining order has violated the order, the officer has verified the existence of the order, and any ONE of the following conditions is met:

1. The existence of the order and proof of service on the subject has been verified by the officer; or

2. The complainant produces a valid copy of the order bearing a file stamp of a court and a proof of service on the subject; or

3. The order reflects that the subject was present in court when the order was made; or

4. There is proof that the subject was previously admonished by an officer.

Officers may serve protective orders on restrained parties. When the officer verifies that a restraining order exists, but cannot verify proof of service or a subject’s prior knowledge of the order, the officer shall:

1. Serve the restraining order on the restrained party by giving the subject a copy of the order, or by orally notifying the subject of the terms of the order and directing them to go to the court for a copy of the order.

2. Upon serving the restrained party, complete a Proof of Service form, give a copy to the complainant (if present) and forward the original and court copy to Records Division for entry into DVROS.

3. Admonish the subject of the order that the subject is now on notice and that a violation of the order will result in arrest.

4. If the subject continues to violate the order after being advised of the terms, an arrest shall be made.

In the event the suspect has left the scene, an investigation will be made to determine if a crime has been committed, and if a crime has been committed, the officer shall write a crime report.
CRIMINAL PROTECTIVE/STAY AWAY ORDERS

A stay away order is issued in a criminal case where the probability of victim intimidation exists and the violation of such an order is a misdemeanor under 166 PC. In domestic violence incidents where a person advises an officer that a criminal protective/stay away order has been issued, the officer should attempt to ascertain the terms and validity of the order.

VERIFICATION: Request the victim to show a copy of the order. Victims are requested to carry the order with them at all times. Verify that the subject is under the court jurisdiction or verify through the department and/or DVRÖS that a criminal protective/stay away order has been issued against the subject.

ENFORCEMENT: When the order has been verified, the officers shall make an arrest if the subject has violated any terms of the order. The report shall note the specific provisions of the order that were violated by the subject.

A violation of the order is a violation of 166 PC. This charge can be added to other charges such as assault or battery, if such charges are applicable.

An act of victim intimidation relating to court proceedings is a violation of 136 PC, ET Seq. Examples of intimidation include such acts as a suspect attempting to prevent or dissuade a victim from attending or giving testimony at any proceeding. This is a misdemeanor. If a suspect uses force or expresses or implies the threat of force or violence related to the court proceeding, the suspect is committing a felony.

WHEN ORDERS ARE NOT VERIFIABLE: When the victim is not in possession of the protective order, and/or in cases of computer error, officers may not be able to confirm the order’s validity. In such cases the officer shall:

1. Advise the victim of the right to make a private person’s arrest for the alleged violation.
2. Write a crime report.

TENANCY/MOVE OUT ORDER: The officers will request a person who is not in lawful possession of the premises to leave when the complainant has asked that the person leave the premises and the complainant is in lawful possession of the premises (as exhibited by rent receipts, lease, deed, verification by apartment manager, etc.)

The officer will stand by until the subject removes essential belongings. If the subject does not leave upon request, officers may arrest the subject pursuant to applicable trespassing laws under 602.5 PC.

If the complainant requesting removal cannot show proof of lawful possession, the officer may refer the complainant for a temporary restraining order or other appropriate civil remedy.

The officer may also request a subject to leave pursuant to a move-out provision in any protective order.
WORKPLACE VIOLENCE PROTECTIVE ORDER: Employers may obtain protective orders to prevent abusers (and stalkers) from contacting the workplace. This type of order is available to the employer regardless of the victimized employee’s willingness to cooperate. Employers are prohibited from retaliating against or firing victims of domestic violence as a means of removing the problem from the workplace.

CONFLICTING ORDERS: In the event there is more than one valid court order between the parties and the orders appear to conflict, criminal orders (protective orders) take precedence over civil orders (child custody and visitation, etc.).

CITE AND RELEASE: Officers may make a misdemeanor arrest when there is reasonable cause to believe that a misdemeanor has occurred in the officer’s presence. Officers shall make an arrest of an offender, absent exigent circumstances, if there is probable cause to believe that a protective order (273.6 PC) has been violated. Officers shall also make a probable cause arrest for the misdemeanor violations of a protective order even if the violation occurred outside the officer’s presence.

In any case in which a subject is arrested for a misdemeanor violation of a protective order, the subject shall be taken to court rather than cited and released, unless the arresting officer determines that there is no reasonable likelihood that the offense will continue or that the safety of persons or property would be endangered.

Officers considering releasing the suspect on a citation shall evaluate the likelihood of a continuing offense and should be documented on the Booking Approval Form in accordance with 853.6 PC. Any of the following may suppose the likelihood of a continuing offense and preclude citation and release:

1. The suspect has a prior history of arrest or citation involving domestic violence
2. The suspect is violating or has previously violated a protective order.
3. The suspect has a prior history of other assaultive behavior (i.e.: arrest/conviction for battery or aggravated assault).
4. Statements of the victim or witnesses that the suspect has a history of physical abuse.
5. Statement of the victim or witnesses expressing fear of retaliation or further violence should the suspect be released.
6. Information about the suspect’s alcohol or drug abuse, access to weapons, suicide threats or attempts, threats of kidnapping family members, or history of mental illness.

DOMESTIC VIOLENCE – VICTIM ASSISTANCE

Officers shall provide emergency assistance to the victim as needed, including the following (13701(e)(7) PC):
1. Obtaining appropriate medical attention for claimed injuries, whether visible or not.

2. Transporting the victim to a hospital for necessary medical treatment.

3. Standing by for a reasonable period of time while the victim removes personal property and assisting in safe passage out of the residence.

4. Transporting the victim to a shelter if the victim expresses concern for their safety. (Disclosing the location of the shelter to the abuser or other third party may be a misdemeanor (273.7 PC).

Officers shall explain options available to the victim, including the private persons arrest process, temporary restraining and stay away orders, and in cases of arrest the follow up and criminal proceedings.

Officers shall advise the victim of the available community resources.

**SEIZURE OF FIREARMS**

Officers may seize and take temporary custody of firearms or other deadly weapons in plain sight or obtained pursuant to a consent search when there is a threat of violence or a physical assault at the scene of a domestic violence call. The person from whom the firearm is taken shall be provided a receipt describing the item, listing its serial number, and where the firearm can be recovered (12028.5(b) PC).

Officers shall take custody of any firearms surrendered pursuant to the terms of a protective order and log the item into property and evidence.

**RELEASE OF FIREARMS:** No firearm seized in a domestic violence case shall be held less than 48 hours (12028.5(b) PC).

If the seized firearm is not to be used as evidence in a criminal proceeding resulting from domestic violence, or was not illegally possessed, it may be returned pursuant to all state and federal regulations.

If there is reasonable cause to believe that the return of the firearm or other deadly weapon would be likely to result in endangering the victim or person reporting the assault or threat, the department may initiate a petition in Superior Court to prohibit the release of a weapon. The petition must be initiated and the owner of the weapon must be notified within ten days of the seizure (12028.5(e) PC).

Certain misdemeanor convictions prohibit owning a weapon (12021(c)(1) PC).

**OFFICER SAFETY**

Officers shall exercise reasonable care for the safety of themselves, other officers, and all parties involved and no provisions of this policy shall supersede that responsibility.
PURPOSE AND SCOPE

The purpose of this policy is to outline the process and conditions associated with the issuance, revocation, and denial of a concealed weapons (CCW) endorsement for retired officers of the Hermosa Beach Police Department.

POLICY AND QUALIFICATIONS

Any full-time sworn officer of this department who was authorized to carry a concealed firearm during the course and scope of his/her employment shall be issued an identification card with a "CCW Approved" endorsement upon honorable retirement (Penal Code § 25455).

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

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

MAINTAINING A CCW ENDORSEMENT

In order to maintain a "CCW Approved" endorsement on an identification card, the retired officer shall (Penal Code § 26305):

a. Qualify annually with the authorized firearm at a course approved by this Department at the retired officer's expense.

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

c. Have weapon(s) inspected by the qualifying Range Master, who will certify that the weapon is safe or unsafe for operation.
CARRYING FIREARMS OUT OF STATE

Subject to 18 United States Code 926C qualified retired officers of this department may be authorized to carry a concealed weapon in other states.

IDENTIFICATION CARD FORMAT

The identification card issued to any qualified and honorably retired officer shall be two inches by three inches and minimally contain the following (Penal Code § 25460):

a. Photograph of the retiree.
b. Retiree's name and date of birth.
c. Date of retirement.
d. Name and address of this department.
e. A stamped endorsement "CCW Approved" along with the date by which the endorsement must be renewed. In the case in which a CCW endorsement has been denied or revoked, the identification card shall be stamped "No CCW Privilege".
f. If applicable, a notation that "This person is in compliance with 18 USC § 926C (d)(1)."

DENIAL OR REVOCATION OF STATE CCW ENDORSEMENT

The CCW endorsement under Penal Code § 12027 for any officer retired from this department may be denied or permanently revoked only upon a showing of good cause. Any denial or revocation under this section shall also be considered disqualification under 18 U.S.C. § 926C(d). The CCW endorsement may be immediately and temporarily revoked by the Chief of Police or his/her designee when the conduct of a retired peace officer compromises public safety. Good cause, if challenged, shall be determined in the following manner:

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

b. Prior to revocation of any CCW endorsement, the Department shall provide the affected retiree with written notice of a hearing by either personal service or first class mail, postage prepaid, return receipt requested to the retiree's last known address (Penal Code § 12027.1(b)(2)).

1. The retiree shall have 15 days from the date of service to file a written request for a hearing.
2. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received (Penal Code § 12027.1).

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

c. The hearing for the denial or revocation of any CCW endorsement shall be conducted before a hearing board composed of three members, one selected by the Department one selected by the retiree or his/her employee organization and one selected jointly (Penal Code § 12027.1(d)).

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

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

WATCH COMMANDER RESPONSIBILITY

Employees who have reason to suspect a retiree's conduct has compromised public safety shall notify the Watch Commander as soon as practicable. The Watch Commander shall take the following steps in these instances:

a. Notify the Operations Division Commander immediately.

b. Take appropriate steps to promptly look into the matter.

c. If warranted, contact the retiree in person and advise him/her in writing of the following:

1. The retiree's CCW endorsement is immediately and temporarily revoked.

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

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

d. A current copy of Penal Code § 12027.1 should be attached to the written notice.

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

f. Notification of the temporary suspension should also be promptly mailed to the retiree via first class mail, postage prepaid, return receipt requested (Penal Code § 12027.1 (a)(1)(C).

g. The Watch Commander shall document the investigation, the actions taken, and, if applicable, any notification made to the retiree. The memo shall be forwarded to the Chief of Police.

APPROVED:

[Signature]
Sharon Papa
Chief of Police
PURPOSE AND SCOPE

The purpose of this policy is to provide officers with guidelines on the proper use of license plate recognition (LPR) systems, also commonly known as license plate reader systems. The availability and use of LPR systems have provided many opportunities for the enhancement of productivity, effectiveness and officer safety. It is the policy of this agency that all members abide by the guidelines set forth herein when using the LPR systems.

POLICY

It is the policy of the Hermosa Beach Police Department to utilize LPR technology to the extent possible in accordance with California State Law.

ACRONYMS AND DEFINITIONS

LPR: License Plate Recognition/License Plate Reader

OCR: Optical Character Recognition

Read: Digital images of license plates and vehicles and associated metadata (e.g., date, time, and geographic coordinates associated with the vehicle image capture) that are captured by the LPR system.

Alert: A visual and/or auditory notice that is triggered when the LPR system receives a potential "hit" on a license plate.

Hit: A read matched to a plate that has previously been registered on an agency's "hot list" of vehicle plates related to stolen vehicles, wanted vehicles, or other factors supporting investigation, or which has been manually entered by a user for further investigation.

Hot list: License plate numbers of stolen cars, vehicles owned by persons of interest, and vehicles associated with AMBER Alerts that are regularly added to "hot lists" circulated among law enforcement agencies. Hot list information can come from a variety of sources, including stolen vehicle information from the National Insurance Crime Bureau and the National Crime Information Center (NCIC), as well as national AMBER Alerts and Department of Homeland Security watch lists. These lists serve an officer safety function as well as an investigatory
purpose. In addition to agency supported hot lists, users may also manually add license plate numbers to hot lists in order to be alerted if and when a vehicle license plate of interest is "read" by the LPR system.

**Mobile LPR System:** LPR cameras and hardware affixed to a law enforcement vehicle, or to City equipment for deployment.

**ALPR PROCEDURES**

The use of LPR systems is restricted to official public safety, related missions of this agency.

LPR systems and associated equipment and databases are authorized for official public safety purposes. Misuse of this equipment and associated databases, or data, may be subject to sanctions and/or disciplinary actions.

LPR systems and LPR data and associated media are the property of this agency and intended for use in conducting official business.

**ALPR ADMINISTRATION**

The agency shall designate an employee(s) with administrative oversight for LPR system deployment and operations who will be responsible for the following:

- Stay abreast of legal trends and case law in the area of license plate readers.
- Monitor the use of the LPR system and conduct periodic audits to ensure use is only for law enforcement purposes. This is accomplished by establishing protocols to preserve and document LPR reads and "alerts" or "hits" that are acted on in the field are associated with investigations or prosecutions and managing the compilation of "hot lists" that are manually entered.
- Ensure that the LPR system is used only for appropriate business in keeping with agency policy and technical requirements.
- Ensuring the proper selection of the personnel approved to operate the LPR system and maintaining an adequate number of trainees.
- Maintaining records identifying approved LPR deployments and documenting their results concerning inter-departmental requests for manually entered information to further a criminal investigation.
- Authorizing any requests for LPR systems use or data access according to the policies and guidelines of this agency.

Designated, trained personnel shall check equipment on a regular basis to ensure functionality and camera alignment. Any equipment that falls outside expected functionality shall be removed from service until deficiencies have been corrected. LPR systems repairs, hardware or software, shall be made by agency authorized sources.
LICENSE PLATE READER SYSTEM USAGE

LPR operation and access to LPR collected data shall be for official agency purposes only. Only employees who have been properly trained in the use and operational protocols of the LPR systems shall be permitted to use it. Employees shall log onto the system with their individual password at the start of their shift. (CALEA 41.3.9c)

At the start of each shift, users must ensure that the LPR system has been updated with the most current hot lists available.

LPR Alerts/Hits: Prior to initiation of the stop:

Officers shall attempt to visually verify that the vehicle plate number matches the plate number run by the LPR system, including both alphanumeric characters of the license plate and the state of issuance.

• Verify the current status of the plate through dispatch or MDC query when circumstances allow.

• In each case in which an alert or a hit is triggered, the user should record the disposition of the alert and the hit into the LPR system.

• Hot lists may be updated manually by the system administrator when requested for a law enforcement purpose. The request shall be made in writing (baring exigent circumstances) to the system administrator. (CALEA 41.3.9a)

LPR DATA SHARING AND DISSEMINATION

LPR data should be considered For Official Use Only and can be shared for legitimate law enforcement purposes:

When LPR data is requested by an outside law enforcement agency, it will be in writing (unless exigent circumstances exist). Under all circumstances, the request and approval shall be memorialized.

Information sharing among agencies should be dictated in accordance with state law and established departmental policies. (CALEA 41.3.9b)

RETENTION AND PUBLIC RECORDS LAW

The City of Hermosa Beach retains information obtained from the LPR for Hits/Alerts for a minimum of 365 days on a server within the City. While Hits/Alerts are a Public Record, it is likely that they will not be subject to disclosure under the California Public Records Law. Read/Images that are hot Hits contain information of a transitory nature and thus are not Public Records and such LPR information will be automatically purged after 30 days. Purge reviews will be conducted by the system administrator on a bi-annual basis throughout the calendar year.
The City Attorney's Office shall be responsible for all interpretations of the California Public Records Law regarding this Policy.
(CALEA 41.3.9d)

APPROVED:

Michael McCrary
Interim Police Chief
PURPOSE

The Hermosa Beach Police Department operates a public safety camera system for the purpose of creating a safer environment for those who live, work, and visit the City. This policy explains the purpose of the cameras and provides guidelines for their operation and for the storage of captured images.

POLICY

Cameras may be placed in strategic locations throughout the City at the direction or with the approval of the Chief of Police. These cameras can be used for detecting and deterring crime, to help safeguard against potential threats to the public, to help manage emergency response situations during natural and man-made disasters and to assist City officials in providing services to the community.

PROCEDURE

The following procedures have been established for the effective operation of the public safety camera system.

A. Monitoring

Images from each camera will be recorded on a 24-hour basis every day of the week. These images will be available for viewing from any computer in the police department or other locations that are authorized by the Chief of Police. The other locations would be the Emergency Operations Center (EOC) or secondary EOC location as situations occur. When activity warranting further investigation is reported or detected at any camera location, the watch commander or other authorized and trained personnel may selectively view the appropriate camera and relay any available information to responding units. The authorized and trained personnel are authorized to adjust the cameras to more effectively view a particular area for any legitimate public safety purposes.

The Chief of Police may authorize video feeds from the public safety camera system to be set up at a location, such as our dispatch center, for monitoring by other than police personnel when the provision of such access is in furtherance of this policy. The cameras only record images and do not record sound. Recorded images may be used for a variety of purposes, including criminal investigations and monitoring of activity around high crime or problem areas. In addition, the public safety camera system may be useful for the following purposes:
1. To assist in identifying, apprehending, and prosecuting offenders.
2. To assist in gathering evidence for criminal and civil court actions.
3. To help emergency services personnel maintain public order.
4. To monitor pedestrian and vehicle traffic activity.
5. To help improve the general environment on the public streets.
6. To assist in providing effective public services.

B. Training

Personnel involved in video monitoring will be appropriately trained and supervised.

C. Prohibited Activity

Video monitoring will be conducted in a professional, ethical, and legal manner. The public safety camera system will not be used to invade privacy of individuals, to look into private areas or areas where the reasonable expectation of privacy exists. All reasonable efforts will be taken to protect these rights. Video monitoring shall not be used to harass, intimidate or discriminate against any individual or group.

D. Camera Placement

All cameras will be placed according to the Council’s vision of making Public Safety the City’s number one priority. All camera placement will be approved by Council and no camera(s) will be moved or added without the prior approval of Council.

E. Camera Markings

Except in the case of covert operations or confidential investigations, all public areas that are monitored by public safety cameras shall be marked in a conspicuous manner with appropriate signs to inform the public that the area is under police surveillance. Signs shall be well lit to ensure visibility.

F. Media Storage

All media will be stored in a secure area with access restricted to authorized persons. Recordings not otherwise needed for official reasons shall be retained for a period of not less than 90 days and thereafter be erased. Any recordings needed as evidence in a criminal or civil proceeding shall be saved from deletion by “Bookmarking” the video and copied to a suitable medium and booked into evidence in accordance with current evidence procedures (Government Code Section 34090.6).

G. Review or Release of Video Images

The review or the release of video images shall be done only with the authorization of the Chief of Police or his/her designee and only with the properly completed written request. Video images needed for a criminal investigation or other official reason shall be collected and booked in accordance with current departmental evidence procedures.
H. Public and Other Agency Requests

Requests for recorded video images from other government agencies or by the submission of a court order or subpoena shall be promptly submitted to the Court Liaison, who will promptly research the request and submit the results as outlined on the request. Every effort should be made to preserve the data requested by “bookmarking” the video in the system until the request has been fully processed.

Video images captured by public safety cameras that are requested by the public or media will be available only to the extent required by law. Except as required by a valid court order or other lawful process, video images requested under the Public Records Act will generally not be disclosed to the public when such video images are evidence in an ongoing criminal investigation in which a disposition had not been reached. These requests will be forwarded to the City Attorney’s Office for review to establish that the requirements of the Public Records Act are followed.

APPROVED:

Sharon Papa
Chief of Police
The purpose of this policy is to establish policy and procedural guidelines to properly respond to an in progress active threat situation in a way as to minimize the number of causalities and stop the use of deadly force as quickly as possible. This policy is to serve as a supplement to the City of Hermosa Beach’s Emergency Operation Plan (EOP) and Police Department Policy 03.41 Critical Incidents-All Hazards Plan which serves as the department’s primary guide for planning and responding to critical incidents.

The Hermosa Beach Police Department will rapidly respond to any active threat situation in order to restore safety to the community and those involved. Officers responding to an active threat situation will intervene to neutralize the threat, prevent access to additional victims, attempt to rescue injured persons and potential victims by using any legal means at their disposal to make contact and eliminate the threat. This may include arrest, containment, or use of lethal force when justified.

(CALEA 46.1.10)

DEFINITIONS

A. Active Threat: Any incident which by its deliberate nature creates an immediate threat or present imminent danger to the community. An active threat may involve firearms or other types of weapons. Active threats may include, but are not limited to: active shooters, hostage situations, snipers, suicide bombers, and/or terrorist threats.

B. Active Shooter: One or more suspects who participate in a random or systematic shooting spree, demonstrating their intent to continuously harm others. Their specific objective is to inflict serious bodily harm and/or mass casualties rather than other forcible felonies such as robbery, hostage-taking, etc.

C. Contact Team: The first group of officers, a team consisting of at least two (2), but ideally four (4) officers, whose priority is locating and neutralizing the threat.

D. Lethal force: Lethal force is that force likely to cause serious physical injury or death, also known as deadly force.

A. Directed Fire: Gunfire aimed at an offender, or an area held by the offender, or an area an officer reasonably believes the offender to be located for the purpose of stopping the threat, rescuing victims/citizens, or movement to a tactically advantageous position.
a. The use of directed gunfire is a tactic of last resort to be utilized when officers reasonably believe no other option is available to accomplish the situation set forth above. Directed fire is lethal force and all legal principles apply, including the need for the use of force to be objectively reasonable.


C. Rescue Team: A secondary group of officers, ideally a team consisting of at least two (2) officers and when available two to four Emergency Medical Technicians (EMT’s), whose priority is the rescue and recovery of the victims.

D. Serious Physical Injury: A bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; or results in long-term loss or impairment of the functioning of any bodily member or organ.

**RESPONSE GUIDELINES**

By way of this Policy, The Hermosa Beach Department recognizes that active threat incidents must be stopped decisively, if possible, before further loss of innocent life. Initial responding officers will be forced to make critical decisions in tense, dynamic, uncertain, rapidly developing situations that may be impossible to control. In order to assist officers, the prioritization of tactical options in the order of importance is as follows:

A. Stop the active threat

B. Rescue of victims

C. Provision of medical assistance

D. Protection of the crime scene

It must be noted that nothing in this Policy prohibits officers from changing priorities based on informed judgment at the time of the response.

(CALEA 46.1.10c)

I. USE OF FORCE

Hermosa Beach Department officers will follow the guidelines set forth in the Police Department Policy O3.16-Use of Force of this manual.
II. FIRST RESPONDERS

A. Upon arriving at the scene where aggressive deadly behavior is ongoing, intelligence may be sparse and fragmented. As soon as practical, the following information should be obtained:

- Assailant location
- Assailant description
- Weapons possessed by the assailant
- Assailant’s specialized knowledge or tactical abilities
- Assailant identity
- Assailant’s motive or agenda

B. The first priority is to locate the assailant(s) and stop the aggressive deadly behavior. First responders should:

a. 

b. 

c. 

d. 

and

e. 

III. COMMAND AND CONTROL

A. An active threat incident is a complex situation requiring considerable assets for success. A successful outcome requires command and control be established early; otherwise it may never be obtained. The Incident Commander should:

- Assess the situation
- Establish communication with the initial Contact Team(s);
- Assemble additional Contact and Rescue Teams;
- Communicate location and number of assailants.
• Estimate the size of the crowd and number of casualties/fatalities, if known.

• Coordinate and deploy responding resources (mutual aid response, SWAT, Fire, Medical, etc.);
  (CALEA 46.1.10b)

• Identify and request additional assistance needed.

B. Establish Incident Command to coordinate resources and gather/disseminate information.

   a. Location of staging area, incident command post, media staging area, family staging area, and reunification area.

   b. Ingress/egress routes for emergency vehicles

   c. Public sheltering and incident containment.
  (CALEA 46.1.10d)

C. Establish command and control. The Incident Commanders primary objectives are to:

   a. Stop the threat

   b. Rescue victims

   c. Isolate and contain the incident

   d. Provide and monitor resources

IV. CONTACT TEAMS

A. The primary mission of the Contact Team is to stop the assailant’s deadly behavior and prevent escape. Communication is maintained with the Incident Commander and other officers to keep them informed of the Contact Team’s progress.

B. The secondary mission is to direct victims out of the crisis site through secured areas to the staging location or to shelter in place. The goal is to save lives by containing the assailant and allowing the safe and orderly evacuation of victims.

C. Contact Team priorities tasks are:

   a. Locate the assailant(s)

   b. Stop the assailant’s deadly behavior

   c. Limit the assailant’s movement
d. Prevent the assailant’s escape

e. Communicate progress

f. Notify Incident Command of victim location for rescue

g. Direct ambulatory victims to a safe area and communicate that help is coming.

V. EXPLOSIVE DEVICES

Active threat situations may include the use of bombs or unexploded improvised explosive devices (IED). Upon locating a potential IED officers should:

A. Quickly conduct a visual inspection and avoid tampering with the suspected device;

B. Consider an alternate route;

C. Move away from the device as quickly as possible;

D. Verbalize the location of the device to the rest of the contact team;

E. 

F. Notify Incident Command of the device and location from a safe distance;

G. Mark location of the device to warn others;

H. Move past the device quickly and continue to search; and

I. Be aware of additional devices, booby traps.

When encountering bombing threats, officers should follow procedures outlined in Policy O3.40-Procedures for Bombing Threats of this manual.
(CALEA 46.1.10c)

VI. PUBLIC NOTIFICATION

A. The Watch Commander may initiate a NIXLE public notification, as outlined in the Administrative Memorandum No. A-18. Information may include:

   a. Road closures

   b. Evacuation Routes

   c. Staging areas
d. Emergency Shelters and Reunification Areas; and

e. Other relevant public safety instructions.

B. A field supervisor or their designee should contact the Public Information Officer (PIO) in order to coordinate public notification for awareness and safety.

In addition, the police department should publicize updated information through various news and social media networks.
(CALEA 46.1.10a)

VII. POLICY AND TRAINING REVIEW

A. Regular training using this protocol is vital to its successful application in response to an actual incident.

B. Such training should:

   a. Be consistent with the basic guidelines and tactics outlined in this protocol;

   b. Emphasize the multi-agency organization, teamwork, and communication aspects of an active shooter/terrorist response;

   c. Include management and communications personnel, police department personnel, and other city departments/personnel; and

   d. Include role-playing scenarios to add realism to the training

C. At least annually the Administrative Sergeant will conduct a documented review of this policy, all related procedures and training, and all incidents which may have occurred to identify any needed revisions.
(CALEA 46.1.10e)

This Order supersedes all previous written and unwritten policies of the HERMOSA POLICE DEPARTMENT on the above subject.

APPROVED:

Sharon Papa
Chief of Police
PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to ensure the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act of 1990 (ADA).

DEFINITIONS

Definitions related to this policy include:

**Service animal** - A dog that is trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability (28 CFR 35.104; Health and Safety Code § 113903).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, is under the handler’s control, the facility can accommodate the horse’s type, size and weight, and the horse’s presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i)).

POLICY

It is the policy of the Hermosa Beach Police Department to provide services and access to persons with service animals in the same manner as those without service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law.

IDENTIFICATION AND USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
• Pulling wheelchairs.
• Providing physical support and assisting with stability and balance.
• Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.
• Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

**MEMBER RESPONSIBILITIES**

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department members are expected to treat individuals with service animals with the same courtesy and respect that the Hermosa Beach Police Department affords to all members of the public (28 CFR 35.136).

I. **INQUIRY**

If it is apparent or if a member is aware that an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the member should ask the individual only the following questions (28 CFR 35.136(f)):

• Is the animal required because of a disability?
• What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal’s status should be asked. The individual should not be questioned about his/her disability nor should the person be asked to provide any license, certification or identification card for the service animal.

II. **CONTACT**

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

III. **REMOVAL**

If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal
business operations, an officer may direct the handler to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)). Each incident must be considered individually and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this department are expected to provide all services as are reasonably available to an individual with a disability, with or without a service animal

IV. COMPLAINTS
When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their handlers into the same areas that other customers or members of the public are allowed (28 CFR 36.302).

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice (DOJ).

APPROVED:

[Signature]
Sharon Papa
Chief of Police
O3.56 WATCH COMMANDERS

HERMOSA BEACH POLICE DEPARTMENT

PURPOSE AND SCOPE

Each patrol shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with department policies, procedures, practices, functions and objectives. To accomplish this goal, a Sergeant heads each watch.

DESIGNATION AS ACTING WATCH COMMANDER

When a Sergeant is unavailable for duty as Watch Commander, in most instances, the acting Watch Commander will be the senior officer on the Acting Watch Commander list. This policy does not preclude designating a less senior officer as an acting Watch Commander when operational needs require or training permits.

WATCH COMMANDER RESPONSIBILITIES

In addition to general and individual responsibilities of all members and employees, the Watch Commander is specifically responsible for the following:

- Good Order: The general and good order of his/her command during tour of duty to include proper discipline, conduct, welfare, field training and efficiency.
- Briefing: Conduct of prescribed shift briefing, communication of all orders or other information at briefings and inspection and correction of his/her command, as necessary.
- Reporting: Reporting as required by the Operations Lieutenant. Maintenance of such records as specified by higher authority.
- Personnel Complaints: Inquiry into personnel complaints against officers or employees under his/her command in accordance with the appropriate departmental directive.
- In the absence of those members of the Department who regularly exercise authority over the Department, the Watch Commander shall be designated as the ranking authority of the Department.

APPROVED:

\[Signature\]

Sharon Papa
Chief of Police
Watch Commanders

I. SELECTION CRITERIA
To be considered for the Acting Watch Commander List, sworn officers should meet the below minimum criteria:

- At least 5 years of experience as a full-time sworn peace officer, with at least the last year being with the Hermosa Beach Police Department
- An overall rating of meets or exceeds expectation on their last evaluation
- Has demonstrated good judgment, insight, community engagement, communication skills and maturity
- Strong understanding of laws, policies, and procedures
- Has not received any formal discipline in the last year

Ideally, candidates for the Acting Watch Commander list will have diverse experience in all areas of the Department such as a Field Training Officer, Detective, Traffic Officer or other specialized assignment.

II. SELECTION PROCESS
To be considered for the Acting Watch Commander list, the following procedure will be used:

- The officer will submit an interest memo to their direct supervisor. The interest memo should include all relevant experience and qualifications listed in the above criteria.
- The supervisor will forward the interest memo to the Division Commander and discuss their qualifications
- The Division Commander will meet with the Sergeant’s group for additional input
- The Division Commander will forward the interest memo to the Chief via the chain of command
- The Chief may schedule and interview with the officer to discuss their qualifications

The Chief of Police shall have the right to establish criteria for selection of officers to be placed on the Watch Commander's list. The Chief shall select any number to be placed on the list and may remove officers or add officers to the list at any time.
HERMOSA BEACH POLICE DEPARTMENT

O3.57 IDENTITY THEFT Effective 08/05/2019
Updated

PURPOSE AND SCOPE

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

REPORTING

I. In an effort to maintain uniformity in reporting, officers presented with the crime of identity theft (Penal Code § 530.6) shall initiate a report for victims residing within the jurisdiction of this department when the crime occurred. For incidents of identity theft occurring outside this jurisdiction, officers should observe the following:

   a. For any victim not residing within this jurisdiction, the officer may either take a courtesy report to be forwarded to the victim’s residence agency or the victim should be encouraged to promptly report the identity theft to the law enforcement agency where he or she resides.

II. While the crime of identity theft should be reported to the law enforcement agency where the victim resides, officers of this department should investigate and report crimes occurring within this jurisdiction which have resulted from the original identity theft (e.g., the identity theft occurred elsewhere, but the credit card fraud occurred and is reported in this jurisdiction).

III. Officers should include all known incidents of fraudulent activity (e.g., credit card number applied for in victim’s name when the victim has never made such an application).

IV. Officers should also cross-reference all known reports made by the victim (e.g., U.S. Secret Service, credit reporting bureaus, U.S. Postal Service and DMV) with all known report numbers.

V. The reporting officer should inform victims of identity theft that the California Identity Theft Registry is available to help those who are wrongly linked to crimes. The registry can be checked by law enforcement and other authorized persons to investigate whether a criminal history or want was created in the victim's name (Penal Code § 530.7). Information regarding the California Identity Theft Registry can be obtained by calling toll free (888) 880-0240.
VI. Following supervisory review and department processing, the initial report should be forwarded to the appropriate detective for follow up investigation, coordination with other agencies and prosecution as circumstances dictate.

APPROVED:

[Signature]

Milton McKinnon
Acting Chief of Police
O3.58 SEXUAL ASSAULT INVESTIGATIONS   Effective 08/05/2019
Updated

PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims.

Mandatory notifications requirements are addressed in the Child Abuse and Adult Abuse policies.

DEFINITIONS

Definitions related to this policy include:

Sexual assault - Any crime or attempted crime of a sexual nature, to include, but not limited to, offenses defined in Penal Code § 243.4, Penal Code § 261 et seq., and Penal Code § 285 et seq.

Sexual Assault Response Team (SART) - A multidisciplinary team generally comprised of advocates; law enforcement officers; forensic medical examiners, including sexual assault forensic examiners (SAFEs) or sexual assault nurse examiners (SANEs) if possible; forensic laboratory personnel; and prosecutors. The team is designed to coordinate a broad response to sexual assault victims.

POLICY

It is the policy of the Hermosa Beach Police Department that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will aggressively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community.

QUALIFIED INVESTIGATORS

Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

(a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations.

(b) Conduct follow-up interviews and investigation.

(c) Present appropriate cases of alleged sexual assault to the prosecutor for review.
(d) Coordinate with other enforcement agencies, social service agencies and medical personnel as needed.

(e) Provide referrals to therapy services, victim advocates and support for the victim.

(f) Participate in or coordinate with SART.

REPORTING

In all reported or suspected cases of sexual assault, a report should be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated.

VICTIM INTERVIEWS

The primary considerations in sexual assault investigations, which begin with the initial call to Dispatch, should be the health and safety of the victim, the preservation of evidence, and preliminary interviews to determine if a crime has been committed and to attempt to identify the suspect.

Whenever possible, a member of SART should be included in the initial victim interviews. An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances. Whenever practicable, the follow-up interview should be conducted by a qualified investigator.

No opinion of whether the case is unfounded shall be included in the report.

Victims shall not be asked or required to take a polygraph examination (34 USC § 10451; Penal Code § 637.4).

Victims should be apprised of applicable victim’s rights provisions, as outlined in the Victim and Witness Assistance Policy.

I. VICTIMS RIGHTS

Whenever there is an alleged sexual assault, the assigned officer shall accomplish the following:

(a) Advise the victim in writing of the right to have a victim advocate and a support person of the victim's choosing present at any interview or contact by law enforcement, any other rights of a sexual assault victim pursuant to Penal Code § 680.2 and the right to have a person of the same or opposite gender present in the room during any interview with a law enforcement official unless no such person is reasonably available (Penal Code § 679.04).
(b) If the victim is transported to a hospital for any medical evidentiary or physical examination, the officer shall immediately cause the local rape victim counseling center to be notified (Penal Code § 264.2).

1. The officer shall not discourage a victim from receiving a medical evidentiary or physical examination (Penal Code § 697.04).

2. A support person may be excluded from the examination by the officer or the medical provider if his/her presence would be detrimental to the purpose of the examination (Penal Code § 264.2).

II. VICTIM CONFIDENTIALITY

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

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

COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE

Whenever possible, a SART member should be involved in the collection of forensic evidence from the victim.

When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault.

If a drug-facilitated sexual assault is suspected, urine and blood samples should be collected from the victim as soon as practicable.

Subject to requirements set forth in this policy, biological evidence from all sexual assault cases, including cases where the suspect is known by the victim, should be submitted for testing.

Victims who choose not to assist with an investigation, do not desire that the matter be investigated or wish to remain anonymous may still consent to the collection of evidence under their control. In these circumstances, the evidence should be collected and stored appropriately.

I. COLLECTION AND TESTING REQUIREMENTS

Members investigating a sexual assault offense should take every reasonable step to ensure that DNA testing of such evidence is performed in a timely manner and within the time
periods prescribed by Penal Code § 803(g). Generally, rape kits should be submitted to the crime lab within 20 days after being booked into evidence (Penal Code § 680).

In order to maximize the effectiveness of such testing and identify the perpetrator of any sexual assault, the assigned officer shall ensure that an information profile for the sexual assault kit evidence has been created in the California Department of Justice (DOJ) SAFE-T database within 120 days of collection and should further ensure that the results of any such test have been timely entered into and checked against both the DOJ Cal-DNA database and the Combined DNA Index System (CODIS) (Penal Code § 680.3).

If the assigned officer determines that a kit submitted to a private laboratory for analysis has not been tested within 120 days after submission, the officer shall update the SAFE-T database to reflect the reason for the delay in testing. The assigned officer shall continue to update the status every 120 days thereafter until the evidence has been analyzed or the statute of limitations has run (Penal Code § 680.3).

If, for any reason, DNA evidence in a sexual assault case in which the identity of the perpetrator is in issue and is not going to be analyzed within 18 months of the crime, the assigned officer shall notify the victim of such fact in writing no less than 60 days prior to the expiration of the 18 month period (Penal Code § 680(d)).

Additional guidance regarding evidence retention and destruction is found in the Property and Evidence Policy.

II. DNA TEST RESULTS

A SART member should be consulted regarding the best way to deliver biological testing results to a victim so as to minimize victim trauma, especially in cases where there has been a significant delay in getting biological testing results (e.g., delays in testing the evidence or delayed DNA databank hits). Members should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as provided in the Victim and Witness Assistance Policy.

(a) Upon receipt of a written request from a sexual assault victim or the victim’s authorized designee, members investigating sexual assault cases shall inform the victim of the status of the DNA testing of any evidence from the victim’s case (Penal Code § 680).

1. Although such information may be communicated orally, the assigned officer should thereafter follow-up with and retain a copy of confirmation by either written or electronic mail.

2. Absent a written request, no member of this department is required to, but may, communicate with the victim or the victim’s authorized designee regarding the status of any DNA testing.

(b) Subject to the commitment of sufficient resources to respond to requests for information, sexual assault victims shall further have the following rights (Penal Code § 680):
1. To be informed if a DNA profile of the assailant was obtained from the testing of the rape kit or other crime scene evidence from their case.

2. To be informed if there is a match between the DNA profile of the assailant developed from the evidence and a DNA profile contained in the DOJ Convicted Offender DNA Database, providing that disclosure would not impede or compromise an ongoing investigation.

3. To be informed if the DNA profile of the assailant developed from the evidence has been entered into the DOJ Databank of case evidence.

(c) Provided that the sexual assault victim or the victim’s authorized designee has kept the assigned officer informed with regard to current address, telephone number and email address (if available), any victim or the victim’s authorized designee shall, upon request, be advised of any known significant changes regarding the victim’s case (Penal Code § 680).

1. Although such information may be communicated orally, the assigned officer should thereafter follow-up with and retain a copy of confirmation by either written or electronic mail.

No officer shall be required or expected to release any information which might impede or compromise any ongoing investigation.

**DISPOSITION OF CASES**

All allegations of sexual assault will be presented to the prosecutor for consideration. The assigned investigator will include all available information, evidence, statements and circumstances for the prosecutor to be able to evaluate if the case has merit. All cases alleging sexual assault will either be filed for prosecution, or “rejected” by the prosecutor.

**CASE REVIEW**

The Detective Bureau supervisor should ensure case dispositions are reviewed on a periodic basis, at least annually, using an identified group that is independent of the investigation process.

The reviews should include an analysis of:

- Case dispositions.
- Decisions to collect biological evidence.
- Submissions of biological evidence for lab testing.

The SART and/or victim advocates should be considered for involvement in this audit. Summary reports on these reviews should be forwarded through the chain of command to the Chief of Police.
RELEASING INFORMATION TO THE PUBLIC

In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appear to be related, consideration should be given to releasing information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The Detective Bureau supervisor should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes. The Chief of Police will make the final determination regarding any information released to the public.

TRAINING

Subject to available resources, periodic training will be provided to:

(a) Members who are first responders. Training should include:
   1. Initial response to sexual assaults.
   2. Legal issues.
   3. Victim advocacy.
   4. Victim’s response to trauma.

(b) Qualified investigators who should receive advanced training on additional topics. Advanced training should include:
   1. Interviewing sexual assault victims.
   2. SART.
   3. Medical and legal aspects of sexual assault investigations.
   4. Serial crimes investigations.
   5. Use of community and other federal and state investigative resources, such as the Violent Criminal Apprehension Program (ViCAP).
   6. Techniques for communicating with victims to minimize trauma.

APPROVED:

Milton McKinnon
Acting Chief of Police
PURPOSE AND SCOPE

The purpose of this policy is to provide Police Officers and Community Service Officers with guidelines for the proper use of body armor.

POLICY

It is the policy of the Hermosa Beach Police Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

ISSUANCE OF BODY ARMOR

The Administrative Sergeant shall ensure that body armor is issued to all Police Officers, Reserve Officers and full-time Community Service Officers, when the officer begins service at the Hermosa Beach Police Department and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Department-issued body armor shall, at minimum, satisfy the requirements for ballistic threat level IIA. The body armor will minimally consist of front and back panels; wraparound side panels are recommended.

The Investigative and Administrative Services Division Commander or their designee shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to the schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

I. USE OF SOFT BODY ARMOR

Generally, the use of body armor is required subject to the following:

a) Officers shall only wear agency-approved body armor.

b) Officers shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action including any pre-planned "high-risk" tactical duties (i.e. search warrant execution, drug "raids", etc.).

c) Body armor shall be worn when an officer is working in uniform.

d) Non-uniformed officers may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action.
e) An officer may be excused from wearing body armor when he/she is involved in undercover or plainclothes work that his/her supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.

f) Officers wearing the Class "A" uniform for the purpose of honor guard are not required to wear body armor.

g) Community Service Officers assigned to Meter Technician duties are excused from wearing body armor as they are not expected to engage in enforcement activities.

II. INSPECTIONS OF BODY ARMOR

Supervisors should ensure that body armor is worn and maintained in accordance with this policy through routine observation and periodic documented inspections. Officers should continuously inspect their body armor to ensure proper fit, cleanliness, and signs of damage, abuse and wear.

III. CARE AND MAINTENACE OF SOFT BODY ARMOR

Soft body armor should never be stored for any period of time in an area where environmental conditions (e.g., temperature, light, humidity) are not reasonably controlled (e.g., normal ambient room temperature/humidity conditions), such as in automobiles or automobile trunks.

Soft body armor should be cared for and cleaned pursuant to the manufacturer’s care instructions provided with the soft body armor. The instructions can be found on labels located on the external surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities of the armor. If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions.

Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

Soft body armor should be replaced in accordance with the manufacturer’s recommended replacement schedule.
RANGEMASTER RESPONSIBILITIES

The Rangemaster should:

a) Monitor technological advances in the body armor industry for any appropriate changes to Department approved body armor.

b) Assess weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.

c) Provide training that educates officers about the safety benefits of wearing body armor.

APPROVED:

Michael McCrary
Interim Chief of Police
CHAPTER 4

COMMUNITY SERVICES OFFICER

OPERATIONS GUIDELINES AND RULES AND REGULATIONS
BRIEF JOB DESCRIPTION

The Community Services Department is in charge of enforcing all California Vehicle Codes and Hermosa Beach Municipal Codes that relate to Parking and Animal Control. The Community Services Department is a line department under the authority of the Police Department. It consists of a Division Commander, two Supervisors, seven full-time Community Services Officers (CSO’s) and various staff positions, in support of the functions of the department which includes the contracted position of Hearing Examiner for citation disputes. During the summer, it also consists of several part-time CSO’s who work an area designated as "Area II". CSO’s are subject to calls for service as well as patrolling to perform their duties.

DEPARTMENT LOCATIONS

Base 3

Base 3 is the two story building located at 1035 Valley Drive. It is the main base for CSO operations and is the location where all CSO personnel first report at the start of each shift, and at the end of watch. All supplies including: chalk, chalk sticks, all forms, envelopes and cites, are also located at Base 3.

Station 2

Station 2 is also known as "Finance Cashier" and is located in room 101 in City Hall. This is where citizens go to purchase various parking permits and to pay parking fines.

Police Department

The Police Department is located adjacent to City Hall. This is where all original CHP 18O originals, as well as other miscellaneous reports and administrative citations are turned in.

Bard

Area located behind City Hall on Bard St., hence the name, this is the location where all Community Services vehicles are located. Vehicles will be retrieved from Bard at the start of each shift and will be returned there at end of watch.

Yard

The City Maintenance yard is located on the corner of Valley Drive and 6th Street. This location contains the mechanics garage.
BREAKS, TARDINESS, ABSENTEEISM, AND DOWN TIME

Breaks

CSO’s are allowed two (2) 15-minute breaks. All breaks must be called in by radio.

Tardiness

Tardiness is strongly discouraged, however; there are times when circumstances present an officer from being on time. If an officer is going to be late, they must call the Base 3 office phone (310-318-0209) and advise of the amount of tardiness anticipated. If calling in between 10:00 p.m. and 6:00 a.m., the officer shall also call the Records Bureau and 310-318-0360. Records will notify the watch commander. Officers are counted on to be on time and excessive tardiness is cause for discipline.

Absenteeism

An officer should not be absent without authorization. Any officer that needs to take a work day off should first try to make arrangements with other officers to cover the missed shift, and a supervisor should then be notified of the change for that week. If an officer cannot make arrangements to cover their missed shift, they should discuss the problem with a supervisor so that permission can be granted to miss a shift without coverage. Keep in mind that it is easier to miss a shift during the slower weekdays than the busier weekends. Your absence will be taken from the appropriate accrual account. If you do not have sufficient hours in your accruals, you will be AWOP (away without pay). Excessive absenteeism is discouraged. Attendance will be reflected on performance evaluations.

Down Time

Area II Down Time is the time left over after covering assigned routes in Area II. This usually occurs during the Monday through Friday weekday shifts and is a result of the nature of the one hour zones. Down time should be used productively. Examples include but are not limited to; taking care of vehicle preventive maintenance, (such as the topping off of oil or other small jobs that can be performed by the mechanic during the down time) and the daily gassing of the vehicle, washing of vehicle, assistance of Area I officers in tows, and other duties that may be assigned by a supervisor. Area I officers should not have down time due to their patrol duties, meter enforcement, and calls for service, including Animal Control calls.

MISCELLANEOUS FORMS

The Log Sheet

The log sheet is the main workbook of daily activities. It represents the chalk times and route times for daily and future reference. It is the most important tool of writing 1hour citations in Area II. Log sheets are located at Base 3.
Dismissal Forms

Dismissal Forms are used to dismiss citations which an officer believes to have been written in error or the individual circumstance of the citation warrants a dismissal. Citations can only be dismissed by the officer who issued the citation, or by a supervisor. Dismissal forms are located at Base 3.

Vehicle Condition Reports

A VCR must be filled out if any work has been performed by the mechanics or if any work needs to be performed on the vehicles. VCRs are located Base 3.

72Hr Mark Cards

72 hr mark cards are use for the purpose of marking cars suspected of CVC 22651K (No vehicle should be left parked or standing for longer than 72 hours). 72hr marks are performed only BWOC or if the officer suspects that a vehicle may be in violation. 72hr mark cards are located at Base 3.

CHP 180

The CHP 180 is an official form of the State of California and is used when impounding vehicles. CHP 180 forms are located near the lockers at base 3.

Administrative Review Forms (ARF)

Administrative Review Forms are required by the State of California as part of the process of handling citations that are in dispute by the owner of the vehicle. ARF’s should be issued to individuals who wish to contest a citation within the mandated time period. ARF’s are not to be carried in the vehicle of an officer on duty and should not be used as a tool to placate displeased citizens. ARF’s can be found at the Police Department, Station 2, and Base 3, or may be obtained online.

Meter Work Order

Meter work orders are used when the officer is notified by a citizen or other public workers, or when an officer discovers that a particular meter is not functioning properly. They are to be completely filled out according to circumstance and placed on the door of the meter work room at Base 3.
INTRODUCTION TO PARKING ENFORCEMENT

Basic Rules of Parking Enforcement

The basic rule of parking enforcement is “if you’re not sure, don’t cite”. Quite simply, as an officer, you have the special obligation to take special care in making sure that a citation is 100% correct when issued. Citations cost people money and no one likes getting them. Placing an undue burden on an individual is legally incorrect. Citations can also lead to more serious situations such an impounding of a vehicle. Making mistakes also has serious impacts on the image of the department. The department does not operate in vacuum and all actions, whether taken by an individual officer or by the department, are severely scrutinized. Officers receive training that enable them to make correct decisions as to the validity of citations they issue and as they gain on the job experience, will learn to make informed decisions. However, the basic rule of parking enforcement must always be followed.

Keep the job in perspective. Officer must use discretion and reasonableness in the issuance of citations. A citation that is technically correct is not always right to issue. Assess the circumstances and then make decisions accordingly. Do not get into verbal matches or treat people rudely. Generally, people are upset if they confront an officer when they are issuing them a cite. They may be angry, rude, swear at the officer, or even call them names. It does no good for the officer to mince words with them. Instead, it lowers the officer’s professionalism. Officers should be polite at all times. If a citizen’s conduct rises to the level of a possible physical threat, the officer should call dispatch for police assistance.

Area I vs. Area II

Area I covers the total area of the City of Hermosa Beach. Area II only covers the area east of the Palm Drive and bordered by Morningside Drive, Park Avenue, Loma Drive, and Culper Court. Area I officers are often divided at Pier Avenue and designated as North and South officers. They spend most of their shift covering the meters in their respective areas and answering parking and AC calls in the total area of the City. It will not be inconceivable to see Area I officers in Area II, as this is also their assigned area. Area II officers, except when covering 100 block meters, will never patrol Area I, or answer calls in that area, unless they get permission from Area I officers, or if they are assigned to duties in Area I during their shift. Area II officers can ask to assist Area I officers during their down time, as this is encouraged professional behavior.

Area Assignment

Unless notified of a shift change at the start of a shift, or sometime during the shift, Area II officers will be assigned an area in Area II. During Monday through Friday, two officers will patrol everything north of 19th Street, including 19th Street (South route and the other half of Central). On Saturdays and Sundays, there will be three Area II officers, North, Central, and South, corresponding to the three Area II routes. This is a guideline which is subject to the changing signage and enforcement needs of the city. Area II will be designated by current needs and circumstances.
Patrolling and Working Area

After gathering all equipment, supplies and a working vehicle, the next logical step for an officer is to patrol their designated area. Each route has a starting point and it is at this starting point that the beginning time must be taken. All routes follow this order; the patrolling and making of 1 hour zones, the patrolling of alleys and courts and their 1 hour spaces, and if time allows, the patrolling of 100 block meters. To ensure that all vehicles in the 1 hour zones receive the proper amount of time, an officer is expected to return to the starting point no sooner than 1 hour and 5 minutes (1 hour for the allotted time and 5 minutes grace time). If an officer finishes his/her patrol duty before this time, the officer should not resume at an earlier time. This extra time is known as down time and the down time duties should be performed. At the beginning of the season when an officer is less experienced and during the more difficult and busy days, it will be very difficult to finish a route in 1 hour and 5 minutes. This is all part of the nature of the duties and is expected.

Area I officers’ responsibilities include downtown meter enforcement, sweeper duty, clearing the highway, responding to calls for service and animal control duties among other tasks. The supervisor will determine shift duties and assign or direct operations as necessary.

Lapping Your Time

One of the major problems that occur to inexperienced officers is that of lapping your time. This usually occurs in the beginning weeks and during high productivity days (weekends and holidays). Lapping occurs when an officer goes through their area and it takes less time than it took the previous time around. The result; the 1 hour citations that were written at the end of the route were written to vehicles that not have yet been parked for an hour. The citations are invalid. For easier understanding, refer to the example below:

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</tbody>
</table>

You begin area ABCD at starting point A at 9:05, you reach B at 9:35, C at 10:10, you finish D at 10:40. It took 1:35 to complete entire area. You begin at A again at 10:45, point B at 11:00, point C at 11:15, and point D at 11:30. Any citation written at A and B the second time are correct and any citation written at C and D the second time are invalid simply because the vehicles have not yet been there an hour. It’s easy to see in this example that you should not cite at point C and D the second time around, but it is only clear since all times were taken at every point. It would be impossible to see if the only information given were the start times at point A, 9:05 for the first round and 10:45 for the second round. It is more than an hour and the incorrect assumption that all vehicles are due would be the result.
Patrolling for Inexperienced Officers

It is recommended that inexperienced Area II officers, in order to avoid "lapping your time," log their time and location into their log sheet every 15 to 30 minutes. This is to be done until the officer has gained the on the job experience of taking times and being aware of when a certain street was marked. An experienced officer will know what is the shortest amount of time that it will take him/her to finish an area, they will also know how long it took the last time around, and will know the potential for writing citations (citations take time to be written, thereby increasing total time) based on the number of vehicles previously chalked, the time of day, and the day of the week which contribute to the number of citations written. The shortest amount of time will occur when no citations are written and very few vehicles need to be chalked. More time will be expended as the number of citations are written and the number of vehicles are chalked per round. This is very important. If the idea of lapping and avoiding lapping is not understood, the basic rule of parking enforcement cannot be followed and the number of complaints from citizens are sure to increase.

CHAIN OF COMMAND

Within Department

The chain of command is as follows:

Chief of Police
Operations Division Commander
Community Services Supervisors

Support Staff:

Administrative Services Coordinator
Administrative Hearing Officer
Finance Cashier Staff
Mechanics

Within City: Ultimate Supervisor

The Community Services Division operates on the premise that your ultimate supervisors are the residents of the City of Hermosa Beach. Your responsibilities will include dealing with the public and most important, the residents. The perception that you will present when dealing with the public has direct correlation to the perception of the division. You must not only do the work required fairly and correctly, but you must also take into account the needs of the residents of the City of Hermosa Beach. Parking regulations exist to facilitate the proper control and reasonable use of a limited number of parking spaces within the City. These spaces serve the needs of the residents, business owners, and visitors to the community.

There will be instances where an officer will need to arbitrate disputes between neighbors, listen to disgruntled citizens that have just been cited, listen to complaints and report them to the proper authority, answer questions related to the city, give directions, recommend places to eat, recommend places to shop, answer questions related to the department, and give
information on city phone numbers. The list is endless and covers duties not associated with parking enforcement. Understand that your duties span beyond “robotic” enforcement of parking regulations. Enforcement is important, but good decision making with the ability to be “reasonable” is more important. Officers must use discretion and issue citations as deemed appropriate. They are necessary and there will be an abundant opportunity to issue many of them.

Officer Interpretation of Codes

It is necessary that all pertinent CVCs and HBMC’s actually be read word for word during the training session for the purpose of retaining, understanding, and interpretation of the codes. Vehicle code and Municipal codebooks are available to every Community Service Officer. It is very important to understand in legal terms what each code being enforced states. Officers’ interpretations must be both factually correct and reasonable under the circumstances. What follows are simplified explanations of routine codes that are typically used during day to day operations. These listings are not substitutes for reading the HBMC or CVC section referenced.

10.12.040 HBMC Private Property
Any vehicle parked on private property where a sign stating no parking private property and with the proper HBMC 19-9 and CVC 22658 may be cited with the request of the owner of the property.

10.32.060 HBMC Red Zone
Any vehicle parked in a red zone, any vehicle parked in a red stripped alley without its flashers on, or any vehicle parked in a red stripped alley with its flashers on exceeding the 15 minute loading and unloading limit.

10.32.070 HBMC Posted No Parking
This would be used when a posted sign indicates no parking or no stopping.

10.32.070 HBMC Hazard
Any vehicle parked in a manner as to block traffic or pose a safety risk should be cited using this municipal code. The vehicle must then be towed.

10.32.250 HBMC Green Zone
Any vehicle parked in a painted green zone for longer that 15 minutes am to 6PM daily.

10.32.260 HBMC Time Limit Parking
This code is used for citing for 1hr zones, 2hr zones, 6hr zones, expired yellow pole meters, and expired silver pole meters. This code will account for 99% of all citations written by Area II.

10.32.280 HBMC Parking Space Markings
Any vehicle that is parked outside of a mark T-stall, parked in more than one T-stall can be cited using this code. The exception being vehicles that are larger than the marked stall are allowed to park using as many stalls as that vehicle shall need, this includes vehicles and their
trailers if properly attached.

**10.32.290 HBMC One Vehicle per Stall**
A vehicle must park so that it only occupies one parking stall except those vehicles that are larger than the marked stall.

**10.36.080 HBMC Time Limit Metered Stall**
A vehicle that is parked in a metered stall for longer than the posted time limit, either 2hr or 3hr, must be cited using this code. This should not be confused with 10.32.260 time limit parking.

**CVC 4000(a)(1) Expired Registration**
Cite only if registration is expired for more than six months. The vehicle must then be towed, no exceptions. If the circumstance prevents the tow from occurring then don't cite.

**CVC 5200 Display of License Plate**
Requires two license plates be displayed on the vehicle if the DMV issued it two (generally, all cars are issued two).

**CVC 5204 Expired Registration**
Requires the display of current license plate tabs (month and year current to date)

**CVC 22500(e) Blocking Driveway**
Any vehicle parked blocking a garage or driveway can be cited if a driveway permit is not displayed. The vehicle can then be towed if asked for by the owner of said driveway or garage.

**CVC 22500(f) Blocking Sidewalk**
Any vehicle blocking sidewalk and not allowing 3 feet of sidewalk accessible to pedestrians can be cited using this code.

**CVC 22500(g) Obstructing Traffic**
Any vehicle parked in such a way as to obstruct the flow of traffic or deemed to be unsafe can be cited using this code. The advantage of using this code instead of 10.32.070 is that a tow does not have to be initiated.

**CVC 22500(h) Double-parked**
Any vehicle parked in the traffic alongside a parked vehicle can be cited using this cite if it is not considered to be a hazard. If hazard, use CVC 22500G or 10.32.070 when the vehicle must be towed.

**CVC 22500(l) Wheelchair Access Ramp**
Any vehicle blocking the curb cut at the corner of a street known as a wheelchair access ramp can be cited using this citation. The ramp must be marked with red paint for the citation to be valid.
CVC 22502(a) Facing the Wrong Way, 18 Inches from Curb, Motorcycle Not Touching Curb
This cite has to do with parking adjacent to a curb. Vehicles violating the following are to be cited when:

- Facing the wrong way, any vehicle parked against the flow of traffic.
- 18 inches from curb, any vehicle parked more than 18 inches away from the curb. (Note: the T-stall markings have nothing to do with this requirement, however any vehicle parked within a T-stall and more than 18 inches should not be cited as this is department policy.)
- Motorcycle not touching curb, any motorcycle parked must be parked with the rear tire touching the curb.

CVC 22507.8(a) Handicapped Parking
Any vehicle entering a handicapped parking stall without a proper handicapped placard must be cited. The vehicle can be standing, stopping, or parking.

Storage Authorities

CVC 22651(b) Hazardously Parked Vehicle
The storage authority for any vehicle cited for 10.32.070 HBMC.

CVC 22651(d) Blocking Garage or Driveway
This is the storage authority for any vehicle in violation of CVC 22500E after the owner of the garage or driveway request for a tow.

CVC 22651(i) More Than Five Unpaid Cites
Any vehicle that is found to have more than 5 unpaid citations that are more than 21 days old from issuance, or 14 days from the date of notice sent, can be towed with this storage authority. The training officer will advise as to policy on towing vehicles as the department rarely tows for only 5 unpaid citations.

CVC 22651(j) No License Plate or Proof of Registration
Any vehicle that is found to have no license plate displayed, no visible VIN, and no visible temporary registration can be towed under this storage authority.

CVC 22651(k) Parked In Excess of 72hrs
Any vehicle that has been marked and known to have been parked for longer than 72hrs can be cited for 10.32.120 HBMC and then towed using this storage authority.

CVC 22651(o) Registration Expired for Longer Than One Year
Any vehicle that is in violation of CVC 4000A and has an expired registration for longer than one year can be towed using this storage authority.
CVC 22651(n) No Parking Zones-Prohibited Stopping/Parking
Whenever a vehicle is parked or left standing where local authorities, by resolution or ordinance, have prohibited parking and have authorized the removal of vehicles.

Dismissal Policy

The dismissal policy of the department is as follows. Any officer who writes a citation can dismiss that citation using a dismissal form. Only a supervisor can dismiss a citation written by another officer. If a citizen with a citation that has been issued incorrectly by an officer approaches that officer, the officer is encouraged to dismiss the citation. If another officer has written the citation, do not take the ticket back. Simply inform the citizen of his/her rights under the law regarding contesting tickets and the procedure involved, and do not comment on the appropriateness of the citation, as the circumstance under which the citation has been written are known by the issuing officer. If an officer is approached by a citizen and knows a citation has been issued correctly, the officer’s only obligation is to inform the citizen of their rights under the law, regardless of who wrote the ticket. An officer can, under certain circumstances, dismiss a citation that is correct if he/she wrote it. Officers are allowed to dismiss any citation they wrote when in their discretion the circumstances warrant it. However, this discretion does not include allowing friends or other identifiable people or groups the "free reign" to violate the CVC or HBMC codes. It does not allow an officer to exercise prejudice or favoritism. It only allows for the reasonable use of the officer’s judgment as a field officer weighing the circumstances at hand and the situation at the time. Ultimately, all officers’ decisions are subject to review. Officers shall not abuse his/her authority.
HERMOSA BEACH POLICE DEPARTMENT COMMUNITY SERVICES
RULES AND REGULATIONS

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Administration of Rules and Regulations

PI. 00 PHILOSOPHY AND INTRODUCTION

1. The true concept of discipline is misunderstood by many supervisory officers and subordinates. Therefore, the following statement is included in this section, to assist in developing a better understanding of discipline, not alone as a punitive measure; but, as a method of securing operation and coordination throughout the Division.

2. Discipline is defined as "that force which prompts an individual or group to observe rules, regulations, and procedures that are deemed necessary to the attainment of an objective".

3. Discipline and disciplinary procedure are an extension of training. True discipline is linked with morale. An undisciplined division is incompletely trained, not through failure of a formal training program but because of a failure of supervisors to require subordinates to conform to Divisional rules and procedures. Therefore, the principal responsibility for the conformance with regulations is lodged in the line supervisor at the level of immediate supervision.

4. The purpose of this section is to provide the officers of the Community Services Division with the standards of conduct expected of employees within the framework of the Hermosa Beach Civil Services Rules and Regulations. Nothing in this text is intended to conflict with any provision of the Civil Service Rules and Regulations.

5. All personnel are advised that disciplinary action shall be administered for the Primary purpose of insuring that the offense will not reoccur, and that the best Interest of the Division will be paramount.

R2. 00 ESTABLISHMENT OF DISCIPLINARY PROCEDURES

1. The following procedures have been established in order that:

   a. Personnel of the Community Services Division may have confidence that, while proper performance of duty will be insisted upon, at the same time, due recognition of his/her rights will be assured.

   b. It is the aim to provide means whereby complaints, grievances, or alleged abuse of authority involving any employee will be fairly considered so that justice will be exercised.

   c. Means are also provided for any supervisor to take proper steps to enforce rules and regulations prescribed by the Division Head, affecting the proper performance of personnel under his/her direction and by which they may effectively correct, conduct and accomplish suitable training.
R2.01 VIOLATION OF RULES AND REGULATIONS

1. Each employee of the Hermosa Beach Community Services Division shall be subject to discipline as outlined in the current M.O.U. for violation of Rules & Regulations, Procedures, Directives, any code section appearing in this text; or any of the other rules, regulations, general or special orders of the Community Services Division and/or the Hermosa Beach Police Department, Rules and Regulations of the Hermosa Beach Civil Service Board, now in force, or which may hereafter be issued. Progressive discipline will apply for violation on these Rules & Regulations.

R2.02 ACTS OR OMISSIONS CONTRARY TO GOOD ORDER

1. No arbitrary rules of conduct can be established which will embrace all cases arising in the general discharge of employee duties or in the personal activities of the individual employees. Therefore, any act or omission contrary to good order and discipline shall also be subject to scrutiny and/or disciplinary action.

R2.03 CONDUCT UNBECOMING A COMMUNITY SERVICES OFFICER

1. It is the goal of this Division, that each of its officers strives to be exemplary. To that end, it is imperative that each officer refrain from engaging in any on duty activity, which under scrutiny, could be interpreted as unprofessional, immoral, improper or inappropriate.

2. While in the performance of his/her duties, each officer must take the goals of the Division into consideration, as well as any policies, rules, regulations, laws, directives, orders and procedures; prior to taking any action that could negatively effect a citizen, a fellow employee, the Division, the Hermosa Beach Police Department or the City of Hermosa Beach.

R3.00 GENERAL CONDUCT

R3.01 REPORTING FOR DUTY- FAILURE

1. Community Services personnel shall not fail to report for duty or to any required meeting, training session or other event to which an officer has been ordered to report. Necessary absences must be approved by a supervisor prior to the scheduled report time.

2. Community Services personnel shall call in no later than one (2) hours before their report time if they are ill or for any reason unable to report for duty.

3. Officers shall report for duty as scheduled in the prescribed uniform and will not clock in until he/she is in full uniform.
Community Services personnel shall not fail to be available to respond when assigned to any on-call status.

**R3.02 REPORTING FOR DUTY – PUNCTUALITY**

1. Personnel shall not report late for duty or to any required meeting, training session or other event to which an officer has been ordered to report. Two (2) TARDYS in the same pay period or three (3) tardys in the same month will be considered excessive. Tardiness that exceeds ten (10) minutes will be docked.

**R3.03 INTOXICANTS -OFF DUTY IN UNIFORM**

1. No employee shall drink any alcoholic beverage in public view or in a place accessible to the public while off-duty and wearing the Community Services uniform or any part thereof excluding pants and shoes.

**R3.04 INTOXICANTS -OFF DUTY**

1. Community Services Personnel shall not, while off-duty, drink an alcoholic beverage to an extent which renders him/her unfit to report for his/her next tour of duty, or which results in the commission of an obnoxious or offensive act which discredits the Division or the City of Hermosa Beach.

**R3.05 INTOXICANTS - ON DUTY**

1. Community Services Officers shall not drink an alcoholic beverage or use any of the substances described in Sections 11054, 11055, 11056 and 11057 of the Health and Safety Code while on duty.

**R3.06 INTOXICANTS – REPORTING FOR DUTY**

1. Community Services Personnel shall not report for duty if they are under the influence of an alcoholic beverage. Nor shall any employee report for duty if they are under the influence of any of the substances described in sections 11054, 11055, 11056 and 11057 of the Health and Safety Code. If an employee is requested to report for duty and is under the influence of any alcoholic beverage or medication, he/she has an obligation to advise his supervisor of his/her condition.

**R3.07 INTOXICANTS – ODOR OF, REPORTING FOR DUTY**

1. Community Services Personnel shall not report for duty with the odor of alcoholic beverage on or about their person. No person shall acquire said odor while on duty.
R3.08 COMMUNICATIONS EQUIPMENT - PERSONAL USE

1. Community Services personnel shall not use profanity, obscenity, disparaging remarks or any other language other than that necessary while operating any Departmental communications equipment. In no case shall Departmental communications equipment be used for personal business.

R3.09 DEPARTMENTAL EQUIPMENT – PERSONAL USE

1. Community Services personnel shall not divert for their own use any Department equipment. Any employee who is not use that his/her use of Department equipment is appropriate, must check with a supervisor prior to said use.

R3.10 COURTESY – RESPECT

1. Community Services personnel shall be courteous, civil and respectful to their superiors, associates and other persons. They are expected to avoid answering questions in a short, abrupt manner; they are expected to maintain an even cheerful temper, regardless of the provocation, remaining cool and collected at all times. They are expected to refrain from harsh, violent, course, profane, sarcastic or insolent language.

R3.11 WEARING OF UNIFORM- PUBLIC OR PRIVATE FUNCTIONS

1. Officers, while in uniform, shall not extensively on duty or off duty, attend any public or private function except when authorized.

R4.01 POLICY

R4.01 COMPLAINT IDENTITY

1. Community Services Personnel shall not reveal the identity of a complainant or informant to any private person.

R4.02 CITIZENS - COMPLAINTS OF

1. Community Services personnel on duty shall be attentive to reports and complaints by citizens and either give them personal attention or refer them to the proper person or agency.

R4.03 POLITICAL ACTIVITY - ON DUTY

1. Community Services personnel, while on duty, shall not engage in any political activities with the purpose to elect or appoint any person to any elective or appointive position.
R4.04  PETITIONS

1. Community Services personnel shall not solicit petitions for any political influence.

R4.05  ENFORCEMENT OF LAWS - IMPARTIALITY

1. Officers shall enforce the law in a fair and impartial manner and shall not exercise prejudice or bias in their conduct.

R4.06  RULES & REGULATIONS – LAWS

1. Community Services personnel shall study and thoroughly understand the Division duty and procedural manuals, all additions to these manuals and shall keep themselves familiar with new and existing City ordinances, State laws and Federal laws.

R4.07  EXPENSE – DEPARTMENTAL - INCURRING

1. Employees shall not, knowingly and intentionally, incur any unauthorized Departmental expense or liability.

R4.08  ACTION - POTENTIAL OR ACTUAL VIOLATION

1. No Supervisor shall fail, neglect, or refuse to take action on an actual, suspected or a potential violation by Community Services personnel of any rules, regulations, ordinances or laws brought to his/her attention.

R4.09  REPORTING GRIEVANCES – COMPLAINTS

1. Employees who have a complaint or grievance of any character shall first present the Complaint or grievance in writing to the Division Head through the chain of command.

R4.10  REPORTS - INJURY OR DAMAGE

1. An employee who, by any cause, injures any person or animal or damages public or private property, shall report such injury or damage to his/her Supervisor immediately

R4.11  REPORT - INDUSTRIAL INJURY

1. Employees shall report any personal injury sustained while on duty immediately to their Supervisor and file a “Report of Industrial Injury” promptly in writing.
R4.12 ADDRESS - TELEPHONE NUMBER - CHANGE OF

1. Employees shall report, in writing, any change of telephone number or address to their Supervisor and Division Head, as soon as possible after the change and never later than twenty-four (24) hours after the change.

R4.13 RADIOS - BREAKS AND LUNCHES

1. Field personnel shall not fail to monitor their radios during their breaks & lunches without prior supervisor approval.

R4.14 PRODUCTIVITY

1. Community Services personal shall strive to be as productive as possible in all aspects of their duties. This includes but is not limited to, quality Parking Enforcement and Animal Control citation production.

R5.00 DUTY RESPONSIBILITIES

R5.01 FAMILIARIZATION

1. Officers shall familiarize themselves with the location of streets in the City.

R5.02 FIRE DISCOVERY

1. Officers who discover a fire shall report the exact location and the type of fire by radio or telephone.

R5.03 COMPLETION OF ASSIGNMENT

1. Community Service personnel shall not fail to respond to a dispatched call or to complete an assignment. Completion of assignment to include paperwork and/or follow-up.

2. Officers shall notify the dispatcher upon completion of a dispatched call, and shall advise, in brief outline, what action was taken. In the event that the investigation requires an unusually long period of time, the assigned Officer shall notify headquarters via radio or telephone the cause of the delay and what action is being taken.

R6.00 COURT APPEARANCES

R6.01 COURT APPEARANCES – PUNCTUALITY

1. Officers shall not fail to appear in court at the time specified by their subpoena and they shall not leave until authorized by a competent authority. If duty or
sickness prevents the officer from being present at the appointed time and place, the officer shall notify the immediate supervisor.

**R6.02 CONDUCT**

1. An Officer's conduct while in court, both on and off the stand and while in other parts of the building shall be exemplary. During testimony, the officer shall be completely truthful and accurate to the best of his/her recollection. The officer shall avoid any indication of prejudice, anger or enmity.

**R7.00 REWARDS – GRATUITIES**

**R7.01 SOLICITATION – ACCEPTANCE**

See Policy A1.01

**R7.02 SOLICITATION – SPECIAL PRIVILEGES**

See Policy A1.01

**R8.00 CARE AND USE OF DEPARTMENTAL EQUIPMENT**

**R8.01 EQUIPMENT – AUTHORIZATION TO USE**

1. Community Service Personnel, while on duty, shall not drive or use any equipment unless he/she is authorized to do so.

2. Officers shall not take City vehicles out of the City unless authorized.

**R8.02 DEPARTMENT EQUIPMENT AND PROPERTY – CARE AND USE OF**

See Policy A1.01

**R9.00 CITY OWNED VEHICLE**

**R9.01 COMMUNITY SERVICES VEHICLES – SAFE OPERATIONS**

1. Community Service Personnel operating Community Services Departmental vehicles shall drive in a safe and legal manner. All California Vehicle Codes and Hermosa Beach Municipal Codes shall be adhered to while driving or parking.

**R9.02 PASSENGERS**

1. Community Service Personnel operating Community Services Department vehicles shall not permit passengers to ride, except when authorized by a Supervisor or Department Head.
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CHAPTER 5

POLICE OFFICER RULES AND REGULATIONS

(BLUE SECTION)
HERMOSA BEACH POLICE DEPARTMENT
RULES AND REGULATIONS

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10.00 Philosophy and Introduction

The true concept of discipline is misunderstood by many supervisory officers and subordinates. Therefore, the following statement is included in this section, to assist in developing a better understanding of discipline, not alone as a punitive measure, but as a method of securing cooperation and coordination throughout the Department.

Discipline is defined as "that force which prompts an individual or group to observe rules, regulations, and procedures that are deemed necessary to the attainment of an objective". The maintenance of effective discipline is essential in a law enforcement agency, to control its performance and to promote the efficiency and satisfactory attainment of law enforcement objectives.

Discipline and disciplinary procedure are an extension of training. True discipline is linked with morale. An undisciplined force is incompletely trained, not through failure of a formal training program, but because of the failure of supervisors to require subordinates to conform to Departmental rules and procedures. Therefore, the principal responsibility for conformance with regulations is lodged in the line supervisor at the level of immediate supervision.

This section sets forth the disciplinary procedures for violations of the Rules and Regulations as established by the manual.

The purpose of this section is to provide the officers of the Hermosa Beach Police Department with the standards of conduct expected of employees within the framework established by the Hermosa Beach Civil Service Rules and Regulations. Nothing in this manual is intended to conflict with any provision of the Civil Service Rules and Regulations.

All personnel are advised that disciplinary action shall be administered for the primary purpose of insuring that the offense will not reoccur, and that the best interest of the Department will be paramount.

By predetermining the specific penalty for each offense of a violation for specific section of the manual, it is intended to establish the maximum disciplinary action that may be taken in that instance. Supervisors, Division Commanders and the Chief of Police have the discretion of recommending and administering action of a lesser degree than the penalty stipulated in this manual. Any recommendation for lesser action shall include an explanation as to why it is in the best interest of the Department that the maximum penalty should not be invoked. The violations, actions penalties, and other subject matter contained in this manual shall supersede all similar violations, actions, penalties or other subject matter contained in the existing Hermosa Beach Police Department Manual.
10.05 VIOLATION OF RULES, REGULATIONS, PROCEDURES & MEMORANDUMS

Each officer will be subject to reprimand, suspension, reduction in rank, or dismissal from the Police Department according to the severity and ramifications of the offense for violation of any of the following now in force, or which may hereafter be issued, rules, regulations, procedures, directives, memorandums, and the Criminal Code Sections appearing in this manual; or for any general or special orders; or for violation of the Civil Service Rules and Regulations.

This section will provide the authority for the Chief of Police to set penalties and inclusionary periods for violation(s) specified.

10.10 ACTS OR OMISSIONS CONTRARY TO GOOD ORDER

No arbitrary rules of conduct can be established which will embrace all cases arising in the general discharge of police duties or in the personal activities of the individual officers. Therefore, any other act or omission contrary to good order and discipline shall also be subject to scrutiny and/or disciplinary action.

Penalty - Action as deemed necessary by the Chief of Police.

10.15 ESTABLISHMENT OF DISCIPLINARY PROCEDURES

The following procedures have been established in order that:

a. Every officer of the Police Department may have confidence that, while proper performance of duty will be insisted upon, at the same time, due recognition of his rights will be assured.

b. It is the aim to provide means whereby complaints, grievances, or alleged abuse of authority involving any officer will be fairly considered, so that justice will be exercised.

c. Means are also provided for any Commanding Officer to take proper steps to enforce rules and regulations prescribed by the Chief of Police, affecting the proper performance of officers under his command, and by which he may effectively correct, conduct and accomplish suitable training.

10.20 CONDUCT REPORTS

Personnel Incident Reports are a system of reports whereby the actions of officers will become the subject of reports by Watch Commanders or other supervisors.

a. Nothing in this section shall be construed to preempt the formal complaint procedure.

Conduct is hereby defined as any behavior by an officer which is meritorious, censurable, or otherwise noteworthy.
a. P.I.R. may result from commendable action or censurable actions. They will be made the subject of a P.I.R. by the Watch Commander or other supervisor.

b. P.I.R. originating from either within the Department or from outside sources will be prepared by the Watch Commander or other supervisor. The original will be forwarded to the Division Commander. One copy will be retained by the Watch Commander or other supervisor.

c. If, in the opinion of the Watch Commander, the information received from an outside source does not warrant the preparation of a P.I.R., the information will be forwarded to the Division Commander for review. If the Division Commander concurs, no further action will be taken.

d. All disciplinary matters or equipment damage reports, excluding vehicle accident reports, or any incident that could result in disciplinary action will be referred to the immediate supervisor of the officer involved for the purpose of investigation and recommendation.

1. The Chief of Police may cause the investigation to be conducted by someone other than the immediate supervisor whenever the Chief believes it to be in the best interest of the Department to do so.

   a. If the Chief of Police deems the matter serious enough, he may convene a Board with a minimum of three members. One member of this Board may be an officer of the Hermosa Beach Police Officers' Association. All of the Board members will be chosen by the Chief of Police.

2. Officers will be informed by their supervisor whenever a disciplinary investigation is to be conducted. In those instances which require another course of action, the Chief of Police may order an investigation to be conducted prior to informing the concerned officers. In any event, the officer will be informed and allowed to respond to accusations prior to any final disciplinary decision.

3. In those matters involving intoxication or major misconduct, including insubordination, the immediate supervisor is authorized to relieve the officer from duty, pending an investigation. The supervisor will relieve the officer of his badge, identification card, and service weapon. These items will be given to the Division Commander as soon as practical. If the weapon is owned by the officer, it will be the responsibility of the supervisor to admonish the officer that his authority to carry a weapon is not in effect during the suspension. Under no circumstances will an intoxicated officer be permitted to retain a firearm.

e. The immediate supervisor will investigate the matter and submit a written summary of that investigation to the Division Commander. The supervisor will also indicate if the officer is in violation of the manual and the particular section(s) violated.
f. If a violation has occurred, the immediate supervisor will recommend, in a separate memorandum, a specific disciplinary action to be taken within the limits set forth in the manual. If there is no violation, the Investigation Report will so indicate.

g. The Division Commander will review the Investigation Report and recommendations. The report will either be accepted or the supervisor: will be directed to continue the investigation. If the investigation is continued, specific instructions will be given to the supervisor as to the course of action to be taken.

h. When the report is completed to the Division Commander's satisfaction, it will be forwarded to the Chief of Police. The Chief of Police will either accept the report or return it to the Division Commander with specific instructions for additional investigation.

i. If the Chief of Police is satisfied that the officer is not in violation of the manual, a written report to the Division Commander will so indicate.

1. The Division Commander will be responsible for advising the officer of this decision.

j. If there is a manual violation, the Chief of Police will conduct or cause to be conducted the proper interview or hearing with the officer in compliance with the Police Officers Bill of Rights, the latest Court decisions, laws, Civil Service Procedures, and Departmental Rules and Regulations.

1. The officer will be notified of the disciplinary action to be taken as soon as practical.

k. The Division Commander is authorized to act upon request of the Chief of Police in taking disciplinary action on matters punishable by a reprimand, either written or oral. In other matters warranting other punishment, action will be taken by the Chief of Police or the designated officer in command of the Department.

1. Any disciplinary action taken by a Division Commander, or any investigation of conduct initiated by a Division Commander or Watch Commander, will be immediately reported to the Chief of Police in writing.

l. Any permanent officer in the competitive service who has been demoted or dismissed shall be entitled to request a written statement of the reasons for such action. Such a request must be made in writing to the person taking such action within three (3) working days following the action. In the event the officer requests the statement, he shall receive a written, signed statement specifying in detail the exact reasons for such action within three (3) working days and he shall have three (3) working days thereafter to answer in writing thereto. In the event the officer files a signed, written answer to the charges, copies of both this statement of charges and the employee's answer shall be filed with the City Manager.

Within ten (10) working days from the date of filing his answer to the written charges, or in the event such written charges have not been made available to him within the time prescribed; then within ten (10) working days after the action to demote
or dismiss the officer, he may file a written demand with the City Manager requesting a hearing before a Board of Appeals as provided in the ordinance and in the Rules and Regulations.

The City Manager shall forthwith file a copy of such written charges and an answer with the Board of Appeals and order a hearing upon the appeal. (MC Chap. 2, Sec. 2-38 Ord. No. 211 NS Sec. 14).

m. Any officer in the competitive service shall have the right to appeal to the Civil Service Board relative to any suspension, reduction in pay or alleged violation of this ordinance or the personnel rules and regulations except in the instances where the right of appeal is prohibited by the ordinance.

In the event of such action affecting an officer, he shall within one (1) working day thereafter be given a signed, written statement setting forth in full the reasons for such action, a copy of which shall be filed with the Personnel Officer. The officer may thereafter, within three (3) working days, a file a request with the Personnel Officer for a hearing on the action, and thereafter the Personnel Officer shall call a meeting of the Civil Service Board to convene as a Special Hearing Board within seventy-two (72) hours, excluding Saturdays, Sundays, and Holidays, from the date and time the employee request if filed with the Personnel Officer.

The Hearing Board may make, or cause to be made, such investigation as it may deem necessary and thereafter hold a hearing at which time it shall hear evidence for and against the party aggrieved. Within ten (10) working days after concluding the hearing, the Hearing Board shall certify its findings and conclusions in writing to the City Manager, the official from whose action the appeal was taken and to the employee affected. In the event the Hearing Board finds the action taken to have been taken without just cause, the action will be revoked, and in the case of such finding on an action of suspension or reduction in pay, the employee shall be immediately restored to his previous status and shall be entitled to his regular pay for the period during which such suspension or reduction of pay was in affect. The provisions of this section shall not apply to reduction in pay which are a part of a general plan to reduce salaries and wages. (MC Chap. 2, Sec. 2-40. Ord. No. 211 N.S. Sec. 16)

l. The officer shall be advised in writing of his right to appeal under the Civil Service Rules and Regulations. He shall also be advised in writing, that he may informally appeal the action to the Chief of Police by merely making an appointment within the next working day to see him.

n. All action taken against any officer shall be initiated as soon as practicable after the discovery of the violation and at no time shall any disciplinary action be taken for a violation that has occurred beyond a reasonable period of time after discovery of the violation.
10.25 DEFINITION OF TERMS

The following words or phrases shall have the meanings indicated below. In the event that any of the terms herein listed conflict with the definitions appearing in the City Civil Service Rules & Regulations, the definition given in the Civil Service Rules & Regulations shall prevail.

a. **Officer**, as used in this order, shall refer to all sworn personnel of the Police Department, and also when applicable, to civilian employees of the Police Department.

b. **Dismissal**, as used in this order, is the termination of employment. When dismissal is the prescribed disciplinary action for a violation, the normal action shall be the termination of employment by order of the Chief of Police. However, the Chief of Police may, at his discretion, allow the violator to resign in lieu of dismissal.

c. **Suspension**, as used in this order, shall be the removal of an officer's name from the duty status for a prescribed time, during which time the officer is not eligible to receive any salary or other monetary benefit. Peace Officers on suspension shall not be authorized to exercise their police powers until their reinstatement. Suspensions shall be ordered on the basis of on day equaling one full duty shift normally prescribed by the officer's current assignment. All suspension days shall run consecutively, shall begin immediately after the order, and shall not include any scheduled days off.

d. **Investigatory Suspension**, as used in this order, shall be the relieving from duty status of an officer by his superior officer during the time that an investigation is being conducted regarding his or her conduct. While under suspension, the officer will continue to receive full salary until final disciplinary action (if any) is decided upon.

e. **Disciplinary Demotion**, as used in this order, shall be the demotion of an officer from one rank or salary level to a rank or salary level lower in the classified service. Disciplinary Demotion shall occur upon the order of the Chief of Police or in his absence, the designated officer in command of the Department.

f. **Action and Inclusion a Period as Deemed Necessary by the Chief of Police**, as used in this order, shall mean the matter shall be immediately referred to the Chief of Police for his action. Any investigation, interviewing, evaluation, disciplinary action, and the setting of an inclusionary period shall be as directed by the Chief of Police or, in his absence, by the designated officer in command of the Department. Such a violation shall not be investigated by the officer's supervisor, unless specifically directed by the Chief of Police.

g. **Written Reprimand**, as used in this order, shall be a formal Departmental memorandum prepared by the Division Commander and approved by the Chief of Police, finding an officer in violation of the section of the manual cited, and stating that the violator has been officially reprimanded.

h. **Oral Reprimand**, as used in this order, is when an officer is made aware of his violation verbally by the Chief of Police or a Division Commander at the request of the Chief of Police,
is informed of the specific section, and is instructed to comply in the future. Oral reprimand shall be reported, in compliance with the established disciplinary procedure.

i. **Inclusionary Period**, as used in this order, means the maximum length of time during which each violation of a particular section of the manual may be included as a prior offense when determining the disciplinary action for a subsequent violation of that section. After the expiration of the inclusionary period, that violation may not be used as a prior offense.

j. **Reasonable Period**, as used in this order, means not more than thirty (30) 'days unless there are extreme extenuating circumstances.

k. **Commanding Officer**, as used in this order, means an officer holding the rank of lieutenant or above, commanding a division and officially acting as a lieutenant or above.

l. **Penalty**, as used in this order, means the prescribed punishment for a violation of the Rules and Regulation portion of the manual. Any offenses in addition to the number specified in each section shall be punishable by the last prescribed punishment listed, if the additional offenses fall within the listed inclusionary period.

m. **Day**, as used in this punitive section is based on an eight (8) hour work day, forty (40) hour week.

n. **Year**, as used in this punitive section shall be a calendar year, commencing from the date of the offense.

### 20.00 GENERAL CONDUCT

#### 20.05 Punctuality

Officers shall not report late for duty or to any required meeting, training session, or other event to which an officer has been ordered to report.

<table>
<thead>
<tr>
<th>Penalty-</th>
<th>First Offense:</th>
<th>Oral Reprimand</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Second Offense:</td>
<td>Written Reprimand</td>
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<tr>
<td></td>
<td>Third Offense:</td>
<td>One (1) Day Suspension</td>
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<td></td>
<td>Inclusionary Period:</td>
<td>Six (6) Months</td>
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</tbody>
</table>

#### 20.10 Reporting for Duty – Failure

Officers shall not fail to report for duty.

<table>
<thead>
<tr>
<th>Penalty-</th>
<th>First Offense:</th>
<th>One (1) Day Suspension</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Second Offense:</td>
<td>Five (5) Days Suspension</td>
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<tr>
<td></td>
<td>Third Offense:</td>
<td>Fifteen (15) Days Suspension</td>
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<tr>
<td></td>
<td>Inclusionary Period:</td>
<td>One (1) Year</td>
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</table>
20.15 **Officers shall report for duty in the proper attire:**

<table>
<thead>
<tr>
<th>Penalty</th>
<th>First Offense:</th>
<th>Second Offense:</th>
<th>Third Offense:</th>
<th>Inclusionary</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Written Reprimand</td>
<td>One (1) Day Suspension</td>
<td>Five (5) Days Suspension</td>
<td>Six (6) Months</td>
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</tbody>
</table>

20.20 **Reporting for Meetings, etc. - Failure**

Officers shall attend any required meeting, training session, or other events to which an officer has been ordered to report.

<table>
<thead>
<tr>
<th>Penalty-</th>
<th>First Offense:</th>
<th>Second Offense:</th>
<th>Third Offense:</th>
<th>Inclusionary</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Oral Reprimand</td>
<td>Written Reprimand</td>
<td>One (1) Day Suspension</td>
<td>Six (6) Months</td>
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</tbody>
</table>

20.25 **Intoxicants. Off Duty in Uniform**

No officer shall drink any alcoholic beverage in public view or in a place accessible to the public while off-duty and wearing the police uniform or any part of this uniform excluding pants, unless they are identifiable such as motor officers, shoes and socks.

<table>
<thead>
<tr>
<th>Penalty-</th>
<th>First Offense:</th>
<th>Second Offense:</th>
<th>Third Offense:</th>
<th>Inclusionary</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>One (1) Day Suspension</td>
<td>Ten (10) Day Suspension</td>
<td>Dismissal</td>
<td>One (1) Year</td>
</tr>
</tbody>
</table>

20.30 **Intoxicants - On Duty**

Officers shall not drink an alcoholic beverage or use any of the substances described in Sections 11054, 11055, 11056, and 11057 of the Health & Safety Code while on duty. Plain clothes officers may consume alcoholic beverage on duty when it is necessary in the performance of their duties and with the permission of their Division Commander.

<table>
<thead>
<tr>
<th>Penalty-</th>
<th>First Offense:</th>
<th>Second Offense:</th>
<th>Third Offense:</th>
<th>Inclusionary</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Five (5) Days Suspension</td>
<td>Thirty (30) Days Suspension</td>
<td>Dismissal</td>
<td>One (1) Year</td>
</tr>
</tbody>
</table>
20.35  Intoxicants - Reporting for Duty

Officers shall not report for duty if they are under the influence of any alcoholic beverage unless ordered to do so by their supervisor. Nor shall any officer report for duty if they are under the influence of any of the substances described in Sections 11054, 11055, 11056, and 11057 of the Health & Safety Code. If any officer is ordered to report for duty, and he is under the influence of any alcoholic beverage or any of the substances described in the above Health & safety Code sections, he has an obligation to advise his supervisor of his condition.

Penalty-  
First Offense:  Fifteen (15) Days Suspension
Second Offense:  Thirty (30) Days Suspension
Third Offense:  Dismissal
Inclusionary Period:  Three (3) Years

20.40  Intoxicants - Prior to Reporting for Duty

Officers shall not consume any alcoholic beverages for at least four (4) hours prior to reporting for duty.

Penalty-  
First Offense:  One (1) Day Suspension
Second Offense:  Five (5) Days Suspension
Third Offense:  Thirty (30) Days Suspension
Inclusionary Period:  One (1) Year

20.45  Intoxicants - Transportation

Officers shall not transport any alcoholic beverage in any Departmental vehicle, unless it is evidence, without the permission of the Division Commander.

Penalty-  
First Offense:  One (1) Day Suspension
Second Offense:  Five (5) Days Suspension
Third Offense:  Ten (10) Days Suspension
Inclusionary Period:  One (1) Year

20.50  Intoxicants - Off Duty

Officers shall not, while off-duty, drink an alcoholic beverage to an extent which renders him unfit to report for his next regular tour of duty, or which results in the commission of an obnoxious or offensive act which discredits the Department.

Penalty-  
First Offense:  One (1) Day Suspension
Second Offense:  Five (5) Days Suspension
Third Offense:  Ten (10) Days Suspension
Inclusionary Period:  One (1) Year
20.55  Intoxicants -Odor of, Reporting for Duty

Officers shall not report for duty with the odor of any alcoholic beverage on or about their person unless ordered to do so by their supervisor. If an officer is ordered to report for duty and he has the odor of an alcoholic beverage on or about his person, he has the obligation to advise his supervisor of his condition.

Penalty-
First Offense: One (1) Day Suspension
Second Offense: Three (3) Days Suspension
Third Offense: Five (5) Days Suspension
Inclusionary Period: One (1) Year

20.60  Smoking – Tobacco – On Duty

Officers shall not, either in uniform or plain clothes, smoke or use tobacco in any form while meeting the public. When inside a business interviewing someone, or in a residence, the officer shall not smoke or use tobacco in any form unless permission to do so has been received.

Penalty-
First Offense: Oral Reprimand
Second Offense: Written Reprimand
Third Offense: One (1) Day Suspension
Inclusionary Period: One (1) Year

20.65  Duty - Sleeping On

Officers shall remain awake during the time they are on duty.

Penalty-
First Offense: Oral Reprimand
Second Offense: Written Reprimand
Third Offense: One (1) Day Suspension
Inclusionary Period: Six (6) Months

20.70  Communications Equipment –Language

Officers shall not intentionally use informalities, racial innuendoes, profanity, obscenity, disparaging remarks or any other language other than that necessary while operating any Departmental communications equipment.

Penalty-
First Offense: Written Reprimand
Second Offense: One (1) Day Suspension
Third Offense: Five (5) Days Suspension
Inclusionary Period: One (1) Year
20.75 Communications Equipment –Frequencies

Officers shall not use any unauthorized frequency.

<table>
<thead>
<tr>
<th>Penalty-</th>
<th>First Offense:</th>
<th>Second Offense:</th>
<th>Third Offense:</th>
<th>Inclusionary</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Oral Reprimand</td>
<td>Written Reprimand</td>
<td>One (1) Day Suspension</td>
<td>One (1) Year</td>
</tr>
</tbody>
</table>

20.80 Duty Refreshments On

Uniformed officers in the field shall not leave their duty assignment for refreshments or lunch except by permission of their Watch Commander. The officer shall advise the dispatcher when and where refreshments or lunch will be taken. Detectives shall also be required to inform their immediate supervisor or the dispatcher of their location when they are out for refreshments or lunch.

<table>
<thead>
<tr>
<th>Penalty-</th>
<th>First Offense:</th>
<th>Second Offense:</th>
<th>Third Offense:</th>
<th>Inclusionary</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Written Reprimand</td>
<td>One (1) Day Suspension</td>
<td>Five (5) Days Suspension</td>
<td>One (1) Year</td>
</tr>
</tbody>
</table>

20.85 Reading on Duty

Officers shall not read any written matter in public view, except that written matter which is connected with official duty.

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<td>Written Reprimand</td>
<td>One (1) Day Suspension</td>
<td>One (1) Year</td>
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20.90 Courtesy – Respect

Officers shall be courteous, civil and respectful to their superiors, associates and other persons whether on or off duty. They are expected to avoid answering questions in a short, abrupt manner; they are expected to maintain an even, cheerful temper, regardless of the provocation, remaining cool and collected at all times. They are expected to refrain from harsh, violent, course, profane, sarcastic or insolent language.

Penalty -Action as deemed necessary by the Chief of Police.
20.95  **Property – Personal use**

Officers shall not take, convert to their own use or have any claim to any found, abandoned, recovered property, or property held as evidence. Officers can bid for any of these items at the Hermosa Beach public auction.

Penalty - Action as deemed necessary by the Chief of Police.

21.00  **Departmental Equipment – Personal Use**

Officers shall not divert for their own use any Departmental equipment without the consent of their Division Commander. In no case shall Departmental communications equipment be used for personal business or reasons.

Penalty - Action as deemed necessary by the Chief of Police.

21.05  **Wearing of Uniform – Other Than on Duty**

Officers, while in uniform, shall not shop extensively on duty or off-duty, nor shall they, while uniform, attend any public or private function while on an off duty status unless authorized to do so.

Penalty -  
First Offense: Written Reprimand  
Second Offense: One (1) Day Suspension  
Third Offense: Five (5) Days Suspension  
Inclusionary Period: One (1) Year

30.00  **POLICY**

30.05  **Department’s Enforcement Policies**

Officers shall not provide any person with information regarding this Department’s enforcement policies, its procedures or information relative to manpower distribution or disbursement. The exception to the order shall apply at all times to other law enforcement agencies.

Penalty -  
First Offense: Oral Reprimand  
Second Offense: Written Reprimand  
Third Offense: One (1) Day Suspension  
Inclusionary Period: One (1) Year
30.10 Cooperation – Outside Agencies – Public Agencies

Members of the Department shall cooperate with all agencies engaged in the administration of criminal justice, state, county, municipal departments and public service organizations.

Penalty-
First Offense: Oral Reprimand
Second Offense: Written Reprimand
Third Offense: One (1) Day Suspension
Inclusionary Period: One (1) Year

30.15 Police Correspondence

Officers shall not use Police Department letterheads except for police correspondence over the signature of the Chief of Police.

Penalty-
First Offense: Written Reprimand
Second Offense: One (1) Day Suspension
Third Offense: Five (5) Days Suspension
Inclusionary Period: One (1) Year

30.20 Complainant Identity

Officers shall not reveal the identity of a complainant or informant to any private person.

Penalty-
First Offense: Written Reprimand
Second Offense: One (1) Day Suspension
Third Offense: Five (5) Days Suspension
Inclusionary Period: One (1) Year

30.25 Warrant Requests

Officers shall not apply for search warrants or arrest warrants without the consent of their Division Commander.

Penalty-
First Offense: Written Reprimand
Second Offense: One (1) Day Suspension
Third Offense: Five (5) Days Suspension
Inclusionary Period: One (1) Year

30.30 Citizens – Complaints of

Officers on duty shall be attentive to reports and complaints by citizens, and either give personal attention or refer them to the proper person or agency.
30.35 Unnecessary Interference – Private Business

Officers shall not interfere unnecessarily with the lawful business or actions of any person.

Penalty-  
First Offense:  Written Reprimand  
Second Offense: One (1) Day Suspension  
Third Offense: Five (5) Days Suspension  
Inclusionary Period: One (1) Year

30.40 Organizational Membership

Officers shall not belong to or participate in the activities of any organization, society or other group; the activities for purpose of which is subversive in nature, or which, in any way, may adversely influence or control the work or service of such officers in their official capacity.

Penalty- Penalty as deemed necessary by the Chief of Police.

30.45 Political Activity – On Duty

Officers, while on duty, shall not engage in any political activities with the purpose to elect or appoint any person to any elective or appointive position.

Penalty-  
First Offense:  Written Reprimand  
Second Offense: One (1) Day Suspension  
Third Offense: Five (5) Days Suspension  
Inclusionary Period: Four (4) Years

30.50 Petitions

Officers shall not solicit petitions for their promotion or change of duty, or for the promotion or change of duty of any other officer, or for the appointment of any person to the Department, to promote any political influence to effect such an end.

Penalty-  
First Offense:  Written Reprimand  
Second Offense: One (1) Day Suspension  
Third Offense: Five (5) Days Suspension  
Inclusionary Period: Four (4) Years
30.55 Chain of Command

Officers shall not ignore, subvert, or otherwise deviate from the chain of command without prior approval of their immediate supervisor. Supervisors who authorize such deviation shall be held accountable for such deviation.

Penalty-  
First Offense: Written Reprimand  
Second Offense: One (1) Day Suspension  
Third Offense: Five (5) Days Suspension  
Inclusionary Period: Two (2) Years

30.60 Cooperation – Press

Officers shall not interfere with bona fide members of the news media and other information offices unless such interference is necessary to satisfactorily perform their duty. A superior officer shall be notified in the event of any questions of public relations.

Penalty-  
First Offense: Written Reprimand  
Second Offense: One (1) Day Suspension  
Third Offense: Five (5) Days Suspension  
Inclusionary Period: One Year (1) Year

30.65 Evidence

Officers shall log and place all found items, contraband and evidence into their designated places as soon as practicable after the found items, contraband and evidence are either turned in or seized. At no time shall an officer store, keep, or display found items, evidence contraband for their own personal use.

Penalty - Penalty as deemed necessary by the Chief of Police.

30.70 Contraband – Evidence – Narcotics – Dangerous Drugs

Officers shall not store or keep any narcotics or dangerous drugs, whether it be contraband evidence, except in an officially designated evidence locker or room. Narcotics and dangerous drugs necessary for court shall be checked out on the day required and taken directly to court. Immediately following conclusion of the court proceeding, the narcotics and dangerous drugs shall be returned to the designated evidence locker or room, if the court does not keep these items.

Penalty-  
First Offense: One (1) Day Suspension  
Second Offense: Five (5) Days Suspension  
Third Offense: Fifteen (15) Days Suspension  
Inclusionary Period: One (1) Year
40.00 DUTY REQUIREMENTS – MISCELLANEOUS

40.05 Off Duty – Response to Emergencies

Off-Duty officers shall report for duty immediately upon receipt of, and in compliance with, the directions given them at the time of notification.

Penalty - Action as deemed necessary by the Chief of Police.

40.10 Badge – Police Credentials

Officers shall not use another officer's credentials, and shall not loan or give their badges or credentials to another person, except upon the order of a superior officer.

Penalty-  
First Offense: Three (3) Days Suspension  
Second Offense: Fifteen (15) Days Suspension  
Third Offense: Dismissal  
Inclusionary Period: One (1) Year

40.15 Enforcement of Laws – Impartiality

Officers shall enforce the law in a fair and impartial manner and shall not exercise prejudice bias in their conduct.

Penalty - Action as deemed necessary by the Chief of Police.

40.20 Civil Service Regulations – Violation of

Any violation of any section of the Hermosa Beach Rules and Regulations not otherwise specifically set forth in this manual shall be proper cause for disciplinary action.

Penalty - Action as deemed necessary by the Chief of Police.

40.25 Availability – On Duty Communication

Officers on duty shall be directly available by normal communication or shall keep their superior officer informed of the means by which they may be reached when not immediately available.

Penalty-  
First Offense: Written Reprimand  
Second Offense: One (1) Day Suspension  
Third Offense: Five (5) Days Suspension  
Inclusionary Period: One Year (1) Year
40.30 Obedience – Orders of Superior Officers

Officers shall obey the lawful orders of a superior officer at all times. In the event that an order conflicts with any previous order issued by any other superior officer, or with any Department order or provision of the manual, the officer to whom the order is issued shall respectfully call attention to the conflict. If the superior officer giving the order does not make changes to obviate the conflict, the order shall stand, and the responsibility shall be that of the superior officer's. The officer carrying out the order shall not be held responsible for disobedience of the conflicting order.

Penalty - Action as deemed necessary by the Chief of Police.

40.35 Acts Detrimental to the Department

Officers shall not perform any acts or make any statements, oral or written, for publication or otherwise, which tend to bring the Department or its administrative officers into disrepute or ridicule; or which destructively criticize the Department; or which tend to disrupt or impair the performance of official duties or obligations of officers of the Department; or which tend to interfere with or subvert the reasonable supervision or proper discipline of officers of the Department.

Penalty - Action as deemed necessary by the Chief of Police.

40.40 Rules – Regulations – Laws

Officers shall study and thoroughly understand the Department duty and procedural manual all additions to these manuals, and shall keep themselves familiar with new and existing City Ordinances, Civil Service Rules and Regulations, State and Federal laws.

Penalty- First Offense: Oral Reprimand
Second Offense: Written Reprimand
Third Offense: One (1) Day Suspension
Inclusionary Period: One (1) Year

40.45 Bulletin Information – Knowledge of

Officers shall acquaint themselves, daily when on duty and immediately upon return from an absence, with information on the Departmental bulletin board and case assignments, wants, and circulars, pertinent to themselves or their assignments.

Penalty- First Offense: Oral Reprimand
Second Offense: Written Reprimand
Third Offense: One (1) Day Suspension
Inclusionary Period: One (1) Year
40.50 Outside Employment

Officers shall not engage in any off-duty business or other employment where a possible conflict of interest exists, unless authorized to do so by order of the Chief of Police. Officers shall not wear any portion of their uniform that indicates they are employed by the City of Hermosa Beach, nor shall they wear any insignia or patch indicating employment by the City of Hermosa Beach.

Penalty -
First Offense: Oral Reprimand
Second Offense: Written Reprimand
Third Offense: One (1) Day Suspension
Inclusionary Period: One (1) Year

40.55 Expense – Departmental – Incurring

Employees shall not, knowingly and intentionally, incur any unauthorized Departmental expense or liability without approval of a superior officer, except when necessary under emergency conditions.

Penalty -
First Offense: One (1) Day Suspension
Second Offense: Ten (10) Days Suspension
Third Offense: Dismissal
Inclusionary Period: One (1) Year

40.60 Action – Potential or Actual Violation

No supervisor or Commanding Officer shall fail, neglect, or refuse to take action on an actual, suspected or a potential violation by officers of any rules, regulations, ordinance or laws that the supervisor or Division Commander observes, is informed of, or is otherwise brought to their attention.

Penalty - Action as deemed necessary by the Chief of Police.

40.65 Reporting Grievances – Complaints

Officers shall follow the grievance procedure outlined in Policy A1.03 in this manual.

40.70 Malicious Gossip – Rumor – Public Criticism

Officers shall not engage in malicious gossip or rumor, nor shall they publicly criticize, the administration of the Department, their superior officers, or their fellow officers with malicious intent.

Penalty - Action as deemed necessary by the Chief of Police.
40.75 Disciplinary Action – Initiation of

Officers shall not initiate any disciplinary action against any other officer, when such action is the product of a violation that had been known to the initiating officer and the initiating officer had not taken action within a reasonable time.

Penalty-  
First Offense: Written Reprimand  
Second Offense: One (1) Day Suspension  
Third Offense: Five (5) Days Suspension  
Inclusionary Period: One (1) Year

40.80 Ranking Officers, Addressing of

Officers and employees of this Department shall address superior officers by their rank unless specifically excused from doing so by the superior officer being addressed. This procedure shall apply to written communications and communications conducted over the station intercom and the telephone and shall apply to all Police Department personnel.

Penalty-  
First Offense: Oral Reprimand  
Second Offense: Written Reprimand  
Third Offense: One (1) Day Suspension  
Inclusionary Period: One (1) Year

50.00 DUTY REQUIREMENTS – ORDERS

50.05 Written Order – Violation of

No officer shall knowingly disregard or violate any lawful written order signed by the Chief of Police or other proper Commanding Officer. Officers shall comply with the written order on a continuing basis, unless the order is countermanded by the origination authority, or by a higher authority within the Department.

Penalty – Penalty as deemed necessary by the Chief of Police.

50.10 Confidentiality of Orders

During the course of any criminal investigation or administrative inquiry, no order, evaluation, Consultation, or other written or oral communication between a superior officer and a subordinate that is identified by the superior officer as confidential shall be communicated to anyone else without authorization from the superior officer or his commander. Written communications shall be considered confidential when they are labeled as such, either in the heading or the text. Verbal communications shall be considered confidential when so specified by the superior officer and when so acknowledged by the subordinate.
This section shall not be construed to prohibit an officer from consulting his HBPOA representative about a confidential order, nor shall this section be construed to prohibit an HBPOA representative from consulting legal counsel regarding a confidential order.

Penalty – Penalty as deemed necessary by the Chief of Police.

50.15 Radio Orders

All officers, regardless of rank, shall obey the lawful instructions given over the radio by a dispatcher.

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60.00 DUTY REQUIREMENTS REPORTS

60.05 Reports, Injury or Damage

Officers who, by any cause, injure any person or animal or damage public or private property, shall report such injury or damage to the Watch Commander immediately. The Watch Commander shall forward this information and all subsequent reports and information to the Division Commander.

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60.10 Reporting Use of Narcotics

Officers while taking any medication that may effect their ability to work shall report this fact and any doctor's limitations regarding the medication to their supervisor. Officers shall not carry firearms, drive vehicles, or operate any hazardous equipment while taking medication that may effect their ability to work without the approval of their supervisor.

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60.15 Reports – Hazardous Conditions

Officers, while performing their duties, shall make written reports on observations of dangerous or hazardous conditions that could affect the safety of the community or where the City may be held responsible for the conditions.

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60.20 Reporting Illness or Injury

Officers who are unable to report for duty as scheduled for reasons of illness shall report such condition to the complaint desk at least four (4) hours before the scheduled time to report. Exceptions shall be made in the case of injury or exceptional circumstances.

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60.25 City Property – Personal Injury

Officers at the scene of a personal injury accident, or an accident occurring as a result of any defect in the public area, or where it appears that the city may be held responsible for any injury or damage, shall notify the Watch Commander immediately so that appropriate action may be taken. The Watch Commander shall forward this information and all subsequent reports and information to the Division Commander.

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60.30 Reports – Industrial Injury

Officers shall report any personal injury sustained while on duty immediately to their Watch Commander, and file a Report of Industrial Injury promptly in writing when so directed by a supervisor.

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<td>Third Offense:</td>
<td>One (1) Day Suspension</td>
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60.35 Address – Telephone Number – Change of

Officers shall in writing report any change of telephone number or address to their Watch Commander and Division Commander as soon as practicable after the change, and never any later than eight (8) hours after the change.

Penalty-
First Offense: Oral Reprimand
Second Offense: Written Reprimand
Third Offense: One (1) Day Suspension
Inclusionary Period: One (1) Year

60.40 Reports – Submission of

 Officers shall submit written reports as required by, and in conformity with, Departmental orders or instruction of a superior officer.

Penalty-
First Offense: Oral Reprimand
Second Offense: Written Reprimand
Third Offense: One (1) Day Suspension
Inclusionary Period: One (1) Year

60.45 False Reports

Officers shall not knowingly make a false report, either verbal or written.

Penalty- As deemed necessary by the Chief of Police.

60.50 Reporting Use of Chemical Agents

Officers shall follow Departmental regulations in regard to reporting the use of aerosol gas (chemical mace), or other approved chemical agents.

Penalty-
First Offense: One (1) Day Suspension
Second Offense: Three (3) Days Suspension
Third Offense: Ten (10) Days Suspension
Inclusionary Period: One (1) Year
60.55 Reports – Use of Force on Prisoner or Any Person

Officers shall, in writing, report immediately to their Watch Commander any use of force on a prisoner or any person that results in injury. The officer shall also make a notation in his Arrest or Incident report that a report was submitted to the Watch Commander. If the Watch Commander is involved, the report shall be forwarded to the Division Commander.

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<td>Written Reprimand</td>
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<td>Five (5) Days Suspension</td>
<td>Dismissal</td>
<td>One (1) Year</td>
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60.60 Discharging Firearms

Officers shall follow approved Departmental procedures when a firearm is discharged at other than an approved range. This policy shall not apply to officers hunting or target shooting in approved areas and following all rules, regulations, and laws.

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<td>Thirty (30) Days Suspension</td>
<td>Dismissal</td>
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60.65 Reports – Off-Duty Police Action

All sworn personnel will immediately advise the Department, with a follow-up in writing upon their return to work, if they are involved in any police action during their off-duty hours. This would include the questioning or apprehension of a suspect, the drawing of a weapon due to police action, or assisting either a citizen or another police agency to question, apprehend, or in any way be involved with a suspect.

If a Watch Commander receives a call from an officer reporting this type of incident, the Watch Commander will make a note of the time and the place of the incident. This note will be given to the appropriate Division Commander, with a copy to the Chief of Police prior to the Watch Commander's end of watch.

Penalty - Penalty as deemed necessary by the Chief of Police.
70.00 DUTY RESPONSIBILITIES

70.05 Orders – On Duty or Off Duty

Officers are held to be always on duty, although periodically relieved from routine performance. Officers are always subject to orders from superior officers during the performance of their duties and although they may be technically off duty, they shall not be relieved of the responsibility of taking proper police action in any matter coming to their attention.

Penalty - Action as deemed necessary by the Chief of Police.

70.10 Reporting Off Duty

Officers shall, at the completion of their shift, report to the Police Station that they are going off duty, unless a superior officer has authorized an alternate procedure.

Penalty-  First Offense: Written Reprimand
Second Offense: One (1) Day Suspension
Third Offense: Five (5) Days Suspension
Fourth Offense: Dismissal
Inclusionary Period: One (1) Year

70.15 Familiarization

Officers shall memorize the location of streets, hospitals, depots, public buildings, government agencies, and important business establishments and associations in the City. They shall also be required to be familiar with the names of all City Officials and their resident addresses.

Penalty-  First Offense: Oral Reprimand
Second Offense: Written Reprimand
Third Offense: One (1) Day Suspension
Inclusionary Period: One (1) Year

70.20 Fire Discovery

Officers who discover a fire, shall report the exact location and the type of fire by radio or telephone. They shall then, without further delay, when possible, secure the safety of any person in the building. If the fire is in a building and during the hours of darkness, the officer shall be responsible for the awakening of all persons in the building and the immediate adjoining buildings.

Penalty – Penalty action as deemed necessary by the Chief of Police.
70.25 Fire – First on Scene

The Watch Commander, or the first officer at the scene of any fire, after securing the safety of any person involved, shall establish a blockade at each end of the street and insure the Fire Department of traffic control within the fire area.

Penalty-
First Offense: Written Reprimand
Second Offense: One (1) Day Suspension
Third Offense: Three (3) Days Suspension
Inclusionary Period: Three (3) Years

70.30 Completion of Assignment

Officers dispatched on assignment, shall, at the completion of the assignment, notify the dispatcher, and shall in brief, outline what action was taken. In the event that the investigation requires an unusually long period of time, the assigned officer shall notify headquarters by radio or telephone the cause of delay and what action is being taken.

Penalty-
First Offense: Written Reprimand
Second Offense: One (1) Day Suspension
Third Offense: Five (5) Days Suspension
Inclusionary Period: One (1) Year

70.35 Vice Conditions

Officers, having reason to believe that liquor, narcotics, dangerous drugs, prostitution, or gambling laws are being violated, and officers having any information regarding any felony or wanted person, shall, without unnecessary delay, report all details to their superior officer, who shall direct what action should be taken or forward the information to the Investigation Division in writing.

Penalty – Penalty action as deemed necessary by the Chief of Police.

70.40 Crime Scene

Officers assigned to, or who come upon the scene of, a crime or suspicious death, shall take immediate steps to care for the injured, apprehend the perpetrator, and investigate the circumstances surrounding the occurrence. They shall protect the scene and prevent the destruction, mutilation, concealment, or contamination of any physical evidence found at the scene.

Penalty - Penalty as deemed necessary by the Chief of Police.
80.00 ARRESTS

80.05 Arrests – Search of Prisoner

Officers making an arrest shall conduct a "pat down" for weapons, consistent with the most recent court decisions. A thorough search shall be made prior to transporting the arrestee to the Police Department whenever legal and practical to do so. All prisoners shall be subjected to a custodial search before being placed in a cell.

After the arrestee is searched, the officer shall take such precautions to prevent an escape/injury to prisoner, or to himself.

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<td>Inclusionary Period:</td>
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80.10 Arrest – Booking Procedure – Property Other Than Weapons and Evidence

During custodial searches property other than weapons and evidence shall not be remove from prisoners except in the presence of the booking officer or arresting officer.

Prisoners shall be given a receipt for money and any property taken from them.

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<td>Inclusionary Period:</td>
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80.15 Arrest – Personal Quarrels – Family

Officers shall not, except with the permission of their Watch Commander, make arrests resulting from their own quarrels or from those in their immediate family except under extreme circumstances.

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<th>First Offense:</th>
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<tbody>
<tr>
<td>Second Offense:</td>
<td>One (1) Day Suspension</td>
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<tr>
<td>Third Offense:</td>
<td>Five (5) Days Suspension</td>
</tr>
<tr>
<td>Inclusionary Period:</td>
<td>One (1) Year</td>
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</table>

80.20 Arrest – Traffic Not in Uniform

Off duty officers shall not arrest traffic violators on sight, except when the violation involves an accident where they are not personally involved or driving under the influence.
80.25 Arrest – Use of Force

Officers shall not use unnecessary force or violence in making an arrest, or in dealing with a prisoner or any person. Prisoners shall always be treated in a fair and humane manner. Officers shall not strike or use any other form of physical force on a prisoner or other person except when necessary to prevent an escape or in self-defense, or to prevent violence to another person. When such exceptions are made, it shall be done with the minimal force necessary.

Penalty – Penalty action as deemed necessary by the Chief of Police.

80.30 Arrests – Use of Police “Sap”

All uniform personnel shall be restricted from carrying the weapon commonly referred to as police "sap", also known as "billy", "blackjack", "sand club", "sand bag", or "sap gloves".

Penalty-  
First Offense: One (1) Day Suspension  
Second Offense: Five (5) Days Suspension  
Third Offense: Dismissal  
Inclusionary Period: One (1) Year

80.35 Arrests – Search of Police Vehicles

Officers shall search the transporting vehicle, if circumstances are such that this is possible, before and after transporting any prisoner to the Police Department.

Penalty-  
First Offense: Oral Reprimand  
Second Offense: Written Reprimand  
Third Offense: One (1) Day Suspension  
Inclusionary Period: One (1) Year

80.40 Arrests – Dismissal of Criminal Charges After Booking

After booking, officers shall not dismiss the charges against an arrested person unless there is sufficient good reason and then only with the knowledge and consent of the Watch Commander.
Penalty- First Offense: Written Reprimand  
Second Offense: One (1) Day Suspension 
Third Offense: Five (5) Days Suspension 
Inclusionary Period: One (1) Year  

80.45 Arrests – Release on Own Recognizance  
Officers shall not release prisoners on their own recognizance without the approval of the Watch Commander on the "Released By" section of the white booking. An exception to this order will be a Detective.  
Penalty- First Offense: Written Reprimand  
Second Offense: One (1) Day Suspension 
Third Offense: Five (5) Days Suspension 
Inclusionary Period: One (1) Year  

90.00 COURT APPEARANCES  
90.05 Court – Appearances – Punctuality  
Officers shall not fail to appear in Court at the time specified by their subpoena and they shall not leave until authorized by a competent authority. If duty or sickness prevents the officer from being present at the appointed time and place, the officer shall notify the Day Watch Commander and the Court Liaison Officer so that the appropriate notice can be made to the Court.  
Penalty- First Offense: Oral Reprimand  
Second Offense: Written Reprimand  
Third Offense: One (1) Day Suspension  
Inclusionary Period: One (1) Year  

90.10 Conduct – Testimony – Truthfulness  
An Officer's conduct while in Court, both on and off the stand and while in other parts of the building, shall be exemplary. During testimony, the officer shall be completely truthful and accurate to the best of his recollection. The officer shall avoid any indication of prejudice, anger, or enmity.  
Penalty - Penalty as deemed necessary by the Chief of Police.
90.15 Personal Appearance

Officers shall wear a neat and clean class “A” uniform, business suit or sport coat when subpoenaed to Court, except when authorized to appear in different attire by a superior officer or a deputy district attorney. No lapel pins indicating membership in any organization shall be worn by the officer when appearing in Court.

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<tr>
<th>Penalty-</th>
<th>First Offense:</th>
<th>Oral Reprimand</th>
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<td>Second Offense:</td>
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<td>Third Offense:</td>
<td>One (1) Day Suspension</td>
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<tr>
<td>Period:</td>
<td>Inclusionary</td>
<td>One (1) Year</td>
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90.20 Witness Fees

Officers shall not accept any remuneration for appearing in any court, except the agreed-upon pay from the City of Hermosa Beach.

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<thead>
<tr>
<th>Penalty-</th>
<th>First Offense:</th>
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<td></td>
<td>Second Offense:</td>
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<td></td>
<td>Third Offense:</td>
<td>Dismissal</td>
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<tr>
<td>Period:</td>
<td>Inclusionary</td>
<td>Two (2) Years</td>
</tr>
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</table>

100.00 CONDUCT – CRIMINAL CASES – GENERAL

100.05 Compromising Criminal Cases

Officers shall not, for personal gain or benefit, use their official position to make any arrangement for any criminal to evade prosecution.

Penalty - Penalty as deemed necessary by the Chief of Police.

100.10 Criminal Information

Officers shall not reveal any information in their possession, however obtained, which may enable anyone to escape detection, arrest, or prosecution; or enable anyone to destroy evidence, or to destroy or secrete stolen property.

Penalty - Penalty as deemed necessary by the Chief of Police.

100.15 Withholding Criminal Information

 Officers receiving or possessing facts or information relative to a criminal offense or case, shall not retain such facts or information through ulterior motives or desire for personal credit but shall report the facts or information in accordance with Departmental procedures.
Penalty-  First Offense:  One (1) Day Suspension  
Second Offense:  Ten (10) Days Suspension  
Third Offense:  Thirty (30) Days Suspension  
Fourth Offense:  Dismissal  
Inclusionary Period:  One (1) Year

110.00 PRISONERS

110.05 Prisoners – Suspects – Transacting With

No officer shall buy or accept any article for personal disposition from any suspect or prisoner or from any associate of any suspect or prisoner. This does not apply to items for display by the Department for the public.

Penalty-  First Offense:  One (1) Day Suspension  
Second Offense:  Ten (10) Days Suspension  
Third Offense:  Dismissal  
Inclusionary Period:  Three (3) Years

110.10 Prisoners – Suspects – Availability of Weapons

Officers shall not place weapons or objects adaptable for use as weapons and capable of inflicting serious bodily injury, or permit such weapons or objects to remain unattended in any location within the police building normally accessible to a prisoner or suspect.

Penalty-  First Offense:  Written Reprimand  
Second Offense:  One (1) Day Suspension  
Third Offense:  Five (5) Days Suspension  
Inclusionary Period:  One (1) Year

110.15 Prisoners – Suspects – Female – Transportation

If it becomes necessary to transport a female prisoner or suspect without a female officer or matron present, the transporting male officer shall report by radio and have recorded on the log, the location of the arrest, the time and the mileage on the odometer, including tenths of miles. At the completion of transporting, the ending mileage including tenths of miles shall also be recorded on the log.

Penalty-  First Offense:  Oral Reprimand  
Second Offense:  Written Reprimand  
Third Offense:  One (1) Day Suspension  
Inclusionary Period:  One (1) Year
110.20 Prisoners – Suspects – Female – Handling

Female suspects, after field arrest, shall be handcuffed to ensure officer safety. A female officer or jailer should be called to the arrest location to conduct a pat-down search for weapons.

In the absence of a female officer or jailer, consistent with current case law and officer safety requirements, a male officer may conduct a cursory pat-down search for weapons prior to transporting the female prisoner.

In any case wherein the arrested female is suspected of involvement in the use of a firearm or other deadly weapon, the officer shall conduct a search prior to transporting the suspect, even absent a female officer or jailer.

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<th>Penalty-</th>
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<th>Inclusionary</th>
<th>Period:</th>
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<tr>
<td></td>
<td>Written Reprimand</td>
<td>One (1) Day Suspension</td>
<td>Five (5) Days Suspension</td>
<td>Two (2) Years</td>
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110.25 Prisoners – Suspects – Female – Processing

Male officers shall utilize the services of a police woman, matron, or authorized female employee, during any custodial search of a female prisoner.

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<th>Period:</th>
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<tr>
<td></td>
<td>Oral Reprimand</td>
<td>Written Reprimand</td>
<td>One (1) Day Suspension</td>
<td>One (1) Year</td>
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110.30 Prisoners – Attorneys

Officers shall not recommend an attorney to a suspect or prisoner, except if the suspect or prisoner is a member of the officer's immediate family.

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<th>Period:</th>
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<tr>
<td></td>
<td>Written Reprimand</td>
<td>Three (3) Days Suspension</td>
<td>Ten (10) Days Suspension</td>
<td>Two (2) Years</td>
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110.35 Prisoners – Bail Bondsmen

Officers shall not post bail or recommend or suggest any person or firm engaged in the business of furnishing bail to any prisoner, except if the prisoner is a member of the officer's immediate family.
Penalty-  
First Offense:  Written Reprimand  
Second Offense:  Three Day (3) Days Suspension  
Third Offense:  Ten (10) Days Suspension  
Inclusionary Period:  Two (2) Years  

110.40 Prisoners – Jailing of Unconscious or Injured

Officers shall not cause to be jailed any unconscious prisoner nor shall any injured prisoner be jailed until he has been examined by the Watch Commander and it is determined whether the prisoner requires medical attention.

Penalty-  
First Offense:  One (1) Day Suspension  
Second Offense:  Three Day (3) Days Suspension  
Third Offense:  Ten (10) Days Suspension  
Fourth Offense:  Dismissal  
Inclusionary Period:  One (1) Year  

110.45 Prisoners – Fraternizing

No officer shall engage in any game, contest or wager with any prisoner, or furnish a room, house, or any place for a prisoner when they are released.

Penalty-  
First Offense:  Written Reprimand  
Second Offense:  One (1) Day Suspension  
Third Offense:  Five (5) Days Suspension  
Inclusionary Period:  One (1) Year  

110.50 Prisoners – Agreement

Officers shall not hold for safekeeping, sell or attempt to sell, any real or personal property of any prisoner or suspect which he is not required to do by law.

Penalty-  
First Offense:  Written Reprimand  
Second Offense:  One (1) Day Suspension  
Third Offense:  Five (5) Days Suspension  
Inclusionary Period:  One (1) Year
110.55 Bail Bondsmen – Attorney – Referral

Officers shall not refer prisoners or suspects to a bail bondsman or an attorney under any circumstances unless the prisoner or suspect is a member of the officer's immediate family.

Penalty-  
First Offense:  Fifteen (15) Days Suspension  
Second Offense: Thirty (30) Days Suspension  
Third Offense:  Dismissal  
Inclusionary Period: Three (3) Years

120.00 CIVIL ACTIONS INVOLVING EMPLOYEES

120.05 Civil Actions

Officers shall first notify the Chief of Police before initiating any civil action arising out of their official duties.

Penalty-  
First Offense: Written Reprimand  
Second Offense: Five (5) Days Suspension  
Third Offense:  Dismissal  
Inclusionary Period: One (1) Year

120.10 Civil Cases – Misuse of Position

Officers shall not use their positions with the Department as a means of forcing or intimidating persons, with whom they are engaged in civil matters, to settle the case in favor of the officer.

Penalty-  
First Offense: Ten (10) Days Suspension  
Second Offense: Dismissal  
Inclusionary Period: Three (3) Years

120.15 Servicing Civil Papers

Officers shall not serve civil papers, except in the performance of their duty. This section does not apply to papers being served by officers for members of their immediate family while they are off duty and not in uniform.

Penalty-  
First Offense: Written Reprimand  
Second Offense: Five (5) Days Suspension  
Third Offense:  Dismissal  
Inclusionary Period: One (1) Year
130.00 REWARDS – GRATUITIES

130.05 Courtesy Cards – Badges

Officers of the Hermosa Beach Police Department shall not issue to any person a courtesy card, membership card, badge or any other device that would aid or assist any person in avoiding the penalty of arrest or citation. All officers are further instructed to seize any such card, badge, or device presented to them by any person, regardless of from whom it was issued or for whatever reason. Anything of this nature seized shall be forwarded to the Chief of Police.

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<td>Ten (10) Days Suspension</td>
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130.10 Solicitation – Acceptance

Officers shall not solicit or accept rewards, presents, gratuities or compensation other than that paid by the City of Hermosa Beach, or as authorized by Department Order, for any police service on or off duty.

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<td>Ten (10) Days Suspension</td>
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</table>

130.15 Solicitation – Special Privileges

Officers shall not use their badge, uniform, ID card, or official position for personal gain to solicit or receive special privileges for themselves or others, such as free admission to place of amusement, discounts or purchases, or other favor, except as expressly permitted in Departmental Orders or in writing by the Chief of Police. An officer may use his badge or other official credentials to obtain admission to any public gathering when such use is in the performance of duty.

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</table>
140.00 RELATIONS WITH PUBLIC – GENERAL

140.05 Identification to Public

Plain clothes officers on official business shall, at all times, identify themselves immediately by giving their names and displaying their badges or official credentials, unless such action is likely to jeopardize the successful completion of a police assignment. Uniform officers while on duty shall, upon request, give their name and serial numbers.

Penalty-  First Offense: Oral Reprimand
Second Offense: Written Reprimand
Third Offense: One (1) Day Suspension
Inclusionary Period: One (1) Year

140.10 Communications – General – Language

No employee shall knowingly use profanity, obscenity, or disparaging remarks in the presence of the public, or in the presence of any employee likely to be offended.

Penalty-  First Offense: Oral Reprimand
Second Offense: Written Reprimand
Third Offense: One (1) Day Suspension
Inclusionary Period: One (1) Year

140.15 Public Talks

Officers shall secure permission through the office of the Chief of Police prior to speaking to a public assembly as a representative of the Department.

Penalty-  First Offense: One (1) Day Suspension
Second Offense: Ten (10) Days Suspension
Third Offense: Dismissal
Inclusionary Period: Two (2) Years

150.00 EQUIPMENT ON PERSON – FIREARMS

150.05 Firearms Discharge

Officers shall not discharge a firearm or use any other type of deadly force in the performance of their duties, except under the following circumstances and after all other means fail:

1. In the necessary defense of himself or any other person who is in imminent danger of death or great bodily harm.
2. To effect an arrest, or to prevent an escape of a felony subject, or to recapture an escaped felony suspect when:

   a. The crime for which the arrest is sought involved conduct including the use or threatened use of deadly force; and

   b. There is a substantial risk that the person whose arrest is sought will cause death or great bodily harm if his apprehension is delayed.

3. To kill a dangerous animal which is attacking the officer or other person or persons, or which, if allowed to escape, presents a danger to the public.

4. When humanity requires the destruction of an animal to save it from further suffering, and other disposition is not possible.

5. For target practice at an approved range.

   A member of the Department shall not discharge a firearm under the following circumstances:

   1. As a warning shot.

   2. From or at a moving vehicle unless the circumstances come within the provisions of the Firearms Policy, and can be accomplished without endangering other persons.

       Penalty - Penalty action as deemed necessary by the Chief of Police.

**150.10 Firearms – Cleaning or Loading**

Officers shall not clean, load or unload firearms in an unsafe area or unsafe manner.

   Penalty -  
   First Offense: Written Reprimand  
   Second Offense: One (1) Day Suspension  
   Third Offense: Five (5) Days Suspension  
   Fourth Offense: Dismissal  
   Inclusionary Period: One (1) Year

**150.15 Firearms – Selling**

Officers shall not lend, give, or sell any firearms to any person who does not have a legal right to possess such firearm.

   Penalty -  
   First Offense: Dismissal

**150.20 Firearms – Drawing**

Officers shall only draw their sidearm, or their shotgun, when they are arresting or attempting to arrest any person or persons, whom they believe is about to commit or in the process of
committing, or who has recently committed a felonious crime, or when entering a structure or area where a possible danger to the officer or other person exists.

Penalty-  
First Offense: Oral Reprimand  
Second Offense: Written Reprimand  
Third Offense: One (1) Day Suspension  
Inclusionary Period: One (1) Year

150.25 Firearms – Off Duty

Officers shall not carry any firearms off duty which have not been approved by departmental regulation or issued to them. This order does not pertain to hunting rifles or other sports weapons not concealed on the person.

Penalty-  
First Offense: One (1) Day Suspension  
Second Offense: Five (5) Day Suspension  
Third Offense: Dismissal  
Inclusionary Period: One (1) Year

150.30 Firearms – Exposed to View

Officers shall not, when off duty or when on duty in civilian clothes, wear or carry their firearm in such a manner that they are conspicuously exposed to public view. This section does not apply to the police building.

Penalty -  
First Offense: Written Reprimand  
Second Offense: One (1) Day Suspension  
Third Offense: Five (5) Days Suspension  
Fourth Offense: Dismissal  
Inclusionary Period: One (1) Year

150.35 Firearms – Display of

Officers shall not unnecessarily display any firearm in any public place, or carelessly handle firearm at any time.

Penalty -  
First Offense: Written Reprimand  
Second Offense: One (1) Day Suspension  
Third Offense: Five (5) Days Suspension  
Fourth Offense: Dismissal  
Inclusionary Period: One (1) Year
150.40 Firearm – Loss of – Report

Officers shall file a written report immediately following the loss of any personal or Departmental firearm.

Penalty -  First Offense: One (1) Day Suspension  
Second Offense: Five (5) Days Suspension  
Third Offense: Dismissal  
Inclusionary Period: One (1) Year

150.45 Firearm – Prohibited Use

No officer shall use a firearm in any fashion for the purposes of intimidation or joking. No officer shall draw or point a firearm at any adequately restrained or handcuffed prisoner or detainee.

Penalty -  First Offense: Written Reprimand  
Second Offense: One (1) Day Suspension  
Third Offense: Five (5) Days Suspension  
Inclusionary Period: One (1) Year

160.00 EQUIPMENT ON PERSON – GENERAL

160.05 Personal Weapons

Officers shall not carry any privately owned firearms or other weapons that are not specified in the Regulations without the written authorization of the Chief of Police; except that during a temporary emergency, such weapons may be carried with the verbal approval of a commanding Officer. Officers shall not carry in any Police vehicle privately owned weapons without the prior written permission of the Chief of Police, other than approved backup sidearms.

Penalty -  First Offense: Written Reprimand  
Second Offense: Five (5) Days Suspension  
Third Offense: Dismissal  
Inclusionary Period: One (1) Year

160.10 Automatic Weapons – Chemical

Officers shall not carry or use submachine guns, gas, or other types of chemical weapons not specifically approved for Departmental use. Use of such weapons or gas must have the approval of a Commanding Officer.
160.15 Chemical Agent Dispenser – Use of

Officers shall use a chemical agent on the performance of police duty only when necessary, and after reasonable efforts to control a violent person have failed. All Departmental Regulations regarding chemical agents shall be followed.

Penalty -  First Offense: Written Reprimand
Second Offense: One (1) Day Suspension
Third Offense: Five (5) Days Suspension
Fourth Offense: Dismissal
Inclusionary Period: Two (2) Years

160.20 Equipment Specifications

Officers on duty shall not carry any equipment which does not conform with the specifications in the duty manual or on file in the office of the Chief of Police.

Penalty -  First Offense: Written Reprimand
Second Offense: One (1) Day Suspension
Third Offense: Three (3) Days Suspension
Fourth Offense: Ten (10) Days Suspension
Inclusionary Period: One (1) Year

160.25 Batons – Use of

Batons shall be used in the performance of an officer's duty only when necessary.

Penalty -  First Offense: Written Reprimand
Second Offense: One (1) Day Suspension
Third Offense: Five (5) Days Suspension
Fourth Offense: Dismissal
Inclusionary Period: Two (2) Years

160.30 Batons – Carry of

All officers shall carry a serviceable and departmentally approved baton while in the field and outside their Police vehicle, except on assigned report calls when it shall be optional.
**170.00 CARE AND USE OF DEPARTMENTAL EQUIPMENT – GENERAL**

### 170.05 Equipment – Authorization to Use

Officers, while on duty, shall not drive or use any equipment unless he is licensed and/or authorized to do so.

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<th>Penalty</th>
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<td>Inclusionary Period:</td>
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### 170.10 Departmental Property – Moving

Officers shall not move equipment or furnishings outside of the division to which the equipment is assigned without permission of the commanding officer of the division concerned.

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<th>Penalty</th>
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### 170.15 Departmental Property – Loss of – Damage to – Report

Officers shall promptly report in writing, through channels to their superior officer, the loss, damage to, or unserviceable condition of, any Departmental property or equipment issued for or assigned to, their use.

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<th>Penalty</th>
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<td>Inclusionary Period:</td>
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### 170.20 Damage to Equipment – Failure to Report

Any officer who knowingly damages Departmental equipment, regardless of how slight, shall make a report immediately in writing to the Chief of Police through the chain of command.
Penalty - First Offense: One (1) Day Suspension  
Second Offense: Five (5) Days Suspension  
Third Offense: Dismissal  
Inclusionary Period: One (1) Year

170.25 Department Equipment – Care and Use of

Officers shall be responsible for the proper care, use, and maintenance of the Department firearm and equipment entrusted to them.

Penalty - First Offense: Written Reprimand  
Second Offense: One (1) Day Suspension  
Third Offense: Five (5) Days Suspension  
Fourth Offense: Dismissal  
Inclusionary Period: One (1) Year

170.30 Police Department Stationery and Forms

Officers shall not use any Departmental stationery or forms for personal use.

Penalty - First Offense: Oral Reprimand  
Second Offense: Written Reprimand  
Third Offense: One (1) Day Suspension  
Inclusionary Period: One (1) Year

170.35 Police Manual

Officers shall maintain a current Manual or Manuals covering General Orders, Procedures, Rules and Regulations, or any orders, rules, regulations, or procedures issued to them by the Chief of Police. They shall be maintained in good order at all times. This manual shall be stored in the station and shall be accessible to the officer at all times during his tour of duty.

Penalty - First Offense: Oral Reprimand  
Second Offense: Written Reprimand  
Third Offense: One (1) Day Suspension  
Inclusionary Period: One (1) Year

170.40 Bulletin Board

No bulletin boards, blackboards, or graphic displays of any kind shall be displayed within the confines of the police station or departmental facilities without prior written approval of the Chief of Police.
170.45 HBPOA Bulletin Board

The Hermosa Beach Police Officers’ Association may maintain a bulletin board to be posted in the officers' locker room and to be available for Association related matters.

Penalty -    First Offense:  Written Reprimand
Second Offense: One (1) Day Suspension
Third Offense: Five (5) Days Suspension
Inclusionary Period: One (1) Year

170.50 Individual Officers’ Mailboxes – Use of

Officers’ mailboxes shall be used solely to communicate official or work-related documents and items.

Penalty -    First Offense: Oral Reprimand
Second Offense: Written Reprimand
Third Offense: One (1) Day Suspension
Inclusionary Period: One (1) Year

Officers shall check and purge their mailboxes daily and shall not use them to store paperwork and other items beyond a single day.

Penalty -    First Offense: Oral Reprimand
Second Offense: Written Reprimand
Third Offense: One (1) Day Suspension
Inclusionary Period: One (1) Year

180.00 CITY OWNED VEHICLES

180.05 Police Department Vehicles – Safe Operation

Officers operating Police Department vehicles shall drive in a safe and legal manner. In emergency situations, the officer shall drive in a reasonable and prudent manner, following Departmental Regulations. Officers shall not use Police Department vehicles to ram or block other vehicles or moving objects unless:
a. It is necessary in defense of the officer's life or the life of another person, or

b. After all reasonable means have failed, it is necessary to prevent the escape of a person whom the officer has reasonable cause to believe is a felon and in the officer's judgment, a serious threat to life.

Penalty - Action as deemed necessary by the Chief of Police.

180.10 Vehicle – Reserves – Driving of (Section eliminated October 12, 1994)

180.15 Police Vehicles – Passengers

Officers operating Police Department vehicles shall not permit passengers to ride with them, except when authorized by a Watch Commander or Commanding Officer. This section does not include detectives while on duty.

Penalty -

<table>
<thead>
<tr>
<th>First Offense:</th>
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<tbody>
<tr>
<td>One (1) Day Suspension</td>
<td>Five (5) Days Suspension</td>
<td>Dismissal</td>
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</table>

Penalty - Inclusionary Period: One (1) Year

180.20 Police Department Vehicles – Accidents

Traffic accidents or damage involving Departmental vehicles shall be reviewed by the Traffic Accident Review Board in accordance with the policy governing investigation of accidents and damage. The Review Board shall classify the accident as a minor, moderate, or major accident, and also present their findings to the Chief of Police. The Chief of Police shall take immediate action on the findings of the Board.

Penalty - Minor Accidents:

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<th>Fourth Offense:</th>
</tr>
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<tbody>
<tr>
<td>Oral Reprimand</td>
<td>Written Reprimand</td>
<td>One (1) Day Suspension</td>
<td>Three (3) Days Suspension</td>
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Penalty - Inclusionary Period: One (1) Year

Penalty - Moderate Accidents:

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</thead>
<tbody>
<tr>
<td>One (1) Day Suspension</td>
<td>Three (3) Days Suspension</td>
<td>Five (5) Days Suspension</td>
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Penalty - Inclusionary Period: Two (2) Years

Penalty - Major Accidents:

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</thead>
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<tr>
<td>Two (2) Days Suspension</td>
<td>Five (5) Days Suspension</td>
<td>Ten (10) Days Suspension</td>
</tr>
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Penalty - Inclusionary Period: Three (3) Years
190.00 UNIFORMS AND APPEARANCE

190.05 General Appearance

Officers shall appear neat and clean at all times, except when such emergency arises that the officer has no opportunity to prepare and clean up.

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<td>Third Offense</td>
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<td></td>
<td>Fourth Offense</td>
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<td>Inclusionary</td>
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<tr>
<td>Period:</td>
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190.10 Uniforms – Specifications

Officers shall wear the specified uniform while on duty and shall not wear any uniforms, or portions thereof, which do not conform to Regulations.

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<td>Inclusionary</td>
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<td>Period:</td>
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190.15 Uniforms – Equipment – Maintenance of

Officers shall maintain uniforms and personal equipment in serviceable condition. Uniforms and portions thereof shall be clean, pressed, and shall not be noticeably patched, torn, or worn. Shoes, leather, and metal equipment shall be well polished.

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190.20 Grooming Standards – All Personnel

All personnel shall conform to the uniform and grooming standards as directed in the policy and procedures section.

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</table>
Second Offense: Written Reprimand
Third Offense: One (1) Day Suspension
Fourth Offense: Five (5) Days Suspension
Fifth Offense: Dismissal
Inclusionary Period: One (1) Year

190.25 Grooming Standards – Investigators

Grooming standards for Detective Division personnel shall be determined by the Detective Division Commander, with the approval of the Chief of Police.

Penalty -
First Offense: Oral Reprimand
Second Offense: Written Reprimand
Third Offense: One (1) Day Suspension
Fourth Offense: Five (5) Days Suspension
Fifth Offense: Dismissal
Inclusionary Period: One (1) Year
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