

# Gardena Police Department

## Gardena Procedures Manual

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## **Chapter 2 - Organization and Administration**

## Organizational Structure and Responsibility

### 200.1 PURPOSE AND SCOPE

The functional procedures for the department's organization structure are designed to create efficient resources to accomplish the mission and goals of the police department.

#### 200.1.1 DEFINITIONS

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

**Commander** - Commander describes an employee in charge of a Bureau within the Department.

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

**Watch Commander** - A sworn officer in charge of and responsible for a specific field services/patrol watch.

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

**Officer-In-Charge** - An officer in charge of and responsible for a particular unit, detail, or incident.

### 200.2 DUTIES AND FUNCTIONS

#### 200.2.1 CHIEF OF POLICE

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

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

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

#### 200.2.2 DIVISION CAPTAIN

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

A Division Captain is charged with directing the work of personnel assigned to the Division and has the responsibility for developing plans and procedures, instituting administrative controls and maintaining a liaison with both public and private organizations in matters of mutual interest. The

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Division Captain must also ensure that the activities of the Division are conducted in accordance with Departmental policy.

#### **200.2.3 BUREAU COMMANDER**

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

Bureau Commanders manage the work within a particular Bureau or specialized function. The Bureau Commanders coordinate the work of their particular unit with other units within the Department. In addition to supervising the employees within their unit, Bureau Commanders provide training to members of the Bureau, make special survey records, and ensure that activities of the Bureau are conducted in accordance with Department Policy.

#### **200.2.4 SUPERVISOR**

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

Supervisors direct, train, counsel and evaluate employees in the performance of their duties and are directly responsible for ensuring that employees act within the confines of Departmental rules and regulations. Only a sworn supervisor shall take charge of a field operation.

#### **200.2.5 EMPLOYEE**

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

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

### **200.3 OFFICE OF THE CHIEF OF POLICE**

The Office of the Chief of Police has the responsibility of assisting the Chief of Police in the administration of the Department.

The Office of the Chief of Police is comprised of the Chief of Police, Administrative Assistant(s) and Management Analyst(s).

### **200.4 OPERATIONS DIVISION**

The Operations Division is commanded by a Captain and is responsible for implementing the Department's service commitment to the community. The Operations Division consists of Patrol Bureaus and Related Units/Functions.

#### **200.4.1 PATROL BUREAUS**

The Patrol Bureaus consist of Day patrol and Night patrol. The Bureaus are responsible for:

- (a) Patrolling the community in order to prevent crime.

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- (b) Identifying, arresting and assisting in the prosecution of criminal offenders.

#### 200.4.2 RELATED UNITS/FUNCTIONS

- (a) Canine - The Canine Unit is utilized in the search, tracking and apprehension of criminal offenders, the search of crime scenes, execution of warrants and in defense of a police officer or other person.
- (b) Field Training Officers Program - The Field Training Program is intended to facilitate a peace officer trainee's transition from the academic setting to the duties of a Gardena Police Officer. The Field Training Program introduces newly assigned officers to the personnel, procedures, policies, purposes and policing philosophies of the agency and the day-to-day duties of its officers. In order to make the new officer's field training as effective as possible they are assigned to a Field Training Officer (FTO), who is an experienced officer, specially selected and trained to conduct this type of training.
- (c) Special Weapons and Tactics Team- The Special Weapons and Tactics Team (SWAT) is designed and assembled to support the Gardena Police Department and any other requesting law enforcement agency with a tactical response to critical incidents. The SWAT consists of police officers, supervisors and managers who have received specialized training enabling the team to evaluate, coordinate and execute a Tactical Action Plan in high-risk situation.
- (d) South Bay Platoon - The South Bay Platoon is a multi-agency law enforcement team trained to provide law enforcement responsibilities at large-scale incidents; such as civil unrest and disasters - natural or man-made. The Gardena Police Department supports and participates in this team concept by assigning personnel and resources to the platoon.
- (e) Reserves - The Gardena Police Department recognizes the high level of contributions a volunteer program can make towards accomplishing the goal the our department. Police Reserves serve a very important part of a successful volunteer program. Consequently, the Department seeks and encourages properly trained citizens who wish to volunteer their talents towards service to the community through law enforcement.
- (f) Emergency Preparedness - Charged with the responsibilities of maintaining the Emergency Preparedness manual and the Emergency Operations Center for the City under the guidance of the city manager's office.

#### **200.5 SUPPORT SERVICES DIVISION**

The Support Services Division is commanded by a Captain and is responsible for a variety of functions in support of departmental operations and services. The Support Services Division consists of Detective and Administrative Services Bureaus.

##### 200.5.1 DETECTIVE BUREAU

The Detective Bureau is responsible for conducting investigations, providing investigative services, arresting criminal offenders, and recovering property.

- (a) Detectives - Criminal Investigations is responsible for the follow-up investigations of all cases except those assigned to the Special Investigations or Traffic Detail. The Bureau

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effects arrests of identified criminal offenders, recover property and evidence related to their investigations, and assists in the prosecution of criminal offenders during the judicial phase of the criminal justice process.

#### Related Units/Functions:

- (a) Juvenile Crimes - Investigates all reports involving juveniles, as victims or crimes such as sexual or physical abuse. Also, prepares court filings for juvenile suspects; and, provides the public with solutions to handle juvenile problems.
- (b) Traffic- The Traffic Detail provides both primary and follow-up investigations of traffic accidents, traffic enforcement, traffic control services and parking enforcement.
- (c) Press Information - It is important for a governmental agency to recognize the value of an open and liberal policy towards the media. Insofar as it is consistent with the public order and safety and individual rights, this department shall promote the greatest possible use of channels of communications with the public and shall endeavor to facilitate a spirit of cooperation with all news media.
- (d) Court Liaison - Is responsible for maintaining and processing of criminal complaints into the judicial system. The court officer is the direct link between the police department and court functions. The court officer is responsible for transportation of prisoners to court.
- (e) Special Enforcement Unit - Special Enforcement Unit is responsible for conducting investigations regarding suspected narcotics, vice, and gang related activity. This unit also effects arrests as a result of their investigations, maintains a liaison with other criminal justice agencies, and provides expert testimony in court during criminal prosecutions. This unit responsible for the School Resource Officer (SRO).
- (f) Crime Analysis Detail - The Gardena Police Department Crime Analysis Detail collects, collates, analyzes and disseminates information on crime patterns, series and trends. This information is distributed to all members of the department as well as other agencies. The detail also analyzes feedback from various sources. Its efforts are directed toward increasing arrests and prosecutions of career criminals throughout the area by compiling and analyzing information, then making it available to the appropriate divisions, bureaus, details and personnel.
- (g) Crime Suppression Unit (CSU) - Conducts criminal investigations regarding the possession, manufacturing or sales of narcotics. The detail also investigates and enforces laws regarding vice crimes.
- (h) L.A. IMPACT - A police detective is assigned to this regional crime suppression team, which is comprised of police officers from agencies throughout Los Angeles County.

#### 200.5.2 ADMINISTRATIVE SERVICES BUREAU

The Administration Services Bureau is responsible for the administrative activities of the Police function such as maintaining the department's records, Uniform Crime Reporting (UCR) reporting, maintenance of personnel records, fiscal control, purchasing, the tracking of career criminal activity for investigative purposes and facility management.



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The Administrative Services Bureau consists of the Police Records Office, Information Services and the Business Office.

- (a) Records - The responsibility of compiling, maintaining, and disseminating information regarding crimes, arrests, and incidents involving police service lies with the Records Bureau. Additionally, the Records Bureau maintains, updates, recalls, and disseminates warrant information on Gardena Police Department cases and controls the Department's records retention program.
- (b) Administrative Services- Prepares police department payroll and conducts department fiscal and accounting functions.
- (c) Information Systems - Maintains the department computer network and software applications. Responsible for networking with various law enforcement databases.
- (d) Custody- The Custody Bureau is responsible for the care and custody of all persons arrested and detained at the Gardena Police Department jail facility. The Custody Bureau regulates and enforces jail facility security measures and coordinates the processing of persons booked and detained in the facility.
- (e) Property/Evidence - The Property and Evidence function is responsible for administering the Department property inventory system including Department vehicles, communications equipment, office equipment, etc. It is also responsible for the maintenance of the storage and security of property and evidence seized by Department personnel during the course of their duties.
- (f) Fleet Maintenance- The Fleet Maintenance Detail is responsible for the care and preventative maintenance of the department's fleet.
- (g) Range - The Rangemaster is responsible for the maintenance of the department's range and firearms training of department personnel.
- (h) Training and Program Development - The Training Detail is responsible for the training of all department personnel.

## Training

### 203.1 PURPOSE AND SCOPE

Attending training courses enhances an employee's ability to perform their work assignment. This procedure will provide guidance on the actions needed when an employee attends a training course.

### 203.2 TRAINING COURSES

When a Supervisor has a need for any of his/her personnel to attend a training course or when an employee is interested in attending a training course, the following must be completed:

#### 203.2.1 APPROVAL

All requests for training shall be submitted on a Gardena Police Department Training Request form, GPD 10-30, to include attached course information fliers (i.e., course description and information notice with dates, phone numbers, locations and cost) and then processed through the chain of command. The Training Request form must be completed and returned to the Training Detail at least 30 days prior to the date the course begins. If it is received with less than 30 days remaining, funding may not be obtained and attendance at the school will be canceled. Once the request has been approved, the Training Detail will notify the employee.

#### 203.2.2 COORDINATION

During the approval process, the employee's supervisor will schedule the employee for the training and indicated whether or not overtime is needed. After final approval, the Training Detail will coordinate all reservations and preparation for attendance. Personnel will be provided with all of the necessary information prior to their attendance at the course.

#### 203.2.3 ATTENDANCE

Attendance at an assigned training course is mandatory. When an employee cannot attend the assigned course due to illness, court subpoena, or some other emergency, the on-duty supervisor must be notified as soon as possible. The on-duty supervisor will then notify the Administrative Services Bureau Commander.

#### 203.2.4 RESCHEDULING

When an employee is unable to attend an assigned training course, the Administrative Services Bureau Commander shall contact the employee's Bureau Manager. If possible, efforts will be made to reschedule the training.

#### 203.2.5 CERTIFICATION

Once the training is completed, personnel are required to complete the back of the (orange) Training Request form, attach any certificates, and forwarded to the Training Detail no later than 10 days after course completion.

If a Travel Request form was issued, personnel will complete the form, attach required receipts (i.e., hotel, car rental, airfare, parking), attach the (orange) Training Request form and any

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certificates issued and forwarded the package to the Training Detail no later than 10 days after course completion.

The Training Detail will ensure that the employee's training record is updated.

#### 203.2.6 REIMBURSEMENT

Personnel attending department-approved P.O.S.T. and out of city training will be reimbursed for expenses incurred in accordance with city and department policy.

If an employee is attending a training course and lodging is necessary, they are entitled to lodging, per diem, travel (if approved by Administrative Services Bureau Commander), and parking, if necessary. Personnel requesting reimbursement must submit the required paperwork to the Training Detail within ten (10) days of course completion. Failure to request reimbursement within the time frame will be considered a voluntary waiver of reimbursement. Meal expense for In-house training is not reimbursable.

## **Chapter 3 - General Operations**

## Officer-Involved Shooting

### 305.1 PURPOSE AND SCOPE

Media review is beneficial in the preparation and reports in documenting events. The following procedure will describe what types of items are included in a media review and the officer/supervisor's responsibilities in the review process.

### 305.2 MEDIA REVIEW

Officers should keep in mind when preparing reports and giving statements that such media, while helpful in preparing reports and documenting events, is rarely a complete reproduction of the events. Furthermore, such media does not typically document important concerns such as an officer's state of mind during the events or the context in which the events were occurring.

The Department retains the right to prohibit or limit officers from viewing recordings if the incident is under review for the purposes of determining if there is officer misconduct and the viewing of the video would interfere with investigative best practices.

#### 305.2.1 PROCEDURE

A media review will include all audio and/or media of the events including the following:

- (a) Video or audio recordings of the actual events and the officer's own observations.
- (b) Photographs and electronic data such as ECD data downloads.
- (c) Download the ECD information into the Department ECD database.

#### 305.2.2 OFFICER'S RESPONSIBILITY

- (a) Officers will assure that the original media is maintained in a secure manner and is not altered in any manner during the review process. Officers will request assistance from supervisors in obtaining access to any existing media if the officer is unfamiliar with the safe and secure manner of retrieval of the particular media.
- (b) When an officer submits a report containing documentation of their actions or observations based on the review of available media, officers will list in their report all of the media which has been reviewed.
- (c) In circumstances where an officer has previously prepared and submitted a report about the events to a supervisor prior to reviewing media that is determined to exist, the original report will be maintained and any additional or varying observations and information will be submitted in a supplemental report.

#### 305.2.3 SUPERVISOR'S RESPONSIBILITY

- (a) Supervisors shall assist the officer in obtaining access to media items and in maintaining the integrity of the media evidence.
- (b) Supervisors shall be responsible for ensuring that officers have access to the media for review prior to the writing of their report.

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- (c) Supervisors shall be responsible for ensuring that the officer's report includes all the media which was reviewed prior to the writing of that report.
- (d) A supervisor may decide to delay review of media in circumstances that raise extraordinary concerns such as destruction of evidence. In such circumstances, a command level officer will be consulted promptly to discuss any potential concerns and will make a determination as to the appropriateness of the media review.
- (e) During recorded interviews regarding any event, the interviewer should establish what media, if any, the officer being interviewed has reviewed.
- (f) Where specific policy exists with regard to access or operation of technology or equipment, officers and supervisors shall follow the specific policy relevant thereto with regard to such technology or equipment.

## Firearms - Patrol Rifles

### 306.1 PURPOSE AND SCOPE

The purpose of the Gardena Patrol Rifle (GPR) program is to provide a select number of patrol officers the ability to upgrade the department's patrol rifle, and to have the rifle specifically assigned to the officer.

This procedure will explain the process required to become a member of this program.

#### 306.1.1 DEFINITIONS

**Gardena Patrol Rifle or "GPR"** - a semi automatic rifle, 5.56x45 NATO caliber (.223 Rem.), magazine-fed, semi-automatic rifle, with a rotating-lock bolt, actuated by direct impingement gas operation.

**"MIL-SPEC", Military standard, "MIL-STD", "MIL-SPEC", or (informally) "MilSpecs"** - used to help achieve standardization objectives by the U.S. Department of Defense.

**GPR Upper Group** - refers to the upper receiver and barrel assembly of the rifle including the bolt carrier group and charging handle.

**GPR Lower Group** - refers to the lower receiver assembly of the rifle including the lower parts group such as the hammer and trigger assembly.

**GPR Optics Group** - refers to either battery operated or self illuminating optics that is permanently mounted on the rifle.

**GPR Hardware Group** - refers to the butt stock, fore ends, flip up sights, grips, sling and other designated accessories.

**GPR Magazine** - refers to metal or plastic box type military specifications which will load twenty or thirty rounds of ammunition.

**GPR Tactical Accessories** - refers to tactical lighting options approved by the department.

**GPR Armorer** - is a designated Armorer who has been certified by the department to oversee the nomenclature and mechanical operations of the patrol rifle.

### 306.2 PARTICIPATION IN THE PROGRAM

Participation in the GPR program is a voluntary. Interested officers will submit a memorandum to the Chief of Police to be a part of the program. Officers will be selected based on their overall work performance and the needs of the department. Once approved, the officers will be given a specific equipment sheet listing the authorized components to be used on the rifle (the lower receiver group will be provided by the department). The officers will have 45 days to provide the components to an authorized GPR Armorer who will install, inspect and certify the rifle. Officers will be required to complete a GPD shooting and rifle maintenance course. The rifle will only be used on-duty and will be secured at the department.

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### *Firearms - Patrol Rifles*

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#### **306.3 GENERAL RULES OF THE GPR PROGRAM**

- (a) Failure to comply with established rules and regulations may result in decertification and removal from the program.
- (b) The Chief of Police can alter or disband the GPR program at anytime.
- (c) Only Department approved equipment (rifles components, optics, magazines, etc.) will be allowed for duty use and training. The only authorized color is basic military matte black.
- (d) In addition to the rifle components, a magazine carrier or tactical MOLLE gear chest rig and a two or three point sling will be required by the officer.
- (e) The Department will provide a marked soft case to be used to store the rifle along with four high capacity thirty round magazines and authorized ammunition.
- (f) The bolt carrier group and the fire control system are among the parts that SHALL NOT be modified from the military standards specifications.
- (g) Each GPR is subject to inspection at anytime by the GPR Administrator.
- (h) Only persons authorized to repair or modify the GPR are the GPR Armorer or authorized gunsmiths.
- (i) It is the officers' responsibility to maintain the condition of the rifle at all times.
- (j) He or she is responsible for damage to any equipment belonging to the officer.
- (k) Officers must qualify with the rifle at recertification training and shoot qualifying scores, on the Patrol Rifle qualification course, before placing the GPR into service. Failure to qualify or attend one recertification training will place the officer on "Inactive" status during such time the patrol rifle will not be allowed for deployment. Officers who fail to attend two consecutive recertifications will be downgraded to "Decertification" and removed from the program.
- (l) The GPR shall be stored in the officer's secured locker when the rifle is not in service. When in service, the rifle shall be locked in the AR15 Rifle rack or in the issued soft case secured in the trunk of the unit at all times.
- (m) The only ammunition allowed is authorized duty ammunition.
- (n) The GPR will only be deployed according the Department's policies and procedures.
- (o) The GPR is the property of the Gardena Police Department including the components that officers provide until he or she is no longer part of the program. The components will be returned to the officer; except, the lower receiver assembly will remain property of the Gardena Police Department.



## Domestic Violence

### 310.1 PURPOSE AND SCOPE

An Emergency Protective Order (EPO) is a restraining order, which may be issued in domestic violence case. The purpose of the restraining order is to attempt to prevent domestic violence.

The following procedure will be used when an officer determines that an EPO should be issued.

### 310.2 EMERGENCY PROTECTIVE ORDER

An Emergency Protect Order may be issued telephonically and remain in force until the end of the fifth court day or seventh calendar day.

### 310.3 RECOMMENDATION

An Emergency Protective Order may be recommended when an investigating officer determines that an emergency exists, whether the suspect is at large or in custody, in all cases of domestic violence involving threats of violence; and, the investigating officer has reason to believe that there is a high likelihood that the threats of violence will continue or be carried out resulting in harm to the victim and/or household members. (EPO's may also be issued for child abuse: Family Code §6250).

### 310.4 OBTAINING AN EMERGENCY PROTECTIVE ORDER

- (a) Once the handling officer at the scene determines that an EPO is warranted, the officer shall notify a supervisor of the circumstances. If the supervisor concurs with the handling officer, he/she shall initiate the application for the EPO and contact the on-call Superior Court representative to obtain the order. Any doubt regarding the justification for the order shall be resolved by contacting the court representative. The on-call court representative may be a judge, commissioner, or court appointed referee.
- (b) EPO's may be obtained twenty-four (24) hours a day, seven days a week, whether the court is in session or not. The County operator (213) 974-1234 will connect the officer or supervisor to the on-duty court representative.
- (c) The EPO is self-explanatory. The officer completing the EPO shall indicate the address for the local Superior Court on the top of the order. The court representative will assign the officer a "T" number. The "T" number shall be placed in the "Law Enforcement Case Number" box located in the upper right hand corner of the EPO. Do not put the DR Number in this box. The DR Number can be placed atop the Law Enforcement Case Number.
- (d) The original white copy must be completed in ink and goes to the court with a copy of the crime report. The yellow copy goes to the restrained person (suspect/defendant). The pink copy goes to the protected party (victim/plaintiff). The gold copy is attached to the original crime report; make a second copy of the original crime report and the gold copy for the Applicant Desk for entry into the Domestic Violence Restraining Order Registry via C.L.E.T.S.

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- (e) EPO's must be served to be valid and an officer must serve them upon request. Violation of an EPO is arrestable under Penal Code §§273.6 and 836(c)(1), even when not committed in the officer's presence.
- (f) After completing the form, the officer shall serve the order on the restrained party and advise him/her of the conditions of the order. If the restrained party is not present, the law requires that the officer "attempt to serve the order if the restrained party can reasonably be located, or there is a reasonable apprehension of imminent danger." If the officer cannot serve the restrained party, he/she should either leave the EPO with the protected party or give it to a supervisor so he/she can assign the service of the EPO to the next shift. The EPO may be left with the protected party so that the suspect may be served by any responding officer should the suspect return to the location.
- (g) All incidents in which an officer requests or serves an EPO must be documented in a crime report and shall include:
  - 1. The justification for the EPO;
  - 2. Whether the restrained party was or was not served;
  - 3. The name of the court representative who granted or denied the order;
  - 4. The name of the officer who actually served the EPO;
  - 5. Whether the victim refused the EPO;
  - 6. The location where the restrained party was served;
  - 7. The circumstances under which he/she was served; and
  - 8. Any statements made by the restrained party when served.

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## Temporary Custody of Juveniles

### 312.1 PURPOSE AND SCOPE

To provide guidelines for notifications of a juvenile in temporary custody and admission to Juvenile Hall.

### 312.2 JUVENILE ARREST: PARENTAL NOTIFICATION

#### 312.2.1 TEMPORARY CUSTODY

§627 WIC requires that when a juvenile is taken into temporary custody, the arresting officer shall notify the parents, legal guardian, or a responsible relative without delay that the juvenile is in custody and of the location where the minor is being held. The parents or legal guardian may be notified by:

- (a) The detaining officer or other designated person shall attempt to make personal contact with the juvenile's parent or guardian as soon as practical after the detainment.
- (b) "Personal contact" may include contact by telephone.
- (c) Telephone or teletype to the law enforcement agency in whose jurisdiction the parents are located requesting that a notification be made

### 312.3 PROBATION DEPARTMENT DETENTION CONTROL UNIT

In order to facilitate control over the detention of juveniles, the juvenile court has established the Probation/Intercept program to screen all requests for detention from law enforcement agencies.

Before a juvenile can be detained at Juvenile Hall, approval for the detention must be obtained from Probation/Intercept.

#### 312.3.1 PROBATION DEPARTMENT JUVENILE HALL

The following juveniles may be detained at Juvenile Hall:

- (a) All females under 18 years of age.
- (b) All males under 18 years of age.
- (c) All escapees and juveniles named on Juvenile Court warrants or California Youth Authority warrants.

#### 312.3.2 PROBATION DEPARTMENT DETENTION: AUTHORITY FOR ADMISSION

Admission to Juvenile Hall may be accomplished by either of the following methods:

- (a) Detaining Order
  1. An order from a court or agency of competent authority calling for the detention of the subject at Juvenile Hall and upon approval of Probation/Intercept.
- (b) Application for Admission
  1. Upon receipt of, telephonic approval for the detention from the Probation/Intercept officer, three copies of the "Juvenile Hall Entrance Record" should be

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completed and delivered with the juvenile to the Probation/Intercept Officer at Juvenile Hall.

(c) Juvenile Petition

1. A juvenile petition request must then be completed and delivered to the Los Angeles County Probation Department within the legal time limit.

## Senior and Disability Victimization

### **313.1 SENIOR AND DISABILITY VICTIMIZATION PROCEDURES**

This Department procedure establishes guidelines for responding to, and investigating, cases involving elders and dependent adults. This applies to all members of this Department.

#### **PATROL RESPONSIBILITIES**

Patrol officers are responsible for the initial investigation of all elder/dependent adult abuse cases. These cases may originate from a variety of sources, including APS (Adult Protection Services) or other investigative units.

As stated in Section 368(a) PC, "The legislature finds and declares that crimes against elders and dependent adults are deserving of special consideration and protection, not unlike the special protections provided for minor children, because elders and dependent adults may be confused, on various medications, mentally or physically impaired, or incompetent, and therefore less able to protect themselves, to understand or report criminal conduct, or to testify in court proceedings on their own behalf."

#### **PATROL INVESTIGATION**

In situations where an officer determines that an elder or dependent adult abuse crime has been committed, suspected, or alleged; our overall priority is to ensure the safety and well-being of the potential victims and witnesses.

During the initial investigation, the assigned officer should ensure that a completed crime report listing the appropriate 368 PC section has an attached case number. Prior to the completion of the report, the officer must interview the victim separately, try to ascertain their state of mind and level of competency, and document their responses in the report. Attempt to obtain a signed medical release from potential victims.

It is important to determine who is responsible for the care of the victim. Gather as much information as possible that is relevant to the investigation. Which would include by not limited to, the interview of the caretaker(s) or others, this must be done separately by obtaining as much information as possible since caretakers can be suspects in the abuse.

Furthermore, interview and list in the crime report all possible witnesses, household members, including neighbors. Neighbors and paramedics can often provide critical details in situations where the elder is unable to communicate well.

When appropriate, record (audio/video) all victim and suspect interviews with BWC (Body Worn Camera).

Attempt to determine whether abuse is related to a disability-bias hate crime and related bias motivations (Penal Code 368.6) (see the Hate Crimes Policy for additional guidance).

The officer must contact APS (877-477-3646) as soon as possible to verbally report the abuse.

# Gardena Police Department

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### *Senior and Disability Victimization*

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#### **EVIDENCE COLLECTION**

The collection of any relevant documents or evidence, such as checks, bank records, credit card statements, power of attorney, or health care directive is essential. Make copies and attach to original crime report.

In addition to the collection of paper documents, photos/documentation are essential and must be taken in cases involving neglect and physical abuse. Photos and documentation shall be taken of the victim and the scene. BWC shall not be used in place of these photos.

#### **ARREST OR PROTECTIVE CUSTODY**

We must comply with the provisions of the agency's policy requirements for arrest and mandatory seeking of arrest warrants and the requirements for seeking emergency protective orders.

It is the agency's policy to make arrests or to seek arrest warrants, in accordance with Section 836, and, in the case of domestic violence, as allowed by Section 13701. The policy shall also state the agency protocol for seeking those arrest warrants.

If the victims were taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate and must be listed in the crime report.

#### **UNABLE TO DETERMINE SUSPECTED ABUSE**

In situations where a crime has not occurred, or when it cannot be determined that one has actually occurred, the officer's primary consideration should be given to the safety and security of the elder/dependent adult. If the victim is in need of emergency or immediate medical treatment, arrange for medical transport.

If the victim is gravely disabled, unable to care for him/herself, and/or is a danger to him/herself, and no responsible caregiver is present, contact APS immediately. Evaluate for detention under 5150 W&I and have victim transported to a hospital.

Recognize victim's cooperation is not always necessary for prosecution, and that in some cases allowing victims the option of preventing prosecution creates an opportunity for the perpetrators to obstruct justice by pressuring or threatening the victims. Each dispatched call or case should be investigated on its own evidentiary merits.

#### **DETECTIVE BUREAU RESPONSIBILITIES**

Follow-up investigations are necessary in many elder/dependent abuse cases, as first responders may not be in the best position to gather all existing evidence. Follow-up investigations by the Gardena Police Department assigned detective, must determine the victim is safe and whether there is a need for emergency housing.

The Detective Bureau is responsible for investigating all crimes committed against elders or dependent adults where the suspect is a caretaker or family member. An unexplained or

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## Gardena Procedures Manual

### *Senior and Disability Victimization*

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suspicious death of an elder, dependent adult, or other adult or child with a disability should be treated as a potential homicide until a complete investigation including an autopsy is completed.

During these investigations against elder/dependent adults, the detective should verify that the initial investigation by patrol addressed all elements of the reported crime. The detective might have further follow-up questions of the victim, neighbors, family members, or other and may perhaps have the need to collect additional evidence.

#### **DETECTIVE RESOURCES**

Detectives should take advantage of other countywide resources if needed. The contact with an assigned APS social worker, local long-term care ombudsman program, Bureau of Medi-Cal Fraud and Elder Abuse, other state law enforcement agencies with jurisdiction, for the possibility of joint investigation or sharing of information, when appropriate and if necessary.

Furthermore, the detective shall obtain any prior reports by the Gardena Police Department, APS, local long-term care ombudsman programs, any other responsible agencies, and referrals if they exist. Additionally, the collection of any dispatch 911 recordings for the current incident and any past incidents is required.

#### **DISTRICT ATTORNEYS' OFFICE**

Notification to the district attorney's office and any other agency that may be applicable based upon where the abuse took place (e.g., care facility, hospital) per Welfare and Institutions Code 15640(e)).

The abuse to the victim could lead to a recorded pretext call if necessary, reasonable, and warranted. However, the detective should make themselves familiar with the process prior to completion of a pretext call and/or a forensic interview. In these types of cases, the detective should share and preserve body-worn camera evidence with the district attorney's office.

#### **VICTIMS TREATING PHYSICIAN**

The detective will need to interview the victim's treating physician or other medical professionals that interviewed the victim.

If possible, during the interview with the victim, obtain a signed medical release if not already received by patrol. If victim is conserved, obtaining conservator-signed release, along with paperwork that documents the conservatorship. Obtain handwriting samples from the victim and the suspect. Have the suspect sign his/her name, as well as the victim's name.

If needed, execute warrants for electronics that may contain relevant evidence or bank documents to obtain knowledge if the suspect(s) have access to victim's financial information.

Provide referrals to therapy services, victim advocates, guardians, and support for the victim and family.

## Child Abuse

### 315.1 PURPOSE AND SCOPE

The following procedure is to establish guidelines for the order of non-disclosure.

### 315.2 PROCEDURE FOR ORDER OF NON-DISCLOSURE

When a police officer takes a dependent child into protective custody and has a reasonable belief that disclosure of the child's whereabouts would endanger the child or that the parent or guardian is likely to flee with the child, the following procedure shall be adhered to:

- (a) Inform the DCFS that you intend to seek a non-disclosure order.
- (b) Make note of specific circumstances or facts that lead to the belief that disclosure of the child's exact whereabouts would endanger the child or disturb the custody of the child.
- (c) Articulate the severity of any injuries to the child.
- (d) Articulate evidence of mental instability on the part of the parents, guardian, or responsible relative.
- (e) Articulate evidence that indicates the parent, guardian, or responsible relative may try to retrieve the child and flee.
- (f) Articulate evidence that indicates the parent, guardian, or responsible relative may dissuade the child from providing information to officials.
- (g) Contact the Juvenile Court Commissioner by telephone. Be prepared to describe the nature of the situation and the circumstances or facts that justify the issuance of a non-disclosure order.

### 315.3 NON-DISCLOSURE ORDER

If the Juvenile Court Commissioner authorizes the non-disclosure order, obtain the Commissioner's name and the time the order was issued. This information, along with the facts that warranted the non-disclosure shall be included in the report. Parental notification shall then exclude the child's whereabouts. If the Juvenile Court Commissioner declines to issue a non-disclosure order, obtain the commissioner's name, which shall be included in the report along with the facts that were believed to justify the non-disclosure. In this case, the notification to the parent shall include the child's whereabouts.

### 315.4 EMERGENT CIRCUMSTANCES

In some situations, non-disclosure of the child's whereabouts may appear to be justified, if it is impossible or impracticable to contact the Juvenile Court Commissioner. In this case, personnel may refuse to disclose the child's whereabouts to the parent, guardian, or responsible relative. The facts that justify non-disclosure shall be articulated in the report, along with the reason(s) that the Juvenile Court Commissioner could not be contacted.

In any case in which a child is taken into protective custody, the parent, guardian, or responsible relative shall be notified that the minor is in protective custody. Non-disclosure orders only apply to furnishing the child's exact whereabouts to the concerned party.



## Missing Persons

### 316.1 PURPOSE AND SCOPE

The need to have a coordinated response to a child abduction incident is critical. Such a response will more likely lead to the rescue and safe return of an abducted child.

The following procedure will be used when an officer responds to a child abduction incident.

### 316.2 ABDUCTED CHILDREN PROTOCOL

In order to provide a standardized response to incidents of abducted children, the department has established the following guidelines for the investigation of abducted children:

- (a) Responding officer suspects or confirms abduction or kidnapping has occurred. The officer should immediately advise communications and notify a supervisor.
- (b) Initiate an immediate broadcast to local law enforcement agencies regarding the circumstances, victim information and any description of the suspect and/or suspect vehicle.
- (c) Immediately, or as soon as possible, notify the Detective Bureau manager. The manager will make the notifications to key personnel.
- (d) Access the "Amber Alert" protocol if the criteria has been met. Notify the press and set up a location for the department's PIO.
- (e) Establish a command post and request additional personnel.
- (f) If necessary, request local mutual aid.
- (g) Conduct door to door and neighborhood search.
- (h) Extend search to other areas adjacent to the immediate area of abduction.
- (i) Request Canine Tracking Services from an outside agency.
- (j) Notify the Federal Bureau of Investigation (only under special circumstances as detailed in the Amber Alert protocol, refer to Policy 317) and the California Department of Justice.
- (k) Distribute "Critical Missing/Abducted Child" flyer.
- (l) If the investigation becomes extended, appropriate arrangements should be made for replacement personnel, duty times, communications, meals, etc.

## Victim and Witness Assistance

### 318.1 PURPOSE AND SCOPE

The objective of the Witness Protection Program, coordinated by the Los Angeles County District Attorneys Office, is to expand the capability of the Gardena Police Department to successfully prosecute criminals on trial through the protection of witnesses and their families.

The following procedure will be used when an officer is faced with a witness to a crime who is being threatened.

### 318.2 WITNESS PROTECTION PROGRAM

The Witness Protection Program is intended to assist local law enforcement agencies and prosecutors who do not have other resources available to protect witnesses. The program consists of different funding sources, each with their own criteria and restrictions. The individual circumstances of the request coupled with the witnesses' needs will necessarily dictate which funding source meets this criteria and is within the guidelines of the funding resources.

The objective of the Witness Protection program, coordinated by the Los Angeles County District Attorney's Office, is to expand the capability of local law enforcement to successfully prosecute criminals on trial through the protection of witnesses and their families. The program will enable the District Attorney's Office to make funds available to local law enforcement and prosecution agencies in Los Angeles County for this purpose.

#### 318.2.1 CRITERIA

The following criteria must be met in order to obtain approval of funding for the protection of the endangered witness and/or family, endangered friends or associates of the witness:

- (a) Witness or witness' family, endangered friend(s) or associate(s) has been threatened; or,
- (b) An actual threat to safety and witness or witness' family, friends or associates exists; and,
- (c) Criminal charges either have been filed, or there is a strong likelihood that charges will be filed against a defendant; and,
- (d) The witness will reasonably be expected to be called or has been called to testify against the defendant; and,
- (e) The witness must cooperate at all stages of the proceedings and may be required to sign a witness agreement specifying their responsibilities for protection services.

Note: The fact that a witness was an active or passive participant in the underlying charges giving rise to the need for witness protection does not necessarily disqualify their participation in the program.

Only law enforcement agencies and prosecutors, and their investigators, are eligible for assistance under the provisions of the Witness Protection Program.

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### *Victim and Witness Assistance*

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#### 318.2.2 FUNDING

The Witness Protection funds are limited to endangered witnesses (etc., pursuant to the criteria) only and cannot be utilized for indigent witnesses. Assisted agencies will be required to formally account for funds expended for witness protection in the form of a letter accompanied by original vouchers or receipts, which will substantiate expenditures. Every effort should be made to ensure the receipts are legitimate and correctly reflect the approved expenses.

#### 318.2.3 PROCESS

Except in unusual circumstances, the investigating officer from the law enforcement agency, which requested the filing of the case, must process requests for witness relocation. This should be done as soon as possible after the threatening situation develops.

**Liaison** - Law enforcement agencies requesting witness protection, including relocation approval, will be responsible for liaison with the witness(es), securing their cooperation, obtaining any needed documents or information and coordinating their relocation.

**Approval** - All requests for witness protection must be approved in advance and no promises or commitments should be made to a witness prior to approval. The final decision as to whether the request for witness protection is necessary or appropriate, lies with the Program Director (LA County District Attorney's Office) or his/her designee.

**Reimbursement** - Only those expenses articulated in the agreement, and in the amounts approved for relocation and other essential expenses determined to be appropriate, are reimbursable. Any other additions, modifications or changes must be approved in advance.

Receipts must be those issued in the normal course of business and contain sufficient information to allow for identification of approved expense, including date, place (address), nature of expense and person issuing receipt, if appropriate.

#### 318.2.4 PROTECTION OF ENDANGERED WITNESS

All requests and court orders for witness protection will be assigned to the Detective Bureau. The Detective Bureau Commander in cooperation will determine the method and level of security with the investigating officer(s). Necessary personnel and equipment may be secured from other divisions/bureaus within the department as deemed appropriate for the protection of the witness.

#### 318.2.5 OBTAINING ASSISTANCE (PROCESS)

The process for obtaining assistance in witness protection commences with the submission of an Assistance Request Form (LA District Attorney Form) in person.

The requests are to be submitted to the Program Director:

Los Angeles County District Attorney's Office

Assistant Chief, Bureau of Investigation

210 West Temple St., Room 17-1103

Los Angeles, CA 90012

# Gardena Police Department

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### *Victim and Witness Assistance*

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(213) 974-3603

(Must telephone for an appointment)

**Requests for Witness Protection:** Unless other arrangements have been made, all requests must be made in person and all elements required must be presented. In all cases, the requests must be sufficiently detailed and informative in order for a decision to be made. Insufficient details will result in delays in the processing of requests.

Requests for assistance will be reviewed promptly and on a “first-come, first-served” basis. The review will be conducted to insure that the requesting agency has provided sufficient detail to allow for approving action to be taken and that witnesses meet the program’s conditions.

**Prior to Filing a Case:** If it is determined, prior to filing a case, which a witness is in imminent danger, the witness may be relocated under this program provided all other conditions are met and there is a likelihood that the case will eventually be filed. It should be justified why this need exists and also must include a pre-filing review by a deputy district attorney.

**Case Pending in Court:** The Program Director will determine if the witness qualifies for assistance, and if so, will authorize reimbursement in a specified amount for costs incurred by the law enforcement agency to protect the witness.

The law enforcement agency may then relocate the witness using agency funds and be reimbursed by the District Attorney’s Office for monies expended up to the amount authorized. Receipts for all expenditures must be provided for reimbursement.

**Case in Trial:** The Program Director will determine the specific amount to be used for protection and relocation of the witness. The Deputy District Attorney prosecuting the case will itemize the expenses authorized. The Order for Payment will be presented to the court for payment authorization by the judge. The agency will be reimbursed based upon the order of the judge.

#### 318.2.6 REIMBURSEMENTS ALLOWED

Agencies, whose request(s) for assistance are approved, will be reimbursed for costs related to the relocation as per the agreement for the protected witness and their family. The Program Director or his/her designee must approve any change or modification to the original agreement in advance. Relocation costs for lodging, food, transportation, and related costs, are described as follows:

- (a) Potential costs associated with emergency witness relocation for lodging, food, transportation, travel, moving expenses, etc., must be justified and approved separately.
- (b) In some cases, individual receipts for food may be waived in lieu of the officer obtaining a receipt from the witness for the approved amount of cash given directly to the witness exclusively for food as per the agreement.
- (c) Reimbursements for transportation will be limited to travel to and from the jurisdiction in which the witness is testifying and the secure area where the witness is being safeguarded.

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### *Victim and Witness Assistance*

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- (d) With prior approval, agencies may be reimbursed for the rental of trailers and vans required for permanent relocation and movement of household goods.
- (e) Special reimbursement may also be approved for armed protection or escort by law enforcement officials or security personnel before, during or subsequent to legal proceedings and for prolonged expenses such as housing, basic living expenses and health care.
- (f) Costs associated with obtaining appropriate documents to establish a new identity.
- (g) Transportation and storage costs for personal possessions.

Note: Only those expenditures substantiated by original receipts will be reimbursed.

#### 318.2.7 REIMBURSEMENT PROCEDURES

The following procedures must be followed in order to process requests for witness protection reimbursement:

- (a) Agencies may be reimbursed on a one-time full payment or in partial payments. Partial payments are authorized to assist agencies whose budgets do not allow for prolonged outputs of funds in protecting witnesses. In either case, one-time payment or partial payments, the same procedures apply.
- (b) Agencies requesting payment should prepare a letter under the agencies letterhead containing the required elements for reimbursement. The letter should be signed by the agency head or designated ranking officer.
- (c) Reimbursement requests submitted in person will be reviewed within twenty-four (24) hours and, if approved, payment will be made shortly thereafter.
- (d) Payment of claims for reimbursement submitted by requesting agencies will be authorized by the Program Director or designee. all materials will be reviewed for accuracy and propriety of expenditure and as to form.

#### 318.2.8 PROJECT PERSONNEL: LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE

##### **Program Director:**

Assistant Chief, Bureau of Investigation

Los Angeles County District Attorney's Office

210 W. Temple St., Room 17-1103

Los Angeles, CA 90012

213-974-3603

##### **Program Manager:**

Fiscal Officer 11

Bureau of Management and Budget

Los Angeles County District Attorney's Office

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320 W. Temple St., Room 540

Los Angeles, CA 90012

213-974-3521

## Report Preparation

### **322.1 PURPOSE AND SCOPE**

Report preparation is a major component of an officer's job. This procedure will provide the employee with an overview of the specific information required for the preparation and processing of reports.

### **322.2 REPORT WRITING: MECHANICS**

#### **322.2.1 WRITING STYLE**

Officers shall write their reports in the manner that most clearly conveys the information intended. To this end, officers may use either the first person or third person in their reports.

#### **322.2.2 TIME**

The military system of time shall be used. This is the 2400-hour system in which 12:01 a.m. is recorded as 0001 hours and progresses by one-minute increments through the next 24 hours, ending at 2400 hours (or midnight).

### **322.3 RACE CLASSIFICATION FOR REPORTS**

Race shall not be used in a police report to describe a victim unless the victim's race is pertinent to the investigation of a hate crime. Suspects, in the context of an investigation or arrest situation, may be identified in the report as W-White, B-Black, H-Hispanic, C-Chinese, I-American Indian, J-Japanese, F-Filipino, O-Other, X-Unknown, or P-Pacific Islander.

### **322.4 FIRE INCIDENTS**

A field officer assigned to a fire incident may prepare a police report of the incident. The incident and report heading will be classified under the appropriate computer classification code.

### **322.5 POSSESSION OF CONTRABAND WITH ADDITIONAL OFFENSES**

When a person is arrested for a criminal offense in addition to §11357 (b) H&S (possession of not more than 28.5 grams of marijuana), the arresting officer shall record the arrest information for the additional criminal offense on a crime report.

### **322.6 ASSIGNMENT OF DR NUMBER**

All original incident reports shall be assigned and shall bear a Daily Report Number and Incident Number. The DR number and Incident Number are issued via the dispatching system.

### **322.7 DR NUMBERS: GENERAL**

The DR number is the official file number of the department's reporting system. The DR number shall consist of two digits (which designate the last two digits of the year) followed by a hyphen, followed by five digits. The Computer Aided Dispatch System sequentially assigns DR numbers. If the system is down, the dispatcher may assign the DR number.

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#### **322.8 EMPLOYEE RESPONSIBILITY**

Department personnel requesting the use of a DR number shall secure and record that number upon all the reports connected with that incident.

#### **322.9 DR NUMBER OBTAINMENT: FIELD UNITS**

Employees assigned to Field Operations may obtain a DR number through Communications while still on the incident. If a DR number is requested, the employee must submit the appropriate report on the incident.

#### **322.10 DR NUMBER OBTAINMENT: NON-FIELD PERSONNEL**

Employees assigned to non-field operations may obtain a DR number through Communications, Watch Sergeant or Desk Officer.

#### **322.11 DR NUMBER OBTAINMENT: INOPERATIVE CAD SYSTEM**

When the obtainment of DR numbers through the CAD system is impossible due to down time, Communications personnel shall issue manual DR numbers.

#### **322.12 SUPPLEMENTAL REPORTS AND INFORMATION**

All pertinent additional/supplemental information concerning an incident previously recorded upon a Department report bearing a DR number shall be recorded upon an appropriate report form bearing that same DR number. All report forms generated subsequent to the original report, shall check the "follow up" box at the top of the form.

#### **322.13 LOCATION OF OCCURRENCE AND REPORTING DISTRICT NUMBER**

Personnel shall include within the appropriate spaces provided the actual location of occurrence and the Reporting District assigned that location. The location at which the report is taken is not necessarily the location of occurrence.

When the locations differ, the reporting employee shall indicate within the narrative section of the report where the incident was reported.

Personnel shall not be assigned to take reports outside the corporate limits of the City of Gardena without the expressed consent of the Gardena Watch Commander.

#### **322.14 SUPERVISOR APPROVAL OF INCIDENT REPORTS**

Generally, incident reports generated by field personnel shall be submitted to a Watch Commander. If a Watch Commander is unavailable, officers shall leave the report in the Watch Commander's Report Tray. Other personnel shall submit completed reports to their respective Supervisor.

Supervisors shall review each report for completeness, content, clarity, neatness, objectivity, and elements of applicable criminal codes, spelling, report writing time and grammar prior to approval. Reports not meeting Departmental standards shall be returned to the employee for correction.

Upon approval, the supervisor shall sign, date and write his ID# on the report.



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### *Report Preparation*

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#### **322.15 CLEARANCE OF APPROVED REPORTS**

Approved reports shall be placed in the "Report Tray" in the Records Bureau. Reports needing immediate attention (i.e., CHP 180s, missing person/juvenile, etc.) shall be brought to the attention of the Records Technician for immediate entry into NCIC, CLETS or JDIC.

#### **322.16 COURTESY REPORTING PROCEDURES**

In the event the victim of a crime that has occurred within another jurisdiction contacts personnel of this agency and requests that a police report be initiated, the seriousness of the crime shall be evaluated prior to action being taken. If the responsible agency is unable to respond to the victim's location, or referral of the victim to that agency would prove an unreasonable inconvenience or hardship, personnel shall advise the Watch Commander who may direct that a courtesy report be taken.

#### **322.17 AFTER ACTION REPORTS**

An After Action Report is designed to document an unusual event, allow the Department to evaluate its response, and prepare to handle events of a similar nature in the future. After Action Reports are required at the conclusion of every major incident or operation. A DR number will be assigned to the report.

##### **322.17.1 AFTER ACTION REPORT: RESPONSIBILITY FOR COMPLETION**

The supervisor responsible for a major incident or operation will ensure that an After Action Report is completed and forwarded to the Chief of Police within 72 hours of the conclusion of the incident.

##### **322.17.2 MAJOR INCIDENT DEFINED**

A major incident or operation shall be defined as any event (criminal or non criminal) that requires an unusual investment of resources and/or equipment, or an event that is so unusual in its nature that an After Action Report would be desirable.

##### **322.17.3 AFTER ACTION REPORT: FORMAT**

An After Action Report should contain the listed elements in the following format:

- (a) Brief description of the problem.
- (b) Chronological list of action taken.
- (c) Conclusion of event.
- (d) Description of resources/equipment used, and in the event of a disaster, estimated cost.
- (e) A critique.

##### **322.17.4 REQUIRED NOTIFICATIONS**

Submitting of an After Action Report shall not relieve personnel from the responsibility for making the appropriate notifications as required during emergent circumstances or unusual events.

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### *Report Preparation*

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#### 322.17.5 MAINTENANCE

A copy of the After Action Report shall be delivered to the Operations and Support Services Division Commanders.

#### **322.18 VEHICLE THEFT REPORTS**

Any time an officer accepts a stolen vehicle report, the officer shall notify the Records Bureau without delay in order to facilitate entry of the vehicle into the Stolen Vehicle System.

If a stolen vehicle is equipped with "LO-JACK" or other vehicle-locating device, this information shall be provided to Communications and included in the report.

If the vehicle was taken by force (e.g., in a robbery), or if weapons are reported to have been in the stolen vehicle, the officer shall advise the Records Bureau employee that the vehicle occupant is armed and dangerous. A description of the outstanding suspects and types of weapons used shall also be provided for entry into the Stolen Vehicle System.

#### **322.19 REPORTS: ASSIGNMENT**

Every incident for which a police report is generated and a DR number issued will be assigned to the appropriate Bureau.

##### 322.19.1 TRAFFIC BUREAU

The Traffic Bureau is assigned all cases in which "Traffic Accident" is part of the classification.

##### 322.19.2 CRIME SUPPRESSION UNIT (CSU)

The CSU is assigned all reports involving gambling, liquor law violations, felony drug violations, prostitution, obscene matters, and vice activity.

##### 322.19.3 SPECIAL ENFORCEMENT UNIT (SEU)

The Special Enforcement Unit is assigned special investigations as identified by the Manager in charge of the detail.

##### 322.19.4 COURT LIAISON DETAIL

The Court Liaison Officer is assigned all adult misdemeanor arrests except traffic accidents; warrant classifications and drug/vice related arrests. All Municipal Code violations are first assigned to the Court Liaison Officer who forwards the report(s) to the City Attorney.

##### 322.19.5 DETECTIVE BUREAU

The Detective Bureau is assigned any case that has not been assigned to another Bureau under these guidelines. The Detective Bureau has sole responsibility for incidents such as burglary, kidnapping, robbery, stolen vehicles, misdemeanor offenses where no arrest has occurred and a DR has been assigned, and dead body reports.

Additionally, incidents in which a report was taken involving misdemeanor assaults against Police Department personnel, indecent exposure, or sexual battery (including those cases in which an arrest has been made) shall be assigned to the Detective Bureau for follow-up and filing.

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#### 322.19.6 CITY FACILITIES

Any incident report, which deals with any city facility, will be identified by the Watch Commander and brought to the attention of the Administrative Services Bureau Commander.

## News Media Relations

### 323.1 PURPOSE AND SCOPE

Providing prompt and accurate information to the public via the media is of the utmost importance. This procedure will provide the Public Information Officer (PIO) information on how to handle different types of situations involving the media.

### 323.2 PUBLIC INFORMATION OFFICER

During major incidents, investigations and disasters, the PIO shall remain accessible to the media so that Department personnel can perform their tasks uninterrupted by PIO in meeting the needs of the Department and the news media.

During periods outside the normal working hours of the PIO, the Patrol Watch Commander, Acting Watch Commander, or their designee shall function in the capacity, of PIO.

### 323.3 RELEASE OF INFORMATION: GENERALLY

The Records Bureau Manager shall maintain a current file containing information from daily activity reports, and crime reports. The PIO, Records Manager or a designee, who shall verify the credentials of the reporters, shall make information from this file available to news reporters. The Records Bureau Manager and the PIO may release information either verbally or in writing.

### 323.4 NEWSWORTHY INCIDENTS

#### 323.4.1 CODE 20

A Code 20 is a notification to the news media of an immediate newsworthy incident.

When a newsworthy incident occurs in the field, it shall be the responding field officer's responsibility to notify a supervisor of such occurrence. The supervisor shall obtain pertinent elements of the newsworthy incident and determine if release of information regarding this incident (Code 20) is in the public interest and that of the Department. Depending upon the magnitude of such incident, the availability of personnel or other exigencies, the Watch Commander shall be responsible for advising the media, and/or PIO of the incident. If the Watch Commander issues a Code 20 media notification regarding the incident, independently of the PIO, all media notifications shall be recorded in the Watch Commander's log.

#### 323.4.2 MEDIA NOTIFICATION LIST

The PIO shall compile and keep current a list of news agencies and wire services for use in Code 20 notifications. A copy of this list shall be maintained in the Watch Commander's office.

### 323.5 MAJOR INCIDENTS: PIO RECALL

At the direction of a Division Captain, the PIO or a designee shall respond to the scene of major incidents to coordinate release of information to the media. The information will also be released by Nixle. In the event of major incidents such as officer-involved shootings, hostage incidents or

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### *News Media Relations*

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natural disasters, the PIO may be subject to emergency recall and shall respond as directed by the Division Captain.

#### **323.6 PIO NOTIFICATION: NEWS RELEASE OR INTERVIEW**

The PIO shall be advised of any news releases or media interviews originating anywhere in the Police Department. It shall be the responsibility of the person authorizing the release or interview to ensure that the PIO is notified. The notification may be made verbally when the PIO is on duty, by internal memorandum, or Chief's Log entry. The purpose of the notification is to ensure that consistent and accurate information is disseminated to the media.

#### **323.7 NEWS RELEASES: SPECIAL BULLETINS**

Quite frequently, news releases will be made in written form by means of special bulletins. The PIO is generally responsible for the creation of special bulletins, but they may be generated anywhere within the Department. Special bulletins shall be issued on the approved Departmental form and the release of such bulletins shall be coordinated through the PIO. The PIO shall maintain a file containing a numbered copy of each special bulletin released by the Department.

#### **323.8 NEWS MEDIA EXCLUSIVES**

Generally, information shall be furnished equitably to all members of the media in a timely and accurate manner. Members of the Department shall not assist reporters in originating exclusive news stories. Occasionally, however, a reporter may be independently aware of events involving the Police Department and begin "enterprising" a story for the exclusive use of the reporter's employer. Every effort should be made to respond appropriately to inquiries made by the reporter without compromising the integrity of the story by bringing it to the attention of a competing news agency. Absent circumstances warranting general release of information, police personnel shall not volunteer the same story to competing media nor issue a release on the same material until the reporter has used the story.

In the event a second reporter inquires about the same story, appropriate responses shall be given, and the second reporter shall be told that the information has already been given to someone else and cannot be considered exclusive. The first reporter shall then be advised of the circumstances of the second inquiry.

#### **323.9 SPECIAL FEATURE NEWS STORIES**

Requests for Police Department cooperation for feature news stories or commercial productions shall be referred to the PIO. The PIO may accommodate such requests on approval of the Chief of Police after determining that no conflict of interest, no undue loss of time from Departmental personnel, no other undesirable or disruptive factors are involved, and that the feature story is in the best interest of the community and the Department.

#### **323.10 NEWS CONFERENCES**

From time to time, activities of members of the Gardena Police Department will be of such note that it is in the interest of the Department and the public to call a news conference. The PIO or designee shall coordinate all news conferences. Prior to any news conference, individuals most

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familiar with the information to be disseminated shall brief the PIO. Police management and/or the PIO shall determine who will address the conferees and what information will be released. The PIO will ensure that equal access is provided to all members of the media and, when appropriate, that media pool equipment is fairly coordinated.

#### **323.11 MEDIA ACCESS TO CUSTODY FACILITIES**

The media has no special right to enter any Gardena Police Department Custody Facility.

Requests for any Gardena Police Custody Facility to be the subject of a feature article shall be referred to the PIO. The PIO shall accommodate such requests only on approval of police management. The PIO or a designee shall coordinate media access and coverage of custody facilities. Because access by the media to custody facilities must be closely monitored, prisoners' privacy must be maintained and facility security must not be compromised, such access is extremely labor intensive for police personnel. Cost, availability of personnel, and safety concerns are factors that must be evaluated when considering approval of media access to custody facilities.

News media recording devices, such as video cameras, tape recorders or still cameras shall not be allowed inside any Gardena Police Department custody facility except by approval of police management.

#### **323.12 PUBLIC INFORMATION**

This information is considered to be public information and shall be released to the public, except to the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation, or would endanger the successful completion of the investigation, or a related investigation.

- The full name, current address and occupation of every person arrested.
- The arrestee's physical description, including date of birth, color of eyes and hair, sex, height and weight.
- The time and date of arrest.
- The time and date of booking.
- The location of the arrest.
- Factual circumstances surrounding the arrest.
- The amount of bail set.
- The time and manner of release or the location where the arrestee is currently being held.
- All charges against the arrestee, including any outstanding warrants from other jurisdictions and parole or probation holds.
- The time, substance and location of all complaints or requests for assistance received by the agency.
- The time and nature of the response thereto.

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- The time, date, and location of an occurrence.
- The time and date of the report.
- Except in the enumerated cases of sexual assault, child abuse, interference with civil rights and spousal abuse, the name, age and current address of the victim.
- The factual circumstances surrounding the crime or incident.
- A general description of any injuries, property or weapons involved.

## Biological Samples

### 336.1 PURPOSE AND SCOPE

The following procedure is to establish guidelines for the collection and mailing of DNA samples.

### 336.2 DNA SAMPLE COLLECTION (PROPOSITION 69)

The Detective Bureau Commander will be responsible for coordinating the collection of DNA samples for DNA testing and the mailing of these samples to the respective State of California offices.

#### 336.2.1 OUT-OF-CUSTODY COLLECTION SAMPLES

- (a) Process DNA collection for out-of-custody qualifying defendants who have been ordered to provide a DNA sample and print impressions by the court.
- (b) When a Court Order or Minute Order comes to a facility which identifies an inmate as being convicted of a felony or a misdemeanor with a prior felony conviction, the Jailer reviewing the court document will enter a "Y" in the DNA required field indicating that the inmate requires DNA collection.

#### 336.2.2 COLLECTION MECHANICS

- (a) Confirm the subject's identity prior to DNA collection.
- (b) Confirm that the person is a qualifying offender (PC 298(b)(5).)
- (c) Review the DNA Order Tracking System (DOTS), web-CCHRS and/state criminal history to ensure that DNA samples and print impressions are not already in DOJ's possession.

#### 336.2.3 PRE-RELEASE PROCEDURE

- (a) The on duty jailer will verify, via CCHRS history, that an inmate is required to submit to DNA testing, and they have not submitted samples as required.

#### 336.2.4 BUCCAL DNA COLLECTION KIT AND PALM PRINT PROCESSING

- (a) The jailer will notify the inmate pursuant to Penal Code Section 296, he or she must submit to DNA testing. The jailer will advise the inmate that if they refuse to submit to testing, they will be arrested and charged with Penal Code section 298.1 (a misdemeanor).
- (b) The jailer will obtain a buccal swab sample from the inmate. After the sample is collected, the jailer will stamp the inmate's booking sheet with "DNA SAMPLE TAKEN."
- (c) The jailer will then place the kit into the DNA Collection mailbox.
- (d) The jailer will stamp the white county booking sheet indicating that a sample was collected.
- (e) if an inmate refuses to submit a DNA sample and/or print impressions, the Jailer will notify the on-duty Watch Commander.



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### *Biological Samples*

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#### **336.3 LOGGING AND MAILING OF SPECIMENS**

The Buccal DNA Collection Kit will be mailed to:

State of California

Department of Justice

DNA Data Bank Program

1001 W. Cutting Blvd. Suite 110

Richmond, CA 94804-2028

#### **336.4 SUPPLIES**

Buccal DNA Collection Kits can be ordered by calling (510) 620-3300 X3372 or email [pc296.pc296@doj.ca.gov](mailto:pc296.pc296@doj.ca.gov).

## Volunteer Program

### 341.1 PURPOSE AND SCOPE

Interns are one group of individuals who are classified as volunteers. Interns can be an important part of the organization and are proven to be a valuable asset to law enforcement agencies. This procedure will be followed by those individuals who wish to become an intern.

#### 341.1.1 DEFINITIONS

**Intern** – A non-paid volunteer at this Police Department seeking practical experience in the field of Criminal Justice.

**Intern Coordinator** – A Manager or Supervisor assigned to regulate and monitor the duties of all Police Department Interns.

### 341.2 PROCEDURE

- (a) Prior to being accepted, interns must first complete an Inter Application packet and be cleared through DOJ.
- (b) With the approval of the Intern Coordinator, an Intern may be assigned to any division of the Police Department.
- (c) Interns will not operate City vehicles without the express permission of the Intern Coordinator.
- (d) Interns operate at the will of the Department and may be dismissed at any time with or without cause.
- (e) It is the responsibility of the Intern to ensure his/her proper documentation is completed for their school.
- (f) Interns will be issued a temporary City I.D. Card and must wear it while on City Property.
- (g) Interns shall adhere to the rules and regulations of the Gardena Police Department and the City of Gardena.

## **Chapter 4 - Patrol Operations**

## Patrol Function Procedures

### 400.1 PURPOSE AND SCOPE

Patrol is the most basic and universal function of policing. These procedures will provide the officer with the basic knowledge needed to be an effective patrol officer. Areas covered by this procedure include:

- Unit assignments and patrol beats
- Handling animal calls
- Alarm response
- Responsibilities of the front desk officer
- Communications
- Medical care for arrestees
- Advisement of Constitutional Rights
- Scheduling
- Use of Electronic Stakeout Tracker

### 400.2 PATROL BEATS

The City of Gardena is divided into six (6) primary patrol beats and are numbered one (1) through six (6). There are three (3) secondary overlap beats, numbered seven (7) through nine (9) that supplement the beat deployment when sufficient personnel are on duty.

#### 400.2.1 PRIMARY UNIT ASSIGNMENTS

Patrol units are designated according to the number of officers assigned to the shift, assigned beat and watch designation. The number eight (8) designates the City of Gardena, the letter (L) designates a one-officer unit and the letter (A) designates a two-officer unit; the number (1-6) designates the assigned beat. The letter (D) designates Day Watch, the letter (S) designates Swing Shift and the letter (M) designates Night (Morning) Watch. For example, a Gardena patrol unit, with a single officer working Beat 1 on the day watch would be designated: 8-L-1-D.

#### 400.2.2 SECONDARY UNIT ASSIGNMENTS

Secondary beat units, designated as numbers (7-9) would be deployed as overlap units in support of the primary beats.

#### 400.2.3 PATROL BEAT ACCOUNTABILITY

Personnel are responsible for providing appropriate police services within their assigned district. Personnel may leave their assigned beat only when authorized by a supervisor or the provisions of this Manual.

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#### **400.3 ANIMAL CONTROL**

The Gardena Police Department contracts with the Los Angeles County Animal Control for animal control services. Specific details of that service are enumerated in the current contract.

When the County Animal Control is closed, the Police Department will be responsible for receiving and coordinating the response to animal control calls for service. Non-emergency calls for service maybe handled by the Police Department or, if the request does not require immediate attention, transferred to the County Animal Control the following day (during normal business hours). A unit will be dispatched to those incidents requiring an immediate investigation. A determination will then be made if County Animal Control after-hours representative needs to respond. Killing animals that are seriously injured or pose a real threat to the safety of humans by the use of deadly force is approved when no other disposition is practical. The safety of bystanders must be given prime consideration.

##### **400.3.1 LOS ANGELES COUNTY ANIMAL CONTROL RESPONSIBILITIES**

The Los Angeles County Animal Control is responsible for conducting preliminary investigations and handling all routine complaints involving animals. Outside normal business hours, County Animal Control will respond to the following types of emergency incidents:

- (a) Injured animals (domestic and wildlife) requiring medical treatment when the owners cannot reasonably be located
- (b) To determine whether an animal (that is too large to transport) should be destroyed
- (c) Complaints of vicious or suspected rabid animals
- (d) Incidents involving bovine, equine, and unusual animals (e.g., monkeys, strange or uncommon fowl, and rattlesnakes)
- (e) Any other situation involving animals or fowl, which requires immediate action, and the officer, is not equipped to handle it (i.e., prisoners' property, person dead).

County Animal Control will also respond, at the request of the Police Department, to locations outside of Gardena if an animal is known to exist at a residence (or vehicle) involved in a criminal investigation, and the animal requires protective housing. If possible, the Police Department should provide sufficient advance notice when requesting this type of service.

##### **400.3.2 INJURED ANIMALS**

In the case where an animal is injured and the owner cannot be located within a reasonable period of time, the animal shall be transported to a veterinary hospital. County Animal Control is responsible for handling injured animals; however, the officer may transport the injured animal if it is feasible to do so.

County Animal Control should be notified any time there is an injured animal that is too large to transport. County Animal Control will assume responsibility for transportation the disposition of the animal's body.

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#### 400.3.3 ANIMAL CONTROL LEASH LAW VIOLATIONS

Generally, absent an immediate threat to public safety, County Animal Control will not respond to unleashed dog incidents unless the animal has been contained. Personnel should gain supervisory approval and exercise discretion before attempting to contain animals that do not pose an immediate threat to public safety.

#### 400.3.4 ANIMAL RELATED INCIDENT REPORTS

The Police Department may initiate a police report whenever the circumstances indicate a report is necessary. A police report may be appropriate in the following circumstances:

- (a) All Penal Code violations involving animals
- (b) All incidents in which weapons or deadly force is used against animals or fowl
- (c) All aggravated complaints of barking dogs, leash law violations, property damage or other disturbances involving animals or fowl
- (d) All incidents of animals injuring or attacking people or suspected rabid animals.

#### 400.3.5 ARREST/CUSTODIAL CASES / RESPONSIBILITY FOR ANIMALS

Animals belonging to and in the custody of persons arrested by this Department, after normal business hours, shall be taken into the animal shelter by the arresting officer and placed in the quarters provided for them (if transportation is impractical, the Humane Society should be notified and will respond to take custody of the animal).

A note containing a brief explanation of the circumstances requiring the animal to be placed at the shelter shall be attached to the cage. This note shall contain the owner's name and the DR number of the incident report.

During the booking process, the animal shall be listed on the prisoner's property slip.

### **400.4 ALARM RESPONSE / FALSE ALARMS**

#### 400.4.1 DEFINITIONS

**False alarm** - any alarm activated for reasons not of an emergency nature or due to the malfunction of any segment of the alarm system and which may result in a response by the police department where an emergency situation does not exist. "False alarm" also means the use of an alarm for purposes other than that for which it was installed.

**False Alarm Notification Card (FANC)** - a police department form documenting the response to an alarm activation; the form documents the address, name of business, date and time, officer name, and disposition of the call.

**CARD** - the disposition code to be used by officers denoting a false / unfounded alarm activation and that a FANC was completed.

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#### 400.4.2 PROCEDURE

- (a) When assigned a service call involving an alarm activation, responding officers shall properly investigate each alarm call. If the alarm activation is determined to be false or unfounded, the primary officer shall cause a False Alarm Activation Card (FANC) to be completed and a copy to be left in a conspicuous location so the owner will know there was a police response. Upon clearing the call, the officer shall use the disposition "CARD" with dispatch to indicate the call was false or unfounded and that a FANC was completed. Officers shall submit the original to the watch commander at the end of shift.
- (b) Watch commanders shall forward the original copy of the False Alarm Notification Card to the appropriate personnel maintaining the alarm database.
- (c) FANC copies will be maintained annually and used to compile a master list of alarm activations. New addresses and repeat activations will be tracked and documented in this master list. Notices will be mailed to premises where alarms have been falsely activated three or more times. Invoices will be mailed to repeat offenders with four or more activations.
- (d) The Police Department will attempt to collect all fees related to the alarm permit application and any fines related to excessive alarm activations. Any fees or fines not submitted by alarm holders in a timely or required manner will be forwarded to the City's collection service.

#### 400.4.3 ADDRESS NOTIFICATION

An officer handling an alarm incident without a specific address shall attempt to locate the source of the alarm. If the source of the alarm is located and determined to be false, the officer will advise Communications of the exact address of the alarm. Communications will enter the exact address into the computer system.

#### 400.4.4 ALARM NOTIFICATION CARDS

After checking the location of an alarm and determining that the alarm was false, the officer shall leave an Alarm Notification Card in a conspicuous place. Any unusual conditions, such as unsecured doors or windows, should be noted on the card.

#### 400.4.5 CHRONIC ALARMS

Personnel who become aware of an alarm system, that is known to chronically issue false alarms, shall notify Communications. The information provided should include the name and location of the firm or residence using the alarm, the name of the company maintaining the alarm, and the nature of the problem.

When advised of a chronic alarm, Communications may direct their personnel or field personnel to attempt contact with a responsible party for the location at which the alarm is activated. If contact is made, the problem should be explained to the responsible party and corrective action requested.

If the location of a chronic alarm is a City of Gardena building, the officer shall complete a memorandum and forward it to a supervisor. The supervisor shall make a copy of the

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memorandum and forward one copy to the affected department and the other copy to the Chief's Office.

#### **400.5 BUILDING SECURITY BOARD UP PROCEDURE**

Whenever an officer responds to an incident where a building cannot be secured, the officer will attempt to contact a person responsible for the location. If a responsible party cannot be located, and the only means of securing the building is by having an officer stand by, the building may be boarded up pursuant to City ordinance.

In order to have a building "boarded up," the officer will obtain a supervisor's approval and notify Communications. Communications will contact the appropriate company and have them respond to the location. The officer may leave the location once it has been secured.

#### **400.6 FRONT DESK OFFICER**

The front desk officer shall assist and direct all persons entering the Police Facility through the front entrance. The front desk officer will be responsible for ascertaining the particular needs of an individual and ensuring that the person is provided with the appropriate assistance.

The front desk officer will remain cognizant of visitor needs and address those needs in a timely and professional manner. The Front desk officer is responsible for directing visitors to the appropriate sources of services and information. In addition to providing referral services within the Department (i.e., investigative services, fingerprint service, reports/Records information), the front desk officer should direct visitors to the resources of other agencies (i.e., City Departments, other governmental agencies, social services agencies, etc.) when suitable. If conditions are such that the front desk officer cannot provide the appropriate level of Service, the Watch Sergeant should be advised and appropriate action taken.

##### **400.6.1 FRONT DESK TELEPHONE COMMUNICATIONS**

During normal business hours, the front desk officer usually will answer in-coming telephone lines. Outside business hours, the front desk officer shall have the primary responsibility of answering the Department's designated information lines.

The front desk officer shall limit self-initiated telephone calls to those that are essential to the officer's assigned duties.

##### **400.6.2 POLICE REPORTS**

The front desk officer will request a field unit to take an incident report under the following circumstances:

- (a) When as a matter of convenience to the reporting party, who would be required to return to the location of occurrence and the facts of the matter, do not necessitate an on-scene investigation.
- (b) Counter or telephonic reports should be limited to reports that do not have suspect information, do not require an on-scene investigation, or do not require an immediate follow-up investigation.



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#### 400.6.3 POLICE FACILITY VISITORS

The front desk officer or other appropriate person shall determine the needs of each visitor. If the visitor has legitimate business with the Department, the visitor will be directed to the appropriate individual or bureau. All visitors to the police building are required to check in at the front desk.

The front desk officer shall contact the appropriate employee prior to permitting the visitor to access the facility. The visitor will only be admitted to the facility when escorted by a Department employee. The Watch Commander or Supervisor may authorize exceptions.

When it is apparent that a visitor does not intend to conduct legitimate business within the Police Facility, or the visitor poses a potential threat to Police Operations and/or personnel, the front desk officer will take immediate and appropriate action to remedy the situation.

The front desk officer shall immediately notify the supervisor whenever a visitor poses a threat to police operations and/or personnel; there is a disturbance at the front desk, or a disruption of City business at the front desk.

#### 400.6.4 FRONT DESK / BUILDING SECURITY

The front desk officer is responsible for ensuring that adequate security is maintained at the front entrance of the police facility.

The access door adjacent to the front desk counter shall remain secured, and visitors shall not be permitted beyond the front desk lobby until such time that the front desk officer has determined a legitimate need for access. Only those persons requesting or requiring services provided by this agency shall be permitted to remain within the police facility.

#### 400.6.5 DELIVERIES AT THE FRONT DESK

The front desk officer is responsible for routing deliveries received at the front desk both during and after business hours.

During business hours, all mail and newspapers received at the front desk shall be forwarded without unnecessary delay to the Office of the Chief of Police.

### **400.7 COMMUNICATIONS**

#### 400.7.1 VOICE RADIO COMMUNICATIONS GENERAL

Personnel shall utilize radio equipment for the purpose for which it was designed. Personnel are responsible for the safekeeping and operation of the radio equipment under their control. Personnel shall be cognizant of the frequency to which they are assigned and the status of the radio transmitter (i.e., "open microphone") at all times.

#### 400.7.2 VOICE RADIO COMMUNICATIONS AUTHORIZED LANGUAGE

American Standard English is the common bond of media communications and should be used in all radio transmissions. Speech patterns, which mimic certain cultural annunciations, including the use of colloquial and/or slang terms, shall not be used.

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#### 400.7.3 DURATION OF RADIO TRANSMISSIONS

Voice communication transmissions shall be brief yet comprehensive, and shall only consist of that information pertinent to the performance of assigned duties.

#### 400.7.4 COMMUNICATIONS PROCEDURE: VEHICLE STOPS AND INVESTIGATIONS

Field units performing a traffic stop of a vehicle or conducting a field investigation involving a vehicle shall clearly state their unit designation, status code, location, and the license number (and type if other than California standard passenger-car vehicle plate).

The type of vehicle, color of the vehicle, and number of occupants may be given at the officer's discretion when officer safety is a concern.

#### 400.7.5 CODE 4 NOTIFICATIONS

Field units assigned to any incident involving potential violence or the need for additional assistance shall advise the dispatcher by voice transmission when no further assistance is needed. The field unit shall state the unit designation and "Code 4".

#### 400.7.6 TRANSPORTATION OF PRISONER FOLLOWING ARREST

Whenever a field unit is transporting an individual after an arrest or pursuant to a detail, that unit shall advise the dispatcher by voice radio of the transportation using authorized radio code. When transporting female prisoners, male officers shall provide the dispatcher with their start location and mileage by voice radio. When the transportation is completed, the officer shall provide the dispatcher with their final location and ending mileage by voice radio.

#### 400.7.7 TELEPHONE CONTACT WITH PERSONNEL ASSIGNED TO A DISPATCH POSITION

Personnel directing inquiries or other communications to the Communications Center by telephone shall not contact dispatch personnel directly unless expressly instructed to do so by the dispatcher or a supervisor. All such telephone communications shall be directed to call takers.

### **400.8 USE OF RADIO CODES**

A standardized radio code has been adopted by this Department to be used in all radio transmissions when the codes are applicable. This will provide shorter, distinct radio transmissions and a common scheme of abbreviated transmissions. Personal interpretations of the code will not be used.

#### 400.8.1 AUTHORIZED RADIO CODES

10-1	Receiving transmission poorly
10-2	Receiving transmission well
10-4	Message received
10-7	Out of service
10-8	In service
10-9	Repeat

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10-10	Away from unit, subject to call
10-15	Prisoner in custody
10-19	Return to station
10-20	What is your location?
10-21	Call station by telephone
10-22	Cancel response: Take no further action
10-23	Standby
10-28	Check DMV registration
10-29	Check for vehicle wants
10-33	Emergency radio traffic only
10-35	Confidential information
10-35F A/D	Felony armed & dangerous
10-35F	Felony want/warrant
10-35M	Misdemeanor want/warrant
10-35T	Traffic want/warrant
10-35V	Stolen Vehicle
10-36	Request correct time
10-39	Restroom stop
10-97	Arrived at scene
10-98	Finished with last assignment
Code 1	Have message for unit
Code 3	Proceed as quickly as possible using emergency lights and siren and showing due regard for other motorists
Code 4	No further assistance needed
Code 5	Surveillance in progress, avoid the area
Code 6	Field investigation
Code 7	Out of service, meal break
Code 14	Resume normal patrol
Code 20	Newsworthy incident
901	Traffic accident w/injuries
902N	Accident w/unknown injuries
902T	Traffic accident w/no injuries
905	Dead animal
911B	Meet with/assist other agency
912	Request clearance
913	Clearance granted

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914N	Notification made
915	Abandoned refrigerator
917	Abandoned vehicle
917S	Abandoned/suspicious vehicle
925	Suspicious activity
925A	Suspicious vehicle
925C	Suspicious circumstances
925R	Suspicious circumstances report
926	Request tow truck
926A	Tow truck advised
928	Found property
932	Child abuse/neglect
932R	Child abuse report
990	Transportation
996	Bomb threat
997	Officer needs help
999	Mutual aid response

#### 400.9 COMMUNICATIONS STANDARDS

##### 400.9.1 UNIT IDENTIFICATION

The following unit identification numbers expressed as "CBW" are to be used for all communications:

C	City number	B	Beat
T	Type of Unit	W	Watch or shift

##### 400.9.2 CITY NUMBERS

Each member city of the South Bay Regional Communications Authority is assigned a designated number:

8	Gardena	5	Hawthorne
2	Manhattan Beach	3	El Segundo
1	Hermosa Beach		

##### 400.9.3 UNIT TYPE

CODE	UNIT TYPE	CODE	UNIT TYPE
A	Two-officer patrol car	M	Motorcycle Officer
B	Field training officer and trainee	N	Professional Staff
C	Executive Staff	P	Parking Enforcement

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D	Detective	R	Civilian Volunteer Unit
E	SWAT Team	S	Sergeants
G	Gang Unit	T	Traffic Car
I	GMET Officer	V	Vice/Intelligence/CSU
J	School Resource Officer	W	Lieutenants
K	Canine	X	Special Assignment/ Sworn
L	One-officer patrol car	Z	Mutual Aid Unit/Bike Team

Beat numbers indicate geographical boundaries for patrol established by each member city.

#### **400.10 ARREST/CUSTODIAL CASES MEDICAL CARE**

Whenever possible, persons who have committed criminal acts and thereafter require emergency treatment should be processed and prosecuted by criminal complaint rather than by a field arrest.

Should an arrest be affected, the field officer shall have the arrestee transported to an authorized medical facility for treatment and diagnosis before the arrestee is booked in the Jail.

Felony arrestees requiring admittance to the hospital for prolonged treatment should be transported to the Jail Ward of the Los Angeles County Medical Center. The Los Angeles County Medical Center Jail Ward will not accept misdemeanor arrestees for medical treatment. The City is solely responsible for the medical treatment of all misdemeanor arrestees.

##### **400.10.1 ADMITTANCE TO LOCAL HOSPITAL**

When a prisoner requires immediate admittance to a local hospital for other than emergency room treatment, the arresting officer shall notify the on-duty Watch Commander.

##### **400.10.2 MEDICAL TREATMENT REPORTING REQUIREMENT**

When a prisoner is transported to a local hospital, the assigned officer shall include the circumstances and medical treatment in a police report.

##### **400.10.3 CUSTODIAL CASES FINANCIAL RESPONSIBILITY**

Medical costs associated with treatment received by an inmate resulting from incidents not proximately caused by the act of the Gardena Police Department will be incurred by the inmate.

Ambulance service for all custody cases and non-custodial cases will be covered pursuant to current contractual agreement with an approved ambulance company. This includes transportation to L.A. County Medical Center Jail Ward.

Professional Ambulance will cover ambulance service for all custody cases and non-custodial cases on a flat-rate contract basis. This includes transportation to L. A. County Medical Center Jail Ward.

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#### 400.10.4 ACCEPTANCE OF ARRESTEES FROM OTHER AGENCIES FINANCIAL RESPONSIBILITY FOR MEDICAL COSTS

Officers and custodial personnel should exercise caution when accepting an arrestee from an outside agency whose medical condition is questionable. Once the arrestee is booked into this Department's Jail, any emergency room fee is incurred by the City of Gardena. (This includes arrestees that are brought to the Gardena City Jail by outside agencies - C.H.P., etc.)

#### **400.11 ADMONITION OF RIGHTS PRIOR TO INTERVIEW**

Prior to interviewing/interrogating a suspect(s) in custody about possible participation in a criminal offense, the officer shall advise the suspect(s) of their Miranda rights.

#### **400.12 MISDEMEANOR ARREST(S) ADVISEMENT**

In the case of misdemeanor arrests, the arresting officer is responsible for advising arrestees of their constitutional rights. If an intelligent waiver is obtained (i.e., the arrestee understands the admonition), an interview shall be conducted and a statement obtained.

#### **400.13 FELONY ARREST(S) ADVISEMENT**

Generally, persons arrested for felony offenses should not be advised of their constitutional rights or interrogated at the time of their arrest by field personnel. The advisement and interrogation is normally the responsibility of Investigative Services personnel assigned to the case.

However, if unusual circumstances exist, and an immediate advisement, waiver, and interrogation would enhance the investigation, or the arrestee wishes to talk to the officer, a field officer may make the advisement and obtain a statement.

When a felony suspect is to be released on bail prior to being interviewed by the appropriate detective bureau personnel (and the release is occurring during hours when investigative personnel are not on duty), a field officer should admonish the suspect and obtain a statement.

In the case of serious crimes, Detective Bureau personnel should interview the suspect unless exigent circumstances are present (e.g., the suspect is seriously wounded).

#### **400.14 JUVENILE ARREST(S) ADVISEMENT**

In compliance with §625(a) of the Welfare and Institutions Code, all juveniles arrested by this Department will be advised of their constitutional rights at the time of arrest.

Refer to the Juvenile Section of this manual for additional information/procedures.

#### **400.15 UNSOLICITED STATEMENTS**

All personnel shall document spontaneous or unsolicited statements that are pertinent to the case.

#### **400.16 ADMONISHMENT OF RIGHTS - INCLUSION IN THE REPORT**

In the incident report, the officer shall include all pertinent facts regarding the advisement of the suspect's constitutional rights, the suspect's refusal or waiver of those rights, and any information obtained in the subsequent interview.

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#### **400.17 PATROL SCHEDULING**

##### 400.17.1 DEFINITIONS

**InTime ISE Work Schedule** – ISE daily scheduler software is a 3-tier Enterprise Resource Deployment Application.

**ISE – Employee Self-Service Portal (ESS)** - Employees can view their own schedule; view their personal profile, ability to submit Leave requests, Activity overtime requests, and Sign-Up for overtime assignments.

**Leave** – Administrative leave, comp time, holiday, vacation (incidental, primary and non-primary) and any sick leave.

**Overtime Distribution** - The ISE system utilizes a database with filters that calculates voluntary overtime and distributes it in an equitable manner. Some of the filters include, but not limited to “Turn Organizer,” “Precedence,” and “Entered” time.

**Swap** – Patrol assignments equally exchanged between two employees’ regular shifts.

**Voluntary Overtime** - Not specific to a specialist position or collateral duty.

##### 400.17.2 PROCEDURE

- (a) With the assistance of patrol lieutenants and field supervisors, the scheduling lieutenant manages the overall patrol schedule and ensures the correct amount of resources are distributed across the patrol shifts. In addition, these are some of the responsibilities of the scheduling lieutenant:
  1. Schedule modifications/adjustments
  2. Allocation of personnel to each shift
  3. Primary/Non-primary vacation
  4. Scheduling department training
  5. Overall oversight of Patrol overtime
- (b) Each patrol lieutenant and patrol sergeant specifically manages the personnel assigned to their side of the shift and is generally responsible for the following areas:
  - (a) Ensuring shifts are properly staffed
  - (b) Monitoring overtime/sick time usage
  - (c) Incidental time off requests (see below)
  - (d) Daily input of time usage by personnel
  - (e) General oversight of “District” projects/missions requiring overtime
- (c) To establish consistency across every shift in the methods used to manage patrol personnel deployment, overtime, and time off requests. The following guidelines shall be followed:

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1. Properly staffing our patrol shifts is one of the highest, if not the highest priority, for our department. Training, time off requests, checkpoints, taskforces, etc, are secondary to the adequate deployment of our patrol resources.
  2. Any changes made to the schedule are automatically stored in the ISE history database by date, log time, user and operation.
  3. If there is an occasion that you modify a shift you are not directly responsible for, you shall notify the lieutenant/sergeant responsible for that shift as soon as practical.
  4. Finally, no major scheduling changes without the scheduling lieutenant's approval or the approval of the shift lieutenant.
- (d) Time off requests
- (a) Only one primary vacation request will be approved for a specific time frame.
  - (b) Generally, only one officer is allowed off on incidental time per shift. There may be occasions where primary vacations, training and other personnel issues will prevent any personnel from taking time off during a particular shift(s).
  - (c) An exception to the one officer rule may exist from time to time when shift coverage is at its maximum; due to no scheduled primary vacations, IOD status, training, or other excused absences. In these situations the shift sergeant may, at his/her discretion, allow an additional officer incidental time when requests exceed the one officer per shift guideline and is requested within ONE WEEK of the affected date of request.
  - (d) If a shift is below minimum, generally no incidental time will be granted. There may be extenuating circumstances where the department has caused the below minimum staffing i.e. department training (Perishable Skills, SWAT, etc.), instructor adjustments for in-house training, etc. In these cases, the overseeing lieutenant will make the decision as to whether or not an officer will be allowed a day off.
  - (e) Shift trades or Swap for time off are approved by the sergeants and must be entered in the schedule in advance of the shift trade date(s).
  - (f) There are circumstances such as family leave, IOD or long term illnesses that can cause deviations from the above guidelines. The scheduling lieutenant will handle these situations on a case-by-case basis.
- (e) Overtime - The organization makes every effort to deploy personnel to each patrol shift in a manner that exceeds minimum staffing requirements. As a result of this effort, weekend night shift is allocated more personnel to mitigate risks associated with that deployment timeframe. There may be occasions when resources are depleted and a need for overtime exists. When the need for personnel arises or when there is an assignment requiring overtime to be meted out, the following guidelines will be used to distribute overtime to personnel:
- (a) Volunteer overtime will be distributed on a rotational basis by posting the availability of assignments in the ISE/ESS system. Once the overtime is posted



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in ESS, notifications will be sent to the concerned employees email and SMS via ISE.

- (b) If an employee is available to work overtime he/she should sign-up using the ESS Portal. Once the employee has signed-up, the supervisor will fill the assignment using the ISE work schedule. The "Find" process will display the employees who have agreed to work the assignment in the order dictated by list organizer calculations. The employee that meets the criteria will be first on the list. The supervisor will click "Fill" and the selected employee will be given the assignment. ISE will then notify the selected employee via email and SMS they have been designated for the overtime.
- (c) An employee who has been Filled for an overtime assignment will be shown as having a Turn on a virtual roster within the ISE database. If two or more employees are competing for the same overtime position, the employee who has not recently had a turn will be at the top of the find list.
- (d) Four (4) hours of overtime or less will be posted in the same manner as above with one exception. The scheduling sergeant/lieutenant will not click "Fill" and the concerned employee will not be calculated as having a Turn.
- (e) Specific overtime that requires expertise in a specialist assignment or collateral duty assignments are not subject to the posting of overtime in ISE.
- (f) Employees who sign up for an assignment are expected to be available should they be selected. If an employee is selected and refuses the overtime without an excusable reason they will be considered as having a Turn.
- (g) An employee calling in sick, six (6) days or more, within a four-month deployment will be prohibited from working overtime. Any deviations from this guideline should be approved by the scheduling lieutenant.
- (h) Any pattern of sick leave abuse will be subject to discipline in accordance with City of Gardena Personnel Rules and Regulations, Section 10.5.
- (i) Employees who sign up for overtime and fail to make themselves available when selected, may face additional restrictions, up to and including denying them any overtime and/or disciplinary action.
- (j) A separate overtime posting/sign-up method utilizing ISE will be used for special events (I.e., DUI Checkpoints, Parades and Special Events, etc.). The method allows employees wishing to sign-up for those specific special events exclusively.
- (k) Except in a case of department needs determined by management, an employee on leave shall not sign up or be assigned overtime if their regularly scheduled work hours would conflict with the overtime position.
- (l) Regular work hours and leave hours (time-off) are considered to be the same for the purpose of assigning overtime. Therefore, the same condition applies while on any type of leave. If the employee would not be eligible for overtime during their scheduled work hours, then they will not be eligible for overtime while on leave.

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- (m) An employee, who swaps their regularly assigned shift with another, is prohibited from working an overtime detail on the swapped day.
- (n) All supervising employees issuing overtime are ultimately responsible for adhering to the guidelines for posting within ISE and ESS. The ISE/ESS database provides transparency when overtime has been assigned and distributed to our employees.

#### **400.18 ELECTRONIC STAKEOUT TRACKER**

In order to more effectively address various types of property and violent crime, the Gardena Police Department will lawfully deploy GPS tracking devices in an attempt to apprehend those that commit crimes in the community. The Gardena Police Department's Electronic Stakeout (ESO) Tracker Program is an innovative method of crime fighting that combines technology with community participation and partnership. The Gardena PD's ESO Tracker Program is intended for use in businesses, residences, or any other venue where there exists a concern for theft of currency or property.

This procedure regulates the maintenance and practices of the Gardena PD's ESO Tracker Program and was established to ensure the professional and legal administration of the Gardena PD's ESO Tracker Program. This procedure was also established to address a multitude of concerns including the ability to ensure the Gardena PD's ESO Tracker Program and its community partnerships are entirely voluntary, that there is no special relationship created between the Gardena PD and the community partner, and that there are no guarantees, expressed or implied, for the prevention of crime or the disposition of a criminal investigation. Finally, this procedure is intended to address the liability of the Gardena PD's ESO Tracker Program to the extent that Gardena PD is held harmless against injury or loss sustained during the partnership and the Gardena PD's ESO Tracker Program deployment.

This procedure applies to all personnel assigned control, care, and deployment of the ESO Global Positioning System (GPS) trackers, bait containers and cash tracking packs.

##### **400.18.1 DEFINITIONS**

**Electronic Stakeout (ESO) tracker** - a GPS enabled tracking system that aids in the recovery of stolen money/property and apprehension of the involved suspects. The tracker consists of a circuit board housing a battery, Cellular SIM card, GPS receiver, and a Radio Frequency (RF) transponder. The Gardena PD may deploy various model types of this kind of GPD tracking device. Each model is designed to enable police to track stolen property.

Gardena PD may deploy an ESO Tracker concealed in a stack of cancelled currency. The currency is bound into a permanent package which has a cut out for the concealment of the ESO tracker. The case agent only needs to add a few bait bills on the top and bottom of the currency pack using double-sided tape. This deployment is commonly used to conceal the tracker in a cash drawer. In addition to using the double-sided tape, the case agent may also use packing tape, rubber bands, and/or currency wrappers to help conceal the GPS device in the currency pack.

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**ESO Handheld Beacon** - a handheld device which operates on batteries and uses four extendable antennas to ascertain the precise location of the ESO Tracker. The handheld device tracks the Radio Frequency (RF) transponder on the ESO Tracker. This device allows the user to pinpoint the exact residence, apartment, or vehicle in which the ESO Tracker is located. The Handheld Beacon should be stored in a location that is readily accessible to field law enforcement personnel.

**Community Partners** - members of the Gardena community who request that ESO equipment be deployed in their business and/or on their property. Community Partners may also be those who donate "bait" property to the program.

**Hold harmless agreement** - an agreement or contract in which the community partner agrees to hold the Gardena Police Department free from the responsibility for any liability or damage that might arise out of the use of the GPS tracking devices.

#### 400.18.2 BACKGROUND

Based on research and test applications, the ESO Tracker manufactured by 3SI Security Systems was selected for use in the City of Gardena to aid in the prevention and investigation of property related and violent crimes. The ESO tracker is a GPS based tracking system designed to be concealed in property likely to be stolen. It can also be used to monitor the travels of property or informants with their expressed approval. Once the ESO tracker equipped property has been stolen, investigating officers can track the signal to locate the property and the suspect who stole it. The ESO tracker program will be offered to Gardena businesses and residents or to businesses and residents located outside the city if those businesses or residents could assist in the solvability of crimes connected to Gardena; however, the actual deployment of the system in a business or residence is contingent on the availability of the equipment, willingness to sign the hold harmless agreement, and material public safety law enforcement need.

The ESO tracker program will primarily be deployed in one of two methods:

- (a) concealed in a currency Cash Tracking Pack (CTP) that is placed on a magnetic activation plate located in a cash drawer, register, safe or location likely to be targeted by a thief, or
- (b) using the tracker as a stand-alone monitoring device, which could be inserted into bait property such as: laptops, vehicles, bicycles, heavy equipment, etc.

The Gardena Police Department has purchased several devices from 3SI Security Systems. For technical device questions or support during any activation, 3SI Security Systems can be contacted directly 24 hours/7 days a week at 888-374-8722.

#### 400.18.3 RESPONSIBILITIES

The Detective Bureau Commander or his or her designee should maintain the signed hold harmless letters for community partners for at least three years from the end of any given operation/partnership.

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The Detective Bureau Commander or his or her designee will be responsible for the logistical accounting of all ESO tracker devices. They should also ensure all case agents tasked with deploying the ESO tracker devices are properly trained on the professional and legal use of the device, the reporting requirements, and replacement of the devices.

Case agents tasked with deployment of a ESO tracker device should have reviewed all applicable training on the device and the Gardena PD's ESO Tracker Program, assign the tracker a "file name and location," log that information into the 3SI database prior to deployment, report any defective or missing devices to their supervisor immediately upon notification, and follow procedures detailed in this SOP.

#### 400.18.4 GENERAL PROCEDURES

- (a) All station personnel involved in the Gardena PD's ESO Tracking Program should be trained with its use and care. 3SI Security Systems provides an instructional guide which each officer should become familiar with. The guide and training log should be attached this procedure and a copy forwarded to the training unit for inclusion in the officers' training record. The Detective Bureau Commander will be responsible for coordinating all training as it relates the ESO Tracking Program.
- (b) Use of the ESO tracking device must be authorized by a supervisor. Only the Detective Bureau Commander and his/her designee should have "Administrator Rights" to effect changes in the 3SI database.
- (c) The ESO tracker devices and related equipment should be maintained and periodically inspected in order to ensure all devices are functioning at optimal charging levels. If not deployed in the field, these devices should be stored with the Detective Bureau Commander or his/her designee.
- (d) The tracker devices should be inspected prior to deployment and should be charged to at least 4.0 volts. The rate of the GPS ping should be set to six seconds unless the deployment calls for an increased update rate.
- (e) Prior to deployment, the assigned Case Agent should ensure each tracker is accurately listed and the location logged on the 3SI website to provide for location accountability during a given deployment. If the device is moved to a different location, the new location must be updated through the 3SI database.
- (f) A member of the Gardena PD's ESO tracking team should train community partners (and their employees as necessary) on the proper use of Gardena PD's ESO Tracking Program devices. The Detective Bureau Commander is responsible for coordinating this effort.
- (g) ESO tracker program training for community partners should minimally include the following subject matter: ESO tracker program capabilities and limitations, requirements for the passive deployment of ESO trackers, safety during a theft incident, being a good witness, the use of Crime Prevention Through Environmental Design principles (CPTED), and restrictions on uses and abuses of deployed equipment.

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- (h) The ESO tracker program Hold Harmless Agreement should be signed by the community partner prior to any deployment at the business or residence. The waivers should be kept on file with the Detective Bureau Commander or his/her designee for a period of three years from the date the deployment is terminated.
- (i) Where the ESO tracker is deployed in a community partner, every effort should be made to strategically deploy devices in locations where they will be taken by the thief without the active participation of the community partner.
- (j) Where the ESO tracker is deployed in an Electronic Stakeout (ESO), the Case Agent should ensure the ESO Tracker is labeled (via the 3SI website) according to the bait item in which it is installed as well as its deployed location.
- (k) In the event of an ESO tracker activation, the device will send an audible alert to the South Bay Regional Communication Center (RCC) via the 3SI website. Dispatch should utilize a code word to indicate a tracker activation is taking place. This will alert responding officers that the robbery or theft involves a GPS enabled tracking device. Care should be given to not use words such as "tracker" or "GPS" over the air. Dispatch will be responsible for ensuring they are logged into the 3SI tracking system and provide real time direction of travel, speeds, and signal strength of the tracking device as updated on the 3SI website. Exceptions to this guideline include when the ESO Tracker is being utilized on a specialized investigation. Dispatch shall immediately confirm the type of crime involved, suspect description, suspect vehicle description, and from where the crime originated. This information shall be conveyed to the Watch Commander.
- (l) The Watch Commander or his/her designee should continuously evaluate the incident and request additional resources as needed. Upon learning of an activation, the Watch Commander shall be responsible for confirming what type of crime is involved in the incident, suspect description, suspect vehicle description, and from where the crime originated. This information can be obtained from dispatch.
- (m) If the ESO tracker moves outside the jurisdiction of Gardena PD, the Watch Commander will continually evaluate the need for alternative resources to continue the investigation.
- (n) If needed, the Watch Commander or his/her designee (CSU Supervisor/Detective Bureau Supervisor/SEU Supervisor) should also be responsible for deploying the ESO Handheld Beacon in the event a more specific location of the device inside a residence or apartment is necessary.
- (o) The use of this technology and its success is dependent on keeping any given use or deployment completely confidential during the given operation or deployment. The location of the device should only be shared with Department personnel and those community partners that may handle the "bait" property. However, the program availability may be publicized with those that may have a need to utilize such a program.
- (p) The Detective Bureau Commander or his/her designee should monitor monthly all of the active tracking devices via the 3SI website to ensure none of the active devices batteries fall low. If a low battery is found, the Case Agent will be notified and the device's battery should be recharged. Further, the "Administrators" on the 3SI website

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can automatically be notified, by text message, if any device's battery should become critically low.

#### 400.18.5 SPECIFIC DEPLOYMENT METHODS

The following is a list of guidelines that can be utilized when deploying the GPS tracking devices to address different crime trends:

(a) Vehicle Burglaries

1. The name of the device should be listed as the vehicle description as opposed to the location in which the device is deployed.
2. Dispatch should be informed of the make, model, and location of the vehicle used as bait so that a CAD call is generated. The CAD call should contain the date of deployment and the name of the employee that deployed the vehicle.
3. The alert message should contain a detailed description of the bait property.
4. If a vehicle is to be deployed on private property, permission shall first be obtained from the property owner.
5. Vehicles shall be washed periodically.

(b) Convenience Stores

1. The name of the device should be the store location.
2. The alert message should include the store contact information.
3. A signed "Hold Harmless Agreement" shall be obtained from store management/owner.

(c) Bicycles

1. Bicycles should be locked using a cable lock or located in a secure area.
2. The name of the device should be the location of the deployment.
3. The alert message should contain a detailed description of the bicycle.

(d) Other Deployments

1. The name of the device should be the location of the deployment.
2. The alert message should contain a detailed description of the property and tactical strategies to affect an arrest.
3. "Bait" items should be deployed in such a manner to address crime trends in the community.

## Crime And Disaster Scene Integrity

### 403.1 PURPOSE AND SCOPE

The following procedure is to establish guidelines for Fire and Arson investigations.

### 403.2 FIRE/ARSON INVESTIGATION

Personnel who observe a fire shall immediately notify the fire department and take appropriate action to prevent injury or death to any person. Officers shall not enter structures displaying obvious involvement in flame and/or smoke without proper equipment. In case of life endangerment, officers shall evaluate the potential for a successful rescue against the potential of becoming a victim in need of rescue.

### 403.3 INVESTIGATION RESPONSIBILITY

When investigating a fire of a suspicious nature, the officer assigned should gather the following information and include it in the crime report:

- (a) Time of the alarm or observation
- (b) A description of the location and extent of the fire damage
- (c) Approximate loss due to the fire
- (d) Victim and Witness statements
- (e) Notification of owner and/or victim
- (f) Fire Department incident number
- (g) Notification of Arson investigators

Arson investigators will be assigned to conduct a follow-up investigation and attempt to determine the cause and origin of the fire.

### 403.4 ARRESTS MADE AT FIRE INCIDENTS

When an arrest is made at the scene of a fire incident, the Arson investigators should be notified to interview the suspect as soon as practical.

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## Cite and Release Procedures

### 410.1 PURPOSE AND SCOPE

Non-Detained Minors can be cited into several different courts/program.

This procedure will provide the officer with the proper course of action to take when issuing a citation to a non-detained minor.

This procedure will also provide the officer the guidelines on the processing of an individual over the age of 18 who is in possession of less than one ounce of marijuana.

### 410.2 ISSUING NOTICE TO APPEAR TO JUVENILES

The officer will determine whether the minor will be cited to one of the following courts or program:

- (a) Inglewood Juvenile Court: 110 E. Regent Street, Inglewood, CA 90301
- (b) Gardena Juvenile Justice Intervention Program: 16206 S. Western Avenue, Suite E, Gardena, CA 90247
- (c) Los Angeles County Probation-Citation Diversion Unit: 6640 Van Nuys Blvd, Suite 200, Van Nuys, CA 91405
- (d) Torrance Traffic Court: 825 Maple Avenue, Torrance, CA 90501

### 410.3 INGLEWOOD JUVENILE COURT

All non-detained felonies and some misdemeanors will be cited to Inglewood Juvenile Court with a court date. A PARENT OR GUARDIAN MUST BE ISSUED A CITATION. The appearance date will be sixty (60) calendar days after the date on which the Notice to Appear was issued. If that date isn't a court day, use the next court day.

The following Vehicle Code section violations generally will also be filed with the Inglewood District Attorney's Office, and they should also have a parent citation and a court date: 31, 4463, 2800.1, 2800.2, 2800.3, 2800.4, 10801, 10802, 10851, 10852, 10853, 13004, 20001, 20002, 23103, 23104, 23109, 23110, 23123, 23136, 23140, 23153, 23221, 23222 and 23223.

### 410.4 GARDENA JUVENILE JUSTICE INTERVENTION PROGRAM

This program is designed for qualifying minors eleven (11) through seventeen (17) years-of-age who reside or attend school in Gardena.

For all Gardena Municipal Codes and some misdemeanor crimes (refer to crimes listed under the Los Angeles County Probation Department section of this procedure), the minor will be cited to the Gardena Juvenile Justice Program (GJJIP) without a parent citation or a court date. A representative of the GJJIP will contact the minor at a later time. The GJJIP will ensure compliance with the intervention program, or they will refer the matter back to the Gardena Police department's Juvenile Bureau for filing purposes.



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#### **410.5 LOS ANGELES COUNTY PROBATION-CITATION DIVERSION UNIT**

If the minor doesn't live or attend school in the City of Gardena, they will be cited to the Los Angeles County Probation-Citation Diversion Unit. These citations are issued to the minor without a parent citation or a court date. A representative of the probation department will contact the minor at a later time for follow-up. Probation will decide whether to dismiss the citation, counsel the minor, place the minor on diversion, or whether to refer the matter to the Los Angeles County District Attorney's Office for filing.

The following is a list of violations which can be cited to the Los Angeles County Probation Department using the regular citation form:

- (a) Penal Code
  - 303 (a), 308 (b), 330, 365 (i), 369, 374.3, 374.4, 402, 415.1, 484, 485, 490.1, 502 (c) (6) (7) or (8), 555, 555.2, 594 (a) (1), 594.1, 602 (m), 602.6, 640, 640 (a), 647 (f) and 647 (h)
- (b) Vehicle Code
  - 2801, 4461, 12500, 12951, 14601, 14601.1, 21200.5, 22520.5, 23253, 23136, 23140, 23152, 38316 and 38317
- (c) Business and Professions Code
  - 25658, 25658.5, 25661 and 25662
- (d) Health and Safety Code
  - 11357 (b) and 11532 (a)
- (e) Fish and Game Code
  - Any violation of this code which isn't a felony
- (f) Gardena Municipal Code
  - Any violation which involves a minor

#### **410.6 TORRANCE TRAFFIC COURT**

All traffic citations for traffic infractions for minors shall be cited to adult traffic court. These citations will be processed and handled in the same manner as an adult traffic ticket. A court date will be included on the citation, and a parent doesn't need to be cited.

#### **410.7 STATUTE OF LIMITATIONS**

There is a statutory limit associated with violations. If a minor referred to a local program doesn't complete the referral as required, the matter should be sent to probation as soon as possible. There is a one (1) year window from the violation date for handling these matters.

#### **410.8 MARIJUANA FIELD RELEASE PROCEDURE**

When a person eighteen years of age or over is arrested for possession of less than 28.5 grams of marijuana [§11357 (b) H & S], the officer shall release the person in the field unless:

- (a) The person cannot provide satisfactory identification

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- (b) The person demands to be booked
- (c) The person refuses to sign the notice to appear

The other reasons for non-release of misdemeanor arrestees do not apply to arrests for §11357(b) H & S.

#### **410.9 CITATION EXAMPLES**

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### Cite and Release Procedures

#### 410.9.1 INGLEWOOD-CENTINELA - JUVENILE CITE

**CITY OF GARDENA  
POLICE DEPARTMENT  
NOTICE TO APPEAR**  Traffic  Non-Traffic  MISDEMEANOR **G 237591**

Date of Violation: 10/29/14 Time: 1455  AM  PM Day of Week: W Case No.: 14-0000

Name (First, Middle, Last): JOHN DOE  Owner's Responsibility (Veh. Code, § 40001)

Address: 0000 HOMELESS AVE GARDENA, CA 90249

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_  Juvenile Phone No.: (310) 219-0000

Driver Lic. No.: \_\_\_\_\_ State: \_\_\_\_\_ Class: \_\_\_\_\_ Commercial:  Yes  No Age: 14 Birth Date: 02/23/00

Sex: M Hair: BLK Eyes: BRO Height: 5'07 Weight: 130 Race: B Other Description: \_\_\_\_\_

Vehicle Lic. No. or VIN: \_\_\_\_\_ State: \_\_\_\_\_  COMMERCIAL VEHICLE (Veh. Code, § 15210(b))

Yr. of Veh.: \_\_\_\_\_ Make: \_\_\_\_\_ Model: \_\_\_\_\_ Body Style: \_\_\_\_\_ Color: \_\_\_\_\_  HAZARDOUS MATERIAL (Veh. Code, § 353)

Evidence of Financial Responsibility: PEP

Registered Owner or Lessee: \_\_\_\_\_  Same as Driver

Address: \_\_\_\_\_  Same as Driver

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

Correctable Violation (Veh. Code, § 40619)  Booking Required (see reverse) Misdemeanor or Infraction (Circle)

Yes	No	Code and Section	Description	Infraction (Circle)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>459 PC - BURGLARY (FELONY)</u>		<u>(M)</u>
<input type="checkbox"/>	<input type="checkbox"/>			M I
<input type="checkbox"/>	<input type="checkbox"/>			M I
<input type="checkbox"/>	<input type="checkbox"/>	<u>NANCY DOE CITE # G237592</u>		M I

Speed Approx. \_\_\_\_\_ P.F./Max. Spd. \_\_\_\_\_ Veh. Lmt. \_\_\_\_\_ Sale \_\_\_\_\_ Radar/Laser \_\_\_\_\_  Continuation Form Issued \_\_\_\_\_ N \_\_\_\_\_

Location of Violation(s): 15700 WESTERN AVE. GARDENA/LA City/County of Occurrence: W

Comments (Weather, Road & Traffic Conditions): \_\_\_\_\_ Unit No.: 88M  Accident \_\_\_\_\_ S \_\_\_\_\_ E \_\_\_\_\_

Violations not committed in my presence, declared on information and belief.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.

OFFICER FRIENDLY 1111

Arresting or Citing Officer: \_\_\_\_\_ Serial No.: \_\_\_\_\_

Date: \_\_\_\_\_ Name of Arresting Officer, if different from Citing Officer: \_\_\_\_\_ Serial No.: \_\_\_\_\_

**WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW.**  
 Signature

WHEN: ON OR BEFORE THIS DATE: 12, 19, 14 Time: 0830  AM  PM

WHAT TO DO: FOLLOW THE INSTRUCTIONS ON THE REVERSE.

WHERE:  Southwest District Superior Court - 525 Maple Ave., Torrance 90503 (213) 742-8660  
 Municipal Court - 110 E. 11th St., room # 110 - LA, CA, 90012  
Notification by LA County Probation - (562) 940-2333

Other: INGLEWOOD JUVENILE COURT, 110 E.

**G 237591**

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### Cite and Release Procedures

#### 410.9.2 INGLEWOOD-CENTINELA PARENT CITE

<b>NOTICE TO APPEAR</b>		<input type="checkbox"/> Traffic	<input type="checkbox"/> Non-Traffic	<b>G237592</b>	
Date of Violation <b>10/29/14</b>		Time <b>1455</b>	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Day of Week <b>S M T (W) T F S</b>	Case No. <b>14-0000</b>
Name (First, Middle, Last) <b>NANCY DOE</b>			<input type="checkbox"/> Owner's Responsibility (Veh. Code, § 40001)		
Address <b>0000 HOMELESS AVE.</b>					
City <b>GARDENA, CA</b>		State <b>CA</b>	ZIP Code <b>90247</b>	<input type="checkbox"/> Juvenile Phone No.	
Driver Lic. No. <b>DO185207</b>	State <b>CA</b>	Class <b>C</b>	Commercial <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Age <b>33</b>	Birth Date <b>01/22/81</b>
Sex <b>F</b>	Hair <b>BLK</b>	Eyes <b>BRO</b>	Height <b>509</b>	Weight <b>210</b>	Race <b>B</b>
Vehicle Lic. No. or VIN			State		
Yr. of Veh.	Make	Model	Body Style	Color	<input type="checkbox"/> COMMERCIAL VEHICLE (Veh. Code, § 15210(b))
Evidence of Financial Responsibility					<input type="checkbox"/> HAZARDOUS MATERIAL (Veh. Code, § 353)
Registered Owner or Lessee					<input type="checkbox"/> Same as Driver
Address					<input type="checkbox"/> Same as Driver
City		State	ZIP Code		
Correctable Violation (Veh. Code, § 40810)			<input type="checkbox"/> Booking Required (see reverse)		Misdemeanor or Infraction (Circle)
Yes	No	Code and Section	Description		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>1000.5 WIC</b>			M I
<input type="checkbox"/>	<input type="checkbox"/>				M I
<input type="checkbox"/>	<input type="checkbox"/>				M I
<input type="checkbox"/>	<input type="checkbox"/>	<b>JOHN DOE CITE# G237591</b>			M I
Speed Approx.	P.F./Max. Spd.	Veh. Lmt.	Safe	Radar/Laser	<input type="checkbox"/> Continuation Form Issued
					<b>N</b>
Location of Violation(s) at <b>15100 WESTERN AVE.</b>			City/County of Occurrence <b>GARDENA/LA</b>		
Comments (Weather, Road & Traffic Conditions)				Unit No. <b>869M</b>	<input type="checkbox"/> Accident
<input type="checkbox"/> Violations not committed in my presence, declared on information and belief. I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.					
<b>OFFICER FRIENDLY</b>				<b>1111</b>	
Arresting or Citing Officer				Serial No.	
Date		Name of Arresting Officer, if different from Citing Officer		Serial No.	
WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW. <input checked="" type="checkbox"/> Signature					
WHEN: ON OR BEFORE THIS DATE: <b>12, 19, 14</b> Time: <b>0830</b> <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM					
WHAT TO DO: FOLLOW THE INSTRUCTIONS ON THE REVERSE.					
WHERE: <input type="checkbox"/> Southwest District, Superior Court - 825 Maple Ave., Torrance 90503 (213) 742-8860					
<input type="checkbox"/> Inglewood District, Superior Court - 110 S. Inglewood St. room # 110 - LA, CA, 90012 (562) 940-2533					
<input checked="" type="checkbox"/> Other: <b>INGLEWOOD JUVENILE COURT, 110 E. REGENT ST. - INGLEWOOD, CA 90301</b>					
<input type="checkbox"/> To be notified					

G237592

# Gardena Police Department

## Gardena Procedures Manual

### Cite and Release Procedures

#### 410.9.3 GJJIP

<b>CITY OF GARDENA POLICE DEPARTMENT</b>				<input checked="" type="checkbox"/> MISDEMEANOR	
<b>NOTICE TO APPEAR</b>				<input type="checkbox"/> Traffic <input type="checkbox"/> Non-Traffic	
G 246001					
Date of Violation <u>10-29-14</u>		Time <u>1100</u>	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Day of Week <u>S M T W T F S</u>	Case No. <u>14-2000</u>
Name (First, Middle, Last) <u>JOHN DOE</u>				<input type="checkbox"/> Owner's Responsibility (Veh. Code, § 40001)	
Address <u>123 MAIN ST.</u>					
City <u>GARDENA</u>		State <u>CA</u>	ZIP Code <u>90247</u>	<input checked="" type="checkbox"/> Juvenile Phone No. <u>310-222-1234</u>	
Driver Lic. No.	State	Class	Commercial <input type="checkbox"/> Yes <input type="checkbox"/> No	Age <u>16</u>	Birth Date <u>1-20-98</u>
Sex <u>M</u>	Hair <u>BRN</u>	Eyes <u>BRN</u>	Height <u>5'7</u>	Weight <u>130</u>	Race <u>W</u>
Vehicle Lic. No. or VIN <u>3XX6123</u>				State <u>CA</u>	<input type="checkbox"/> COMMERCIAL VEHICLE (Veh. Code, § 15210(b))
Yr. of Veh. <u>01</u>	Make <u>NISSAN</u>	Model <u>ALTIMA</u>	Body Style <u>4DR</u>	Color <u>WHT</u>	<input type="checkbox"/> HAZARDOUS MATERIAL (Veh. Code, § 353)
Evidence of Financial Responsibility or Juvenile School <u>AAA</u>					Grade
Registered Owner or Lessee or Parent(s) Name & Phone # <input type="checkbox"/> Same as Driver <u>JANE DOE</u>					
Address <input checked="" type="checkbox"/> Same as Driver / Juvenile					
City	State	ZIP Code			
Correctable Violation (Veh. Code, § 40610)		<input type="checkbox"/> Booking Required (see reverse)		Misdemeanor or Infraction (Circle)	
Yes	No	Code and Section	Description		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>12500(a) VC - UNLICENSED DRIVER</u>		<u>(M)</u> I	
<input type="checkbox"/>	<input type="checkbox"/>			M I	
<input type="checkbox"/>	<input type="checkbox"/>	<u>602 WIC</u>		M I	
<input type="checkbox"/>	<input type="checkbox"/>			M I	
Speed Approx.	P.F./Max. Spd.	Veh. Lmt.	Safe	Radar/Laser	<input type="checkbox"/> Continuation Form Issued
					N
Location of Violation(s) <u>1142 BLK WESTERN AVE</u>			City/County of Occurrence <u>GARDENA LA</u>		
			W → E		
Comments (Weather, Road & Traffic Conditions)				Unit No. <u>5230</u>	<input type="checkbox"/> Accident
					S
<input type="checkbox"/> Violations not committed in my presence, declared on information and ballot.					
I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.					
<u>OFFICER FRIENDLY</u>				<u>1111</u>	
Arresting or Citing Officer				Serial No.	
Date	Name of Arresting Officer, if different from Citing Officer			Serial No.	
WITHOUT ADMITTING GUILTY, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW. <input checked="" type="checkbox"/> Signature					

# Gardena Police Department

## Gardena Procedures Manual

### Cite and Release Procedures

#### 410.9.4 PROBATION CITATION DIVERSION UNIT

**CITY OF GARDENA  
POLICE DEPARTMENT**

**NOTICE TO APPEAR**  Traffic  Non-Traffic  MISDEMEANOR **G 246001**

Date of Violation: 10-29-14 Time: 1100  AM  PM Day of Week: S M T W T F S Case No. \_\_\_\_\_

Name (First, Middle, Last): JOHN DOE  Owner's Responsibility (Veh. Code, § 40001)

Address: 123 MAIN ST.

City: HAWTHORNE State: CA ZIP Code: 90250  Juvenile Phone No. 310-222-1234

Driver Lic. No. \_\_\_\_\_ State \_\_\_\_\_ Class \_\_\_\_\_ Commercial  Yes  No Age 16 Birth Date 1-20-98

Sex M Hair BRN Eyes BRN Height 5'7 Weight 130 Race W Other Description \_\_\_\_\_

Vehicle Lic. No. or VIN 3XXL123 State CA  COMMERCIAL VEHICLE (Veh. Code, § 15210(b))

Yr. of Veh. 01 Make NISSAN Model ALTIMA Body Style 4DR Color WHIT  HAZARDOUS MATERIAL (Veh. Code, § 353)

Evidence of Financial Responsibility or Juvenile School Grade: AAA

Registered Owner or Lessee or Parent(s) Name & Phone # \_\_\_\_\_

Same as Driver JANE DOE Address \_\_\_\_\_

Same as Driver / Juvenile City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

Correctable Violation (Veh. Code, § 40510)		<input type="checkbox"/> Booking Required (see reverse)	Misdemeanor or Infraction (Circle)
Yes	No	Code and Section	Description
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>12500(w)VC</u>	<u>UNLICENSED DRIVER</u> (M) I
<input type="checkbox"/>	<input type="checkbox"/>	<u>602 W/C</u>	M I
<input type="checkbox"/>	<input type="checkbox"/>		M I

Speed Approx. \_\_\_\_\_ P.F./Max. Spd. \_\_\_\_\_ Veh. Lmt. \_\_\_\_\_ Safe \_\_\_\_\_ Radar/Laser \_\_\_\_\_  Continuation Form Issued N

Location of Violation(s): at 16200 BLK WESTERN AVE City/County of Occurrence: GARDENA CA W E

Comments (Weather, Road & Traffic Conditions) \_\_\_\_\_ Unit No. 8240  Accident S

Violations not committed in my presence, declared on information and belief.  
I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.

OFFICER FRIENDLY 1111  
Arresting or Citing Officer Serial No.

1 1 \_\_\_\_\_  
Date Name of Arresting Officer, if different from Citing Officer Serial No.

**WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW.**  
 Signature

WHEN: ON OR BEFORE THIS DATE: NO COURT DATE Time: \_\_\_\_\_  AM  PM  
WHAT TO DO: FOLLOW THE INSTRUCTIONS ON THE REVERSE.

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# Foreign Diplomatic and Consular Representatives

## 411.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines for the enforcement of detained Foreign Nationals, Foreign Nationals involved in traffic collisions, and Foreign Nationals who do not claim immunity.

## 411.2 ENFORCEMENT PROCEDURES

The following procedures provide a guideline for handling enforcement of foreign nationals:

### 411.2.1 CITABLE OFFENSES

An enforcement document shall be issued at the scene for all violations warranting such action, regardless of the violator's immunity status. The issuance of a citation is not considered an arrest or detention under current Department of State guidelines. Whenever the equivalent of a notice to appear is issued to an immunity claimant, the following additional procedures shall be followed by the arresting officer

- (a) Identification documents are to be requested of the claimant
- (b) The title and country represented by the claimant are to be recorded on the back of the officer's copy of the Notice to Appear for later reference. Do not include on the face of the notice to appear
- (c) The claimant shall be requested to sign the notice to appear. If the claimant refuses, the identity and immunity status of the individual shall be conclusively established
- (d) Verified diplomatic agents and consular officers, including staff and family members from countries with which the U.S. has special agreements, are not required to sign the Notice to Appear. The word "Refused" shall be entered in the signature box, and the violator shall be released
- (e) Verified consular staff members, excluding those from countries with which the U.S. has special agreements, are generally obligated to sign the Notice to Appear, but a signature shall not be required if their immunity status is uncertain
- (f) All other claimants are subject to the provisions of Vehicle Code § 40302(b) and policy and procedures outlined in this chapter
- (g) The violator shall be provided with the appropriate copy of the notice to appear

### 411.2.2 PARKING VIOLATIONS

Consular immunity does not prohibit citing and/or impounding consular vehicles which constitute a traffic hazard or which are in clear violation of local codes. However, as a matter of courtesy, officers should make a reasonable attempt to warn the concerned driver or Consular Officer of the pending action, and allow the vehicle to be moved prior to taking any action.

# Gardena Police Department

## Gardena Procedures Manual

### *Foreign Diplomatic and Consular Representatives*

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#### **411.3 TRAFFIC COLLISIONS**

Persons involved in traffic collisions who possess a Department of State OFM Diplomatic Driver License, issued by the DMVO, shall have "D" coded in the license "class" box of the Traffic Collision Report. The actual driver license class (e.g., 1, 2, 3, or A, B, C, M) shall be entered in the miscellaneous box on page two of the traffic report. If subsequent prosecution of the claimant is anticipated, the claimant's title, country, and type of identification presented should be recorded for future reference. Issuance of a citation to, or arrest of, an immunity claimant at the accident scene should be handled in accordance with the procedures specified in Policy Manual § 422.5 of this chapter.

##### **411.3.1 VEHICLES**

Vehicles, which are owned by subjects with full immunity, may not be searched, stored, or impounded without the owner's permission. (Such permission may be assumed if the vehicle has been stolen.) These vehicles may, however, be towed the necessary distance to remove them from obstructing traffic or creating any other hazard.

##### **411.3.2 REPORTS**

A photocopy of each traffic collision report involving an identified diplomat and/or immunity claimant shall be forwarded to the office of the Chief of Police within 48 hours whether or not the claim is verified. The words "Immunity Claim" shall be marked on the photocopy, together with a notation of the claimant's title, country, and type of identification presented (if applicable). In addition to the report, a follow-up cover memorandum should be submitted if the violation was flagrant, if the claimant was uncooperative, or if there were any other unusual aspects of the enforcement contact that should be reported to the Department of State for further action. The Watch Commander/Supervisor apprised of the incident/accident shall also send a copy of all documents and reports submitted by the investigating officer along with any supervisor's notes, materials and/or logs to the Chief of Police's office within 48 hours of the incident. The Chief of Police's office will check to ensure that notification of Department of State and all necessary follow-up occur.

#### **411.4 FOREIGN NATIONALS WHO DO NOT CLAIM IMMUNITY**

These policies and procedures apply to foreign nationals who do not claim diplomatic or consular immunity.

Officers shall arrest foreign nationals only under the following circumstances:

- (a) There is a valid warrant issued for the person's arrest
- (b) There is probable cause to believe that the foreign national has violated a federal criminal law, a state law, or a local ordinance

Officers shall not arrest foreign nationals for undocumented presence. Federal courts have consistently held that undocumented presence is not a crime but a federal civil violation only enforceable by federal officers.

- Officers shall not stop or detain persons solely for determining immigration status.



# Gardena Police Department

## Gardena Procedures Manual

### *Foreign Diplomatic and Consular Representatives*

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- International treaty obligations provide for notification of foreign governments when foreign nationals are arrested or otherwise detained in the U.S.
- Whenever an officer arrests and incarcerates a foreign national or detains a foreign national for investigation for over two hours, the officer shall promptly advise the individual that he/she is entitled to have his/her government notified of the arrest or detention. (Penal Code § 834c). If the individual wants his/her government notified, the officer shall begin the notification process.

#### 411.4.1 ARREST PROCEDURE

Whenever an officer physically arrests or detains an individual for criminal investigation and the officer reasonably believes the person to be a foreign national, the officer shall inquire to determine the person's citizenship. This procedure applies to detentions of more than two hours. An inquiry is not required if the individual is detained less than two hours for criminal investigation.

If the individual indicates that he/she is other than a U.S. citizen, the officer shall advise the individual that he/she has a right to have the nearest appropriate embassy or consulate notified of the arrest/detention (Vienna Convention on Consular Relations, Art. 36, (1969)).

If the individual requests such notification, the officer shall contact the Watch Commander as soon as practical and request the appropriate embassy/consulate be notified. Officers shall provide the Watch Commander with the following information concerning the individual:

- (a) Country of citizenship
- (b) Full name of individual, including paternal and maternal surname, if used
- (c) Date of birth or age
- (d) Current residence
- (e) Time, date, place, location of incarceration/detention and the 24-hour telephone number of the place of detention if different from the Department itself

If the individual claims citizenship of one of the countries for which notification of the consulate/embassy is mandatory, officers shall provide the Watch Commander with the information above as soon as practicable, regardless of whether the individual desires that the embassy/consulate be notified. This procedure is critical because of treaty obligations with the particular countries. The list of countries and jurisdictions that require notification can be found on the U.S. Department of State website.

Notification of consular officials by facsimile is acceptable. A facsimile notification form and telephone number list of embassies or local consulates in the United States is found in the Watch Commanders Foreign Nationals notebook. A copy of the faxed notification shall be retained with the in-custody's records.

#### 411.4.2 DOCUMENTATION

Officers shall document on the face page and in the narrative of the appropriate Arrest - Investigation Report the date and time the Watch Commander was notified of the foreign national's arrest/detention and his/her claimed nationality.

# Gardena Police Department

## Gardena Procedures Manual

### *Foreign Diplomatic and Consular Representatives*

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#### **411.5 POLITICAL ASYLUM**

If a person requesting political asylum approaches an officer, the safety of that person becomes the total responsibility of that officer. The officer shall:

- (a) Take the person into protective custody
- (b) Advise the Watch Commander or Station Sergeant
- (c) Transport the person to the station immediately

The officer shall not ask any questions regarding the request for asylum, including the person's country of origin or reason for requesting asylum. A supervisor shall be notified; however the officer shall not use the voice radio to contact the station due to the delicate political nature of the situation, and the number of citizens and media who monitor the voice radio frequency.

The Watch Commander or supervisor notified shall be responsible for contacting the Division Commander or the Chief of Police. Arrangements will be made to transfer the person to the United States immigration and Naturalization Service.

## Portable Audio Recorders

### 424.1 PURPOSE AND SCOPE

The use of audio recorders will assist officers in accurately capturing contacts between members of the department and the public. This procedure will provide officers with guidelines on the use of the audio recorder.

### 424.2 PROCEDURES

- (a) All sworn officers will be issued a department approved portable audio recording device. Once issued, each officer is responsible for the appropriate care and maintenance of the device.
  - 1. Broken or malfunctioning recorders or accessories are to be reported to the immediate supervisor as soon as possible.
  - 2. The officer shall complete and submit the appropriate repair form or memorandum detailing the type of problem(s). The immediate supervisor will supply the officer with a replacement recorder.
  - 3. Spare portable audio recording devices will be maintained in the briefing room armory.
- (b) Sworn uniformed line personnel shall attempt to record all citizen contacts while conducting law enforcement duties. This includes victims, witnesses and suspects in criminal investigations or calls for service. The incidents include, but are not limited to, traffic stops, pedestrian stops, and assigned radio calls. Investigators conducting follow-up investigations outside the department shall follow the same rules as uniformed officers when obtaining victim, witness or suspect statements. Supervisors need not record incidents in which they are only observing or directing employees. However, if they become actively involved with the participants in the incident, they will follow the same rules as other sworn officers.
- (c) Whenever possible, the recorder should be started just prior to the citizen contact. The contact should be recorded in its entirety. Whenever a direct contact is interrupted, (officer returning to unit to issue a citation, run a records check, etc.) the recorder may be stopped and restarted upon return. This also applies to portions of incidents when officers confer during incidents to discuss tactics in handling the situation.
- (d) When contact is made with victims or witnesses and a rapport is established during lengthy investigations or reports, the recorder may be turned off. However, it is still important to record critical statements by victims or witnesses, such as suspect identifications or detailed descriptions should they occur after this rapport is established. Conversations with suspects should be recorded in their entirety. At the first sign of controversy or hostility, the recorder should be turned on and left on during the remainder of the contact.
- (e) Citizen contacts made during casual encounters need not be recorded. Casual encounters can include contacts made with business employees during lunch or coffee breaks, friendly conversations with known citizens or local merchants, friendly conversations with non-police department City employees.

# Gardena Police Department

## Gardena Procedures Manual

### *Portable Audio Recorders*

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- (f) Whenever an officer believes a particular contact may lead to a citizen complaint, the officer shall bring the recording to the attention of the Watch Commander as soon as practical. Important recordings should contain a follow-up recording or statement by the officer. The statement may include the full names of the parties' recorded and specific circumstances (type of call, date and time, report number, description of surroundings, witnesses not revealed on the recording, etc.).
- (g) Officers shall not jeopardize officer safety in order to operate their recorders. Officers suddenly confronted with an unexpected event are expected to activate their recorders only as soon as safely possible. Unless it is unsafe or impractical to do so, or mechanical issues that impede the use of the device are present, officers shall make every reasonable effort to activate their audio recorder prior to making contact with an involved party.

#### **424.3 PROHIBITED USE**

- (a) The recorders are to be used for citizen contacts and not for personal matters or the recording of contact with supervisors or other members of the department unless conducting an assigned investigation or so directed by the Chief of Police. (632 and 633 of the California Penal Code)
- (b) If an employee accidentally records an unauthorized conversation with other Department employees, that officer shall notify the recorded person(s) and the on-duty watch commander, who will appropriately dispose of the recording.

## Automated License Plate Readers (ALPRs)

### 428.1 PURPOSE AND SCOPE

The Automated License Plate Recognition (ALPR) System is a vehicle-mounted or fixed-point camera, software, and database system that is used to locate stolen or wanted vehicles.

### 428.2 POLICY

ALPR shall be used for official law enforcement purposes only. Access to and use of any component of or data collected by the system is limited to those personnel who receive specific authorization and training. The mounted cameras are not adjustable; no attempt to move or reposition them is permitted. All monitoring, collecting, auditing, and storing of data collected by this system shall be in compliance with all applicable local, state and federal laws.

### 428.3 AUTHORIZED USER

Police Officers, Crime Analysts, Public Safety Dispatchers, Information Technology staff, and civilian personnel who complete user training, receive supervisory approval, and are approved by the Chief of Police to access ALPR equipment shall be authorized to use ALPR. Authorized use of ALPR shall be limited to:

- (a) Police Officers when on-duty responsibilities include operation and/or monitoring of ALPR;
- (b) Public Safety Dispatchers when on-duty responsibilities include validating ALPR data;
- (c) Sworn personnel and Crime Analysts when on-duty responsibilities necessitate querying of ALPR for criminal investigations or analysis; and
- (d) Information Technology staff responsible for purging ALPR data.

### 428.4 OFFICER RESPONSIBILITY

When a license plate hit is detected by ALPR, the officer shall visually confirm the license plate and verify the match through RCC prior to taking enforcement action. For report writing purposes, officers shall indicate the fact that their attention was originally drawn to the vehicle via the use of ALPR.

### 428.5 INFORMATION SHARING

The Department is party to an Inter-agency Agreement to share ALPR data with the Los Angeles County Sheriff's Department (LASD) and any other law enforcement agency participating in the agreement. Department ALPR data shall only be shared with the agency parties participating in the agreement and only accessible to the authorized users designated by those agencies. Agreement signatories include the Los Angeles County Sheriff and each participating agency's Chief of Police or legal representative.

### 428.6 STORED DATA

License plate information captured by ALPR shall be archived no longer than five years from date of capture.

# Gardena Police Department

## Gardena Procedures Manual

### *Automated License Plate Readers (ALPRs)*

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#### **428.7 TRAINING**

- (a) **City-deployed ALPR** - Prior to using city-deployed ALPR, authorized users shall complete Department training including system login, operation and data access procedure.
- (b) **Regional ALPR** - Prior to accessing regional ALPR, authorized users shall complete regional training including access and use procedure of shared ALPR data.

## **Chapter 5 - Traffic Operations**

## Traffic Collision Reporting

### 501.1 PURPOSE AND SCOPE

This procedure is a guidance for the collection of traffic accident photographs, the broadcast criteria for hit & run traffic collisions, and the proper report when an arrest is made out of a traffic accident.

### 501.2 TRAFFIC ACCIDENT PHOTOGRAPHS

Photographs shall be taken at the scene of the traffic accident by designated personnel when:

- (a) Such photographs would be of evidentiary value above and beyond the information contained in the report.
- (b) The accident involves or probably will involve a fatality
- (c) Authorized by the Watch Commander, Supervisor, or Traffic Accident Investigator.

### 501.3 TRAFFIC ACCIDENT HIT AND RUN

When an officer arriving at the scene of a traffic accident determines that one party has fled the scene without complying with the "Duty to Report" provisions of the California Vehicle Code, the officer may initiate a crime broadcast which includes, but is not limited to, the following information:

- (a) Type of hit-and-run (felony or misdemeanor)
- (b) Time delay
- (c) Description of the vehicle, including the location of damage, unusual features, license, etc.
- (d) Other pertinent information (such as possible destination, weapons involved in situation, etc.)

### 501.4 TRAFFIC ACCIDENT FREEWAYS

The California Highway Patrol has responsibility and primary jurisdiction for the administration and enforcement of traffic laws, use of highways, and the investigation of traffic accidents on freeways and freeway on/off ramps. Telephonic reports of accidents occurring on freeways will be transferred to the CHP Communication's Center.

### 501.5 TRAFFIC DEATH(S) PRIMARY OFFICER DUTIES

The primary officer assigned to a traffic accident, which results or will probably result in death shall:

- (a) Advise the Watch Commander that the accident involves or may involve a traffic death.
- (b) Preserve the accident scene and locations containing relevant evidence in the same manner as a homicide scene until the arrival of the Traffic Accident Investigator.
- (c) Conduct the preliminary traffic accident investigation and complete a Traffic Collision Report



# Gardena Police Department

## Gardena Procedures Manual

### *Traffic Collision Reporting*

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#### **501.6 TRAFFIC ACCIDENT ARREST(S)**

When an arrest is made during an incident where a Traffic Collision Report is made, information pertaining to the testing, arrest, booking, and statement(s) of the suspect, shall be documented on an arrest report.

If a Driving Under the Influence (DUI) is involved, the report will be reported on a DUI report.

## Vehicle Towing and Release

### 502.1 PURPOSE AND SCOPE

This procedure is a guideline to give details on what vehicles may be stored and impounded under the California Vehicle Code. This procedure also explains how stored or impounded vehicles are inventoried or subject to scientific examinations. After a vehicle has been stored or impounded, this procedure details the Records Bureau's responsibility to make notification(s) to whom and how they are made. And finally, this procedure details the proper steps to be taken when releasing a stored or impounded vehicle.

### 502.2 VEHICLE GENERAL PROVISIONS

All vehicles used in crimes, vehicles seized due to their evidentiary value, stolen or embezzled vehicles, those involved in hit and run incidents and/or violations of specific sections of the vehicle code, may be impounded under the appropriate Vehicle Code section(s).

#### 502.2.1 RELEASE EXCEPTIONS

When an officer recovers a stolen vehicle or impounds a vehicle, it shall be available for release with the following exceptions:

- (a) There are holds placed in the Stolen Vehicle System (SVS) by outside agencies
- (b) There is physical evidence to recover
- (c) A hold has been placed on the vehicle by Investigative Services personnel
- (d) The vehicle has been used in a crime
- (e) Follow up by the Traffic Bureau is necessary

If a vehicle is held for one of the above circumstances, the word HOLD shall be written across the upper right portion of the report in 1" letters.

#### 502.2.2 VEHICLE IMPOUNDS - OUTSIDE AGENCY

All stolen vehicles with holds placed by an outside agency or by this Department, shall be impounded and released only by the investigating agency or the Gardena investigator assigned to the case.

#### 502.2.3 VEHICLE IMPOUNDS - STOLEN OR EMBEZZLED NOTIFICATION

It shall be the responsibility of the officer who recovered the vehicle to ensure that the following notification and cancellation procedures are accomplished:

- (a) Notify the owner by telephone and mail a notice to the owner informing them that their vehicle has been recovered and that it is/is not available for release. If it is not available the owner should be advised to contact the auto theft detail.
- (b) Update the stolen vehicle system (SVS) in the Justice Data Interface Controller (JDIC) and attach the original copy of the teletype update to the original vehicle report. If the vehicle has been stolen or embezzled from another jurisdiction JDIC will automatically send a locate teletype to the original reporting agency.

# Gardena Police Department

## Gardena Procedures Manual

### *Vehicle Towing and Release*

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#### 502.2.4 VEHICLE IMPOUNDS - HIT AND RUN VEHICLE

The California Vehicle Code, §22655, empowers a police officer to impound a vehicle from a highway, if the officer has reasonable cause to believe that the vehicle has been involved in a hit and run accident. Impounding the vehicle is not mandatory. If an arrest is made, the vehicle should be impounded pursuant to §22651(H) CVC.

A vehicle impounded under §22655(B) CVC must be released on the demand of the owner upon the expiration of forty-eight hours (from the time of the impound of the vehicle). Therefore, it is the responsibility of the officer impounding the vehicle to make arrangements for the scientific examination of the vehicle.

#### 502.2.5 VEHICLE IMPOUNDS - SCIENTIFIC EXAMINATIONS

It is plainly within the realm of a police investigation to subject an object properly seized to scientific examination.

Occasionally, a scientific examination of the vehicle or a laboratory analysis of its contents is desired, and conditions at the scene or at a regular place of impound are unfavorable or are not conducive to a thorough examination. To ensure the safekeeping and security of the vehicle under such conditions, a supervisor may authorize the storage of the vehicle in the secured police department parking lot or other approved location until such time as the examination can be performed. When the examination has been completed, the impounded vehicle shall be removed to a regular place of impound.

#### **502.3 RELEASE OF IMPOUNDED VEHICLES**

The officer releasing an impounded vehicle shall confirm that all obligations with the Department of Motor Vehicles, the courts, and this agency have been complied with. The person taking possession of the vehicle must have a valid license and proof of current vehicle registration.

A vehicle may be released to a licensed driver other than the registered owner by either of two ways:

- (a) The registered owner is present and signs the release form
- (b) A notarized letter from the registered owner and a copy of the registered owner's driver license is presented authorizing the third party to take possession of the vehicle

If the vehicle is being held for investigation, the assigned investigator must authorize the release of the vehicle. Once this has been done, the Vehicle Impound Release Form can be completed and the release fee collected. The individual taking possession of the vehicle shall be given a copy of the release form and told which towing company to contact. Upon presentation of satisfactory identification, proof of ownership or written authorization from the present owner, the towing company may release the vehicle. Towing and storage fees are the responsibility of the registered owner.

#### **502.4 IMPOUNDED / STORED VEHICLES - VEHICLE REPORT - CHP 180**

# Gardena Police Department

## Gardena Procedures Manual

### *Vehicle Towing and Release*

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#### 502.4.1 DEFINITIONS

**Nonresident Driver** - A nonresident driver may operate a motor vehicle in the State of California without obtaining a driver's license if the nonresident is over the age of 18 years and has in his/her possession a valid driver's license issued in another jurisdiction of which he/she is a resident, except as provided in CVC §12505. (Also refer to Division 6, Chapter 1, Article 1 of the California Vehicle Code).

**§22651(p) CVC** - "When the peace officer issues the driver of a vehicle a notice to appear for a violation of §§ 12500, 14601, 14601.1, 14601.2, 14601.3, 14601.4, 14601.5, or 14604 and the vehicle has not been impounded pursuant to §22655.5. Any vehicle so removed from the highway or any public lands, or from private property after having been on a highway or public lands, shall not be released to the registered owner or his or her agent, except upon presentation of the registered owner's or his or her agent's currently valid driver's license to operate the vehicle and proof of current vehicle registration, or upon order of a court."

**§14602.6 CVC** - "Driving without a license; arrest; seizure and impoundment of vehicle; notice to owner; storage hearing; release of vehicle." (Also Subsections (a) through (i)).

#### **502.5 VEHICLES - IMPOUND AND STORAGE**

##### 502.5.1 VEHICLE STORED

Vehicles removed from highways, public property, or private property, which does not require any further investigation, shall be classified and processed as STORED VEHICLES.

##### 502.5.2 VEHICLE IMPOUNDED

All vehicles removed from highways, public property, or private property, which is to be held as evidence or require investigation, shall be processed as IMPOUNDED VEHICLES.

##### 502.5.3 STORAGE AND IMPOUND A GENERAL PROCEDURES

- (a) The initial responsibility for establishing ownership of the vehicle rests with the officer handling the incident. Whenever possible, the registration certificate shall be located and examined to ascertain the name and address of the registered owner, the legal owner, and the Vehicle Identification Number.
- (b) In all cases where vehicles are stored or impounded, the license number or the Vehicle Identification Number shall be checked through the Stolen Vehicle System to determine if the vehicle has been reported stolen or embezzled.
- (c) Vehicle Report (CHP 180) - The report shall be completed as accurately as possible. However, if part of the report cannot be completed because the information is unknown, the abbreviation "unk" may be placed in the appropriate space. Upon completion, the officer shall sign the report.
- (d) The tow company agent receiving the vehicle shall sign the Vehicle Report, and a copy of the report shall be given to the tow company agent at the scene.
- (e) After completing the storage or impound, the officer shall notify the Records Bureau, as soon as possible, of the storage/impound. The Records technician will enter

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the information into JDIC and Tiburon and then place the CHP 180 in the Watch Commander's tray for approval.

#### 502.5.4 INVENTORY SEARCH - REQUIREMENT

- (a) All vehicles stored or impounded shall be inventoried and searched for items of value. All accessories, equipment, and tools normally used for emergency repairs shall be left in the vehicle unless it is necessary to seize the items as evidence.
- (b) This search should include all portions of the vehicle including the glove compartment, console compartments, trunk, and other miscellaneous storage areas. All storage containers not a component of, but located within the vehicle should also be searched. These containers include, but are not limited to: purses, wallets, briefcases, suitcases, backpacks, coolers, and all other miscellaneous types of closed containers. All items of value located during the search should be inventoried and recorded on the CHP 180 form. All items found should be left within the vehicle unless they are seized as evidence, or the impounding officer believes that specific items of value require additional safekeeping measures.

#### 502.5.5 STOLEN VEHICLES RECOVERY

- (a) All stolen and embezzled vehicles recovered by members of this Department shall be processed as stored vehicles.
- (b) At the discretion of the officer, a stolen vehicle, which has been recovered by the owner, may be released to the owner at the scene. A Form CHP 180 shall be completed and the vehicle owner shall be required to sign it in the appropriate place. The officer shall notify the Records Bureau immediately regarding the recovery and release of the vehicle.

#### **502.6 UNLICENSED DRIVERS - VEHICLE IMPOUND/STORAGE PROCEDURE**

Upon issuing a citation to the driver of a vehicle for violation of §§12500, 14601, 14601.1, or 14601.2 of the California Vehicle Code, and when there is no other licensed person in the vehicle who has the owner's authorization to drive the vehicle, it may be removed from the highway and stored pursuant to CVC §22651(p). Before a vehicle is stored, the following conditions must be satisfied prior to storing a vehicle:

- (a) The driver, at the time of the stop, will be issued a Notice to Appear for a violation of CVC §§12500, 14601, 14601.1, 14601.2, 14601.3, 14601.4, 14601.5 or 14604.
- (b) The vehicle being stored was observed on a highway or on public lands, or from private property after having been on a highway or public lands.
- (c) Prior to a vehicle being stored under this section, a supervisor must be informed as to the intent to store and must give prior approval for the removal and storage of the vehicle.

#### **502.7 VEHICLE RELEASE**

Vehicles stored under §22651(p) CVC shall not be released except under the following circumstances:

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- (a) Upon the personal appearance of the registered owner and upon presentation of a valid driver's license and proof of ownership of the vehicle.
- (b) Upon the simultaneous personal appearance of the registered owner and his/her agent and upon presentation of the following documents: valid driver's license of the owner's agent and proof of ownership.
- (c) In cases where the vehicle is to be released to the owner's agent, that person will be interviewed by a supervisor to determine the appropriateness of the release.
- (d) Vehicles stored under §22651(p) CVC shall be released upon receipt of a valid order of the court.
- (e) In cases where an attempt is made by the legal owner to secure the release of a vehicle stored under §22651(p) CVC, in connection with a repossession, the release shall be authorized by a supervisor.

Vehicles stored under §14602.6 CVC shall be stored for a minimum of 30 days and not be released except as provided by this section. A vehicle may be released to the registered owner or his or her agent prior to the end of 30 days' impoundment under any of the following circumstances:

- (a) When the vehicle is a stolen vehicle.
- (b) When the vehicle is subject to bailment and is driven by an unlicensed employee of a business establishment, including a parking service or repair garage.
- (c) When the license of the driver was suspended or revoked for an offense other than those included in the provisions outlined in CVC §14602.6 (d) (1) (c).
- (d) When the vehicle was seized under this section for an offense that does not authorize the seizure of the vehicle.
- (e) When the driver reinstates his/her driver license or acquires a driver license and proper insurance.

#### **502.8 VEHICLE RELEASE - OTHER EXCEPTIONS TO 30 DAY IMPOUND**

A vehicle shall be released to the legal owner of the vehicle or the legal owner's agent prior to the end of 30 day's impoundment if all the following conditions are met:

(No vehicle shall be released pursuant to the above except upon presentation of the registered owner's or agents currently valid driver's license to operate the vehicle and proof of current vehicle registration, or upon court order).

- (a) The legal owner is a motor vehicle dealer, bank, credit union, acceptance corporation, or other licensed financial institution legally operating in this state or is another person, not the registered owner, holding a security interest in the vehicle.
- (b) The legal owner or the legal owner's agent pays all towing and storage fees related to the seizure of the vehicle.
- (c) The legal owner or the legal owner's agent presents foreclosure documents or an affidavit of repossession for the vehicle.

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- (d) The agent of the legal owner signs a release agreement accepting liability for the vehicle, its condition and contents. (In order to meet the legislative intent of §14602.6 CVC and to protect the financial interest of banks, licensed lending institutions, commercial vehicle rental companies and licensed auto dealers holding a lien on the vehicle, the following policy has been adopted.
- (e) If a request to release the vehicle is made by a bank, a licensed auto dealer holding a lien on the vehicle, or licensed lending institution, the agent or the legal owner shall sign a release agreement stipulating that the driver at the time of impoundment will not have access to the vehicle until the end of the 30 day impoundment period.
- (f) If a request is made by a commercial vehicle rental company, the agent for the rental company shall sign a release agreement stipulating that they will not return the vehicle or rent any other vehicle to the individual who was the driver at the time of impoundment during the remainder of the 30 day impoundment period, and thereafter only when properly licensed as required by CVC §14604.
- (g) The City of Gardena Declaration and Legal Owner's Release and Indemnification Agreement form will be used for this purpose. Legal owners will be responsible for payment of the Department Release Fee prior to release of the vehicle.

This policy is consistent with the legislative intent by attempting to ensure that drivers will not have access to their vehicles, while not unnecessarily penalizing the legal owners. A Records Technician shall complete a City of Gardena Declaration and Legal Owner's Release and Indemnification Agreement. The vehicle representative prior to release shall sign it, when release is made pursuant to this exception.

The Department recognizes that officers will come across unusual situations and circumstances involving the towing of vehicles. In those situations, officers shall review the circumstances with a supervisor prior to towing a vehicle.

#### **502.9 VEHICLE REPORT**

Any member of this Department who orders the removal of a vehicle under the provisions of the Vehicle Code shall complete the Vehicle Report at the scene. The reason for the removal of the vehicle shall be indicated in the "Remarks" section of the Vehicle Report.

#### **502.10 WAIVER OF IMPOUND FEES**

Impound fees shall not be collected on vehicles impounded for the following reasons:

- (a) When the vehicle is a recovered stolen and the vehicle is being released to the owner or a designate.
- (b) When the vehicle was taken as evidence or as the container of evidence, or as part of a criminal investigation and the registered owner of the vehicle was a witness or victim of a crime, and not the suspect.
- (c) When the vehicle was impounded in error.

## Impaired Driving and Evidence Collection

### 504.1 PURPOSE AND SCOPE

This procedure details the steps taken when administering a blood, breath, or urine test for a driver suspected of driving under the influence (DUI) to include the location(s) of the test to be taken, the procedure for administering the tests, and the booking or inclusions of the samples.

### 504.2 BREATH TEST - LOCATION OF BREATH TESTING EQUIPMENT

The breath testing equipment to be used by Department employees is located in the Booking/Jail area. When this equipment is unavailable, the Watch Commander shall make arrangements with either the Hawthorne Police Department or Torrance Police Department for temporary use of their equipment.

The Department currently utilizes the "Datamaster" breath-testing machine. Operation of the Datamaster shall be restricted to personnel who have received training and are certified in its use. When the arresting officer is not certified in the use of the Datamaster, an officer certified in its use shall conduct the breath test.

#### 504.2.1 ADMINISTRATION OF THE BREATH TEST

Prior to administration of the test, the officer shall observe the driver for a fifteen-minute period, during which the driver shall not have been drunk, smoked, or vomited.

The officer shall obtain a Datamaster Check List and an Datamaster Test Record (located near the Datamaster in the Jail fingerprinting area) and complete all preparatory headings on both forms.

At least two samples shall be collected. No waiting period is required between samples. If the readings of the two samples vary more than .02 percentage points, a third or more samples may be required in order to obtain two valid samples. The two valid samples need not be taken in consecutive order.

#### 504.2.2 COMPLETION OF TEST

Upon completion of the test's administration, the officer shall enter the date and time of the test, the driver's name and charge(s), the officer's name and serial number, and the results of the test in the "Datamaster Log Book" located at the Datamaster testing area.

The completed Datamaster Test Record (with the breath test readings listed) shall be stapled to the completed Datamaster Check List and submitted with the Drunk Driving Report.

### 504.3 BLOOD TEST - LOCATION FOR BLOOD SAMPLE REMOVAL

When a blood test is to be used in determining the alcoholic or drug content of a driver's blood, the driver/arrestee shall be transported to Bayside Medical Center, 2301 W. El Segundo Blvd., Hawthorne, CA 90250, unless extenuating circumstances necessitate use of a different facility.

#### 504.3.1 CRITERIA FOR BLOOD TEST

A blood sample may be obtained when:



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- (a) The driver has chosen the blood test pursuant to the Implied Consent Law.
- (b) The driver is in custody for a felony and the level of intoxication is an essential element of a successful prosecution or as authorized by law in some misdemeanor arrests.
- (c) The driver is unconscious or so impaired so as to be unable to consent to a chemical test.

#### 504.3.2 BLOOD TEST - WITHDRAWAL REQUEST

Whenever a blood sample is obtained from an arrestee, the officer may prepare and sign a Request for Withdrawal of Blood as requested from that facility.

This request form contains a statement regarding the reason for obtaining the blood sample and a waiver stating that the driver is not afflicted with one of the exempting ailments.

The driver shall be asked to sign the request and indicate the date and time of the signing in the presence of the officer or another witness. The officer shall then present the form to hospital personnel.

#### 504.3.3 BLOOD TEST - OBTAINING OF THE SAMPLE

Hospital personnel should utilize a Los Angeles Sheriff's Department Blood Sample Kit when preparing blood samples for the officer. Such kits consist of a white envelope with instructions printed on the front, a vial that contains an anti-coagulant agent, and a seal. Officers shall follow the instructions as specified on the blood sample kit envelope relative to the marking and preparation of the sample and vial.

#### 504.3.4 BLOOD SAMPLE - BOOKING OF THE SAMPLE

Upon obtaining the blood sample, the officer shall seal the marked vial in the supplied envelope as per the instructions on the envelope.

The officer shall complete a Crime Lab receipt for the sample and book it into the RR1 locker or any evidence locker.

## Traffic Citations

### 505.1 PURPOSE AND SCOPE

This procedure is a guideline for the use of citation books; what happens when an error is made on a citation and how it is corrected; and, how to cancel a citation that was already issued to a subject.

### 505.2 TRAFFIC CITATIONS - FORMS

#### 505.2.1 CITATION BOOKS - GENERAL

Department personnel shall obtain Citation Books at the Records Bureau and shall be accountable for each book so issued.

Upon receiving a Citation Book, the employee shall check it to ensure that it contains the correct number of consecutively numbered citations. If a discrepancy is found, the employee shall immediately report this information verbally or in a memorandum to a supervisor.

#### 505.2.2 CITATION BOOKS - RESPONSIBILITY

Every employee shall be held strictly accountable for each issued Citation Book and its contents.

#### 505.2.3 MISSING CITATIONS OR CITATION BOOK - EMPLOYEES

Upon the discovery that a citation or a Citation Book is missing, employees shall immediately report this information to their immediate supervisor.

#### 505.2.4 MISSING CITATION OR CITATION BOOK - SUPERVISOR

If a citation or a Citation Book cannot be located, the Records Bureau Manager shall inform a manager of the Patrol Bureau. The employee's Division Commander shall request an explanation in writing from the employee who was issued the Citation Book. The employee shall state any knowledge or reasons why the missing citation(s) or Citation Book cannot be accounted for.

### 505.3 COMPLETION OF CITATIONS

#### 505.3.1 ERRORS OR OMISSIONS ON CITATIONS

When an error is made, the Traffic Detail will complete a form letter stating the following:

- (a) The incorrect violation
- (b) The correct violation
- (c) New court date if applicable

The Traffic Detail will then mail the form letter with the attached corrected copy to the court of appearance and to the violator. The Traffic Detail will also keep a copy for their records.

#### 505.3.2 RETURNING COMPLETED CITATIONS

The employee shall place the original and second copy of completed citation(s) into the Watch Commander's tray as soon as possible but no later than the end of the employee's tour of duty.

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The Watch Commander should review the citation(s) and then forward them to the Traffic Detail for processing.

#### 505.3.3 CANCELLATION OF CITATIONS - CRITERIA

The following criteria shall be used when determining whether a citation should be canceled or voided:

- (a) The person to whom the citation was issued is subsequently arrested and booked, and the violation for which the person was cited is merged with the arrest offense.
- (b) The officer has mistakenly identified the person to whom the citation was issued.
- (c) The offender is identified as being entitled to diplomatic immunity
- (d) The citing officer makes an error in the completion of the citation or it is mutilated and another citation is issued to the offender
- (e) The cause of issuance was apparent disobedience to any official sign or traffic control device, and it is subsequently determined that the device or sign was obscured, displaced, or malfunctioning
- (f) The officer receives an emergent call for service prior to completing the cite.

#### 505.4 CANCELLATION OF CITATIONS PROCEDURE

In order to establish responsibility and maintain control of the citation process, only the Watch Commander is authorized to cancel or request the dismissal of citations.

All employees must first obtain approval from their immediate supervisor before this process is utilized.

##### 505.4.1 DEFINITIONS

For purposes of this section, the following definitions shall be used:

**Void** - Refers to the action necessary when a citation has not been processed and where all copies are intact.

**Cancel** - Refers to the action necessary when a citation has been written and processed.

##### 505.4.2 CANCELLATION OF CITATIONS - EMPLOYEE'S DUTIES

Employees needing to void or cancel a citation shall attempt to collect all copies of the citation. The citation shall not be marked or altered in any way. All originally recorded information must remain intact.

The employees shall complete a memorandum stating the reasons for the cancellation request. The citation shall then be attached to this communication and forwarded to the employee's immediate supervisor.

##### 505.4.3 CANCELLATION OF CITATIONS - SUPERVISOR'S DUTIES

The employee's immediate supervisor shall review the memorandum and indicate approval. The supervisor shall then forward the memorandum and citation to the Traffic Bureau Commander.

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#### **505.5 LOST OR STOLEN CITATION**

Lost or stolen citation books shall be reported using the citation cancellation procedure.

#### **505.6 COURT LOCATION AND DATE - ADULT OFFENDERS**

Adults shall be cited into the South Bay Municipal Court, 825 S. Maple Ave., Torrance, CA, at least thirty calendar days from the issuance of the citation.

#### **505.7 COURT LOCATION AND DATE - JUVENILE OFFENDERS**

Juveniles shall be cited into the Court at 3221 Torrance Blvd., Torrance, at least sixty calendar days from the issuance of the citation at a date/time according to the juvenile's last name.

#### **505.8 CHANGE OF VENUE**

Under certain circumstances, a person cited for a traffic violation may request to appear at the court designated as the County Seat. When this occurs, the person will be cited to appear at one of the given branch courts such as Metro Traffic Court (L.A.), Van Nuys Court, San Fernando Court, West Los Angeles Court, or San Pedro Court during the business hours of that court.

## **Chapter 6 - Investigation Operations**

## **Eyewitness Identification**

### **604.1 PURPOSE AND SCOPE**

This procedure establishes guidelines for the field identification of suspects and witness transportation.

[Witness Transportation Consent Form](#)

### **604.2 FIELD IDENTIFICATION ADMONISHMENT**

Prior to commencing the Field Identification, officers shall advise the witness or victim of the admonishment authorized by State and/or Federal law.

### **604.3 TRANSPORTATION OF SUSPECT FOR IDENTIFICATION**

The suspect may be transported for the purposes of field identification when:

- (a) The suspect has given a voluntary and willing waiver to participate in the field identification and to be transported in a police unit for that purpose.
- (b) The suspect is under arrest.
- (c) The victims or witnesses are unable to be transported to the location of the suspect's detention (e.g., when the victim or witness has been transported to a hospital).

### **604.4 TRANSPORTATION OF WITNESS**

While at a crime scene, members may conduct a brief investigatory detention of persons who may have been in the immediate vicinity to determine their involvement in the crime, if any (i.e. persons may be suspects, aiders, or abettors).

Once a person is determined to be a witness only, members cannot detain the witness involuntarily. In the event that a witness possesses valuable information but will not consent to voluntarily remain at the scene or await interview by the handling detective or investigator, patrol officers should attempt to do the following:

- (a) Briefly determine the nature of the witness's information
- (b) Obtain valid identification
- (c) Determine when and where the witness can be contacted

However, no individual believed only to be a witness may be forced to remain at the scene or provide identifying information. In these cases, officers should attempt to document identifying information [e.g. vehicle license numbers, photographs (see below)].

### **604.5 PHOTOGRAPHING WITNESSES**

No individual believed only to be a witness may be forced to pose for a photograph without their consent. Area photographs, including individuals in plain view, may be taken without consent. Personnel equipped with "body cameras" or vehicles equipped with "in-car video systems", may record information, including a witness' refusal to cooperate or provide information.

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#### **604.6 WRITTEN CONSENT TO TRANSPORT WITNESSES FOR INTERVIEW**

Members of this Department shall utilize consent waiver Form GPD/reg (4/2019) authorizing the voluntary transportation, signed by the witness, or by a person authorized to give consent, prior to transporting the witness to the patrol station for investigative or other purposes.

#### **604.7 INTERVIEW LOCATION**

Witnesses should be separated and/or monitored to prevent information contamination or witness intimidation. Treat witnesses as guests and not as suspects. Witnesses should be allowed to use the telephone to notify a friend/family as to their whereabouts, and they should have access to restrooms, food, and drinks.

Upon request, the witnesses should be promptly transported back to their home or desired reasonable location.

## Operations Planning and Deconfliction

### 608.1 PURPOSE AND SCOPE

Planning is an important component to any successful operation. The attached form will assist the member in preparation for a high risk operation.

[Risk Assessment - High Risk Operations Form](#)



## **Chapter 8 - Support Services**

## Property and Evidence

### 800.1 PURPOSE AND SCOPE

These procedures are guidelines for the preservation, packaging, marking, booking, storage and release of property taken in by the Gardena Police Department.

### 800.2 PRESERVATION OF EVIDENCE

Personnel conducting a crime scene search shall be knowledgeable in the recognition and preservation of evidence so as not to destroy the integrity and evidentiary value of any item taken into our custody. The following guidelines (although not inclusive of all safeguards) shall be used:

#### 800.2.1 WET STAINS

Articles bearing wet stains such as blood or semen should be air dried first and then packaged to avoid contamination. The item(s) should then be sealed for transportation to the crime lab.

#### 800.2.2 ODORS OR FLUIDS

When it is desirable to preserve fluids or an article impregnated with an odor or fluid, such as chemicals or flammable fluids, the item(s) should be placed in a clean metal container with lid; sealed and tagged for transportation to the crime lab for analysis.

#### 800.2.3 STAINS

**Splattered stains:** should be first photographed and or diagramed. Collect and obtain a control sample by using cotton swab and distilled water.

**Dried stains:** collect dried flakes or use a wet (using distilled water) cotton swab to obtain samples. Air-dry the wet samples and then package for transportation to he crime lab.

**Wet stains:** collect sample using cotton swab, air dry and packager for transportation to the crime lab.

#### 800.2.4 EVIDENCE SCRAPINGS

Evidence scrapings should be collected and packaged in paper bindle. They should be marked for identification to include the location and/or area where from which the sample(s) was taken.

#### 800.2.5 UNCOMMON ARTICLES

An officer or investigator who is in doubt as to a desirable method of preserving any physical evidence, which may be perishable, fragile, contaminable, or microscopic, shall request the advice of the Department's Identification Technician or Crime Laboratory personnel.

#### 800.2.6 FINGERPRINTS

Latent fingerprints or elimination prints will be collected from the scene and booked into evidence using the officer's name, serial number, date, DR# and the location print(s) from which the prints were collected.

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#### 800.2.7 HANDLING OF ARTICLES

Any article of evidence should be handled with gloved hands and placed into appropriate packaging materials and marked for identification.

#### **800.3 PRESERVATION OF EVIDENCE - PACKAGING**

When it is desirable to wrap evidence to prevent contamination or preserve small items, the following shall apply:

- **Packaging Materials:** Clean containers, paper, cotton cloth, or tissue shall be used. Large objects will require wrapping paper while small articles shall be placed in paper packets, envelopes, bottles, or glass vials.
- The investigating officer(s) should seal the container with red evidence tape; then sign and date the tag.
- **Separate Packages:** Physical evidence that is found at different locations, contaminable items, and articles for comparison tests, shall be contained in separate packages.
- **Latent Fingerprints:** Objects suspected of bearing or containing latent fingerprints, which may be important in an investigation, should be packaged so that the possible impressions will be protected.
- **Narcotics:** Narcotics shall be separated from other evidence, packaged, and sealed with sealing wax in the appropriate narcotic evidence package. All narcotic evidence, except substances requiring refrigeration, shall be booked into the evidence lockers.
- **P.C.P.:** All P.C.P. evidence shall be double K-packed and then placed in the freezer portion of the crime lab refrigerator. If there is inadequate space, the I.D. Technician (including after hours) or the Watch Commander or Sergeant shall be contacted.
- **Syringe Container:** In keeping with the recommended procedure of the Los Angeles County Health Department, the Gardena Police Department will use an OSHA approved syringe container. To safely store a syringe within the syringe container, remove the container cap and labels and set aside. Lay the open tube on its side; do not hold the tube in the other hand. If necessary, steady the tube with a pen or other object. Insert the syringe into the tube with the needle toward the closed end. Replace the cap. Lift the tube into the vertical position. Tap the tube several times on a flat surface to embed the needle into the sealing material. Place the bio-hazard seal across the cap and down the sides of the tube. Complete the information sticker and adhere to the tube, making sure the contents are visible. The syringe container is NOT reusable and shall be permanently disposed of as bio-hazardous waste.
- **Poisons:** Poisons shall be placed in non-metal containers and handled with extreme care. If at all possible, the word "Poison" shall be printed in bold letters on the receptacle being booked.

#### **800.4 PROPERTY AND EVIDENCE - CUSTODY RESPONSIBILITY**

The primary duties of the custodian of property and evidence are the oversight, control, and security of property and/or evidence coming into the possession of the Gardena Police Department. Additional responsibilities include but are not limited to:

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- The responsibility for storing property booked in as evidence and the maintenance of records pertaining to the continued possession of the evidentiary item.
- The security of the Property Storage area and other designated areas where property and evidence is stored.
- The receipt and/or release of property from the Property Storage area of the front desk. Evidence or property will not be received or released from other locations throughout the police facility.
- Ensuring that the release of any item is properly authorized and the person receiving such items has a legal right to the property and/or evidence in question. An individual shall sign a release to acknowledge receipt of any item.
- Maintaining records of all found property or property other than evidence turned in for safekeeping. The final disposition of property will be according to law.
- The supervision, distribution, and inventory control of all-general Departmental supplies. When replacements are needed, the Business Office shall be informed.

#### **800.5 PROPERTY STORAGE AREA**

Only the Property and Evidence personnel and the Administrative Services Bureau Commander shall have access to the Property Storage Area.

#### **800.6 EVIDENCE IDENTIFICATION & MARKING**

No uniform marking system is practical because of the limitless number of articles involved. However, a general rule to follow is that identifying marks shall be as small as practical. Every item of physical evidence, capable of duplication, must be marked by some means that will distinguish it from every other item of like nature, capable of appearing to be a duplicate, a facsimile, or identical to the item. Every identifying mark shall be made, so that it does not destroy the evidentiary value of the item, nor interfere with the work in the laboratory, which may follow the marking process. As a final step in the marking process, evidence tags shall be properly filled out and securely attached to all items or packages of evidence.

#### **800.7 DISTINCTIVE MARKS**

Distinctive marks shall be used, such as the initial of the finding officer, together with the date and/or DR Number in possible. An easily duplicated mark such as a cross or check shall not be used. Identifying marks shall be placed on an object in such a way as to avoid altering, contaminating, or destroying other physical evidence that may be present. When it is apparently impossible to mark the surface of an article, markings shall be placed on the container or package in which the article is enclosed. The officer, who either finds the physical evidence or who received it from another person, shall mark it as soon as practical.

Serial numbers on articles do not necessarily eliminate the necessity for an identifying mark. Serial numbers and other identifying marks shall be recorded.

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#### **800.8 EVIDENCE LOCATION CARD**

- (a) The purpose of the Evidence Location Card is to notify the Property Officer of evidence (property) that has been booked in a location other than the downstairs evidence (property) lockers.
- (b) Downstairs evidence (property) lockers are lockers adjacent the property room vault door.
- (c) A location other than the downstairs evidence (property) lockers includes: outside property room, blood dry locker, hazmat locker and freezers.
- (d) Personnel who book evidence (property) in a location other than in than downstairs evidence (property) lockers will fill out an Evidence Card and drop the card into evidence locker A.
- (e) Blank Evidence Location Cards will be placed in the report writing room.

#### **800.9 SPECIAL EVIDENCE MARKINGS**

Some common items of evidence require special marking. Examples are:

- **Documents:** Document(s) shall not be marked in any way by anyone other than the specialist who is to conduct the scientific examination. Marking by the specialist shall be done in the presence of the officer submitting such documents, whenever practical.
- **Items Which Cannot Be Marked:** Items which by their very nature cannot be marked, such as, hair, fingernail scrapings, fibers, etc., should be wrapped in a sheet of paper, labeled, and placed in a container which shall be marked by the person placing the item in the container.

#### **800.10 BOOKING EVIDENCE - RESPONSIBILITY**

All items of evidence shall be booked in without unnecessary delay by the officer finding the item, the investigating officer, or specialist called to the scene.

#### **800.11 PROPERTY RECEIPTS - ISSUING FOR PROPERTY TAKEN**

The Gardena Police Departmental Property Receipt will be given under the following circumstances:

- (a) 1412 PC accounting for property taken from an arrestee: "When money or other property is taken from a defendant, arrested upon a charge of a public offense, the officer taking it must at the time give duplicate receipts therefore, specify particularly the amount of money or the kind of property taken." This is accomplished at the time of booking.
- (b) 1535 PC property seized pursuant to a search warrant: "When the officer takes property under the warrant, he must give a receipt for the property taken (specifying it in detain) to the person from whom it was taken by him, or in whose possession it was found; or, in the absence of any person, he must leave it in the place where he found the property."
- (c) 12028.5 PC authority of peace officer to take temporary custody of firearm at scene of domestic violence: "...Upon taking custody of a firearm or other deadly weapon,

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the officer shall give the owner or person who possessed the firearm a receipt. The receipt shall describe the firearm or other deadly weapon and list any identification or serial number of the firearm. The receipt shall indicate where the firearm or other deadly weapon can be recovered, the time limit for recovery as required by 12028.5 PC and the date after which the owner or possessor can recover the firearm or other deadly weapon.

- (d) 2080.10 CC property for safekeeping: "When a public agency obtains possession of personal property from a person for temporary safekeeping, the public agency shall do the following: Provide the person from whom the property was taken with a receipt and instructions for the retrieval of the property..."
- (e) 8102/5150 WIC: "Whenever a person, who has been detained or apprehended for examination of his or her mental condition is found to own, or have in his or her possession or under his or her control, any firearm whatsoever of any other deadly weapon, the firearm or other deadly weapon shall be confiscated... Upon confiscation of any firearm or other deadly weapon, the peace officer shall notify the person of the procedure for the return of any firearm or deadly weapon, which has been confiscated.
- (f) Any person who demands a receipt from whom property was taken.
- (g) After recording confiscated property on the Property Receipt, the officer will obtain the signature of the person from whom the property was taken. The officer will then give the person the second (green) page that includes instructions (on the back of the page) for retrieving property. The first page (white) will be filed with the officer's report.

#### **800.12 STORING EVIDENCE**

After an officer or investigator has booked in evidence and/or property, that individual shall properly store the item(s) by placing it in the evidence locker or delivering it to a Property Officer.

Under no circumstances shall perishable items be booked into the evidence lockers. If possible, perishables should be left with the victim/merchant, documented and/or photographed. Perishable items of evidence and/or property that need to be refrigerated, shall be stored in the lab refrigerator/freezer until photographed, then will be destroyed.

During those hours when the Property Officer is on duty, all evidence and/or property shall be taken to the property storage area and shall be either released to the Property Officer or booked into the evidence lockers.

During hours when the Property Officer is not on duty, the evidence and/or property will be placed in one of the storage lockers. The Evidence Tag shall be left with the item(s) after which the locker will be locked. The key will then be dropped into the key drop.

Property and evidence will then be recorded on the officer's original incident report.

Items, which are too large to be placed in one of the (downstairs) storage lockers, will be placed in the south (outside) property room.

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#### **800.13 STORING FLAMMABLE / HAZARDOUS LIQUID**

Hazardous materials are to be placed in the proper container provided for this purpose, which is located in the southwest area of the parking lot.

#### **800.14 STORING FIREWORKS / GUNPOWDER**

Fireworks and gunpowder shall be stored in the proper hazardous material containers located in the southwest portion of the police department parking lot.

If, in the opinion of the booking officer or Supervisor, explosive powder or fireworks that are unsafe due to their excessive amount, size, or weight, or condition, should not be booked into the police facility. Los Angeles Sheriff's Bomb Squad or local Fire Department personnel shall be contacted immediately.

The powder and/or fireworks will be given to the responding county personnel. This procedure should be followed regardless of the time of day.

#### **800.15 TRANSPORTATION / CONTINUITY OF PHYSICAL EVIDENCE**

Proof of continuity and possession of physical evidence is essential in a trial; therefore, it is desirable that such articles pass through the fewest hands possible. Evidence shall be transported by the finding officer, the investigating officer, or by support personnel called to the crime scene.

The officer assigned to the investigation must arrange any transfer of evidence from one place of custody to another.

#### **800.16 NARCOTICS**

Narcotics shall be transported to the station and booked in the prescribed manner as evidence. If the narcotic evidence is to be transported to the Sheriff's Crime Laboratory for analysis, it shall be done in accordance with the procedures developed in this policy.

#### **800.17 VEHICLES - EVIDENCE**

Specific instructions shall be given to service personnel in regard to a vehicle that has been impounded as evidence and/or is to be processed for prints. The officer may direct the particular method of transport or accompany the impounded vehicle to preserve the evidentiary value of the vehicle.

Vehicles that are seized as evidence, stolen vehicles, or vehicles that may contain physical evidence may be impounded under the appropriate legal provisions.

Impounded vehicles, upon supervisory approval, may be transported and stored at an approved area, until such time as the required criminalistic examination can be performed.

All other items may be transported to the station and booked as evidence, after taking into consideration their potential for contamination, destructibility, and protection.

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#### **800.18 EVIDENCE SUBMITTED FOR EXAMINATION BY SHERIFF'S CRIMINALISTICS LABORATORY**

The Sheriff's Department has established a system of collecting evidence from law enforcement agencies within Los Angeles County, transporting the evidence to the Sheriff's Crime Lab for scientific examination, and then returning the evidence to the responsible law enforcement agency.

##### **800.18.1 L.A.S.D. TRANSPORTATION OF EVIDENCE**

Evidence transportation to and from the Sheriff's Criminalistics Laboratory is to be provided by the Sheriff's Department. Items to be transported will be collected by a Sheriff's Department employee, who will issue a receipt for the evidence. When evidence is returned, the sheriff's employee will require an authorized person to sign for the evidence. This will ensure and maintain the continuity of the possession of the evidence.

##### **800.18.2 REQUESTS FOR ANALYSIS**

Blood and urine and narcotic samples (except some cases of marijuana) will be sent to the Sheriff's Laboratory by the department as soon as possible after the sample is collected.

When time is of extreme importance, or it would be beneficial for the detective to discuss the proposed examination with criminalistics personnel, the detective assigned to the case may transport the evidence directly to the Sheriff's Crime Lab.

#### **800.19 REQUEST FOR LABORATORY EXAMINATION - SHERIFF'S DEPARTMENT**

The detective requesting the analysis or examination shall complete a request for Laboratory Examination form. The Sheriff's form shall be enclosed or attached securely to the evidence package.

The request shall also indicate what type of examination is required or what action the detective is requesting the Sheriff's Department Crime Laboratory to perform on the evidence.

#### **800.20 SCIENTIFIC EXAMINATIONS AND ANALYSIS BY OTHER AGENCIES**

Physical evidence does not have to be sent to the Los Angeles Sheriff's Department Crime Laboratory for examination. At times, it may be desirable or necessary to have a specific scientific examination or analysis done by another agency such as a hospital, the Los Angeles Police Department, or the Federal Bureau of Investigation. These services may also include the use of a private laboratory.

The type of evidence, the manner in which it is obtained, reliability of available facilities, personnel doing the analysis, and the time element involved are all factors to be considered in determining which agency will handle the evidence.

#### **800.21 EVIDENCE PRESENTATION IN COURT**

The retrieval, preparation, documentation of the chain of evidence and presentation of evidence in court shall be the responsibility of the investigating officer. Evidence may be obtained from the property officer during normal business hours, Monday through Friday.



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The responsibility for returning all evidence, which is not introduced into court, shall also rest with the investigator. It is important that all items of evidence from court be returned to the evidence room in its original packaging.

#### **800.22 COURT EXHIBITS / RESTRICTIONS**

The Courts are restricted from receiving any exhibit, which falls into any of the classifications listed below:

- Any containers of flammable liquid such as gasoline, kerosene, lighter fluid, paint thinner, ethyl ether, etc.
- Any type of explosive powder
- Any explosive chemical such as toluene, ethane, etc.
- Any explosive device such as a pipe bomb, hand grenade, etc.
- Any flammable device such as a molotov cocktail
- Any canister containing tear gas, mace, etc.
- Any rags soaked with any flammable liquid, which is still damp or wet
- Any corrosive liquid
- Dry P.C.P. in other than an airtight package (i.e., plastic), or any liquid P.C.P.
- Vials of blood or any blood stained clothes
- Urine or any body fluids
- Any body parts (e.g., skin, hair, etc.)
- Hypodermic needles
- For any controlled substance contact the Judge at the court for his/her policy
- Any perishables

The court will accept photographs of any of the items listed above; however, the actual physical evidence will be retained by this agency.

#### **800.23 PREPARATION OF EVIDENCE**

Whenever investigators have evidence to analyze, they will properly process the evidence so as to maintain its individuality by utilizing proper labeling, separation, and packaging.

The evidence will be identified by attaching the proper Gardena Police Department evidence identification form containing:

- Complete name of victim or suspect
- Name of the investigating officer
- Charge or crime classification
- DR number

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- Time and date of collection

After completion of evidence identification the item will be turned over to the Property Detail for processing to the Los Angeles County Sheriff's Crime Lab.

#### **800.24 RECEPTACLES FOR EVIDENCE**

The Property Officer will maintain evidence destined for the Sheriff's Department Crime Lab.

Items of evidence, which need to be refrigerated, awaiting transportation to the Sheriff's Lab, will be stored in the refrigerator designated for property and evidence.

#### **800.25 ACCESS TO EVIDENCE**

The property and evidence storage area will be kept locked at all times. Placing items of evidence into the area may be accomplished by contacting the Property Officer.

#### **800.26 DISPOSITION OF EVIDENCE - INVESTIGATORS' RESPONSIBILITY**

Detectives shall notify the Property Officer when evidence being held in the property storage area will not be used, because the case for which such evidence is being held has been adjudicated.

#### **800.27 CASE EVIDENCE DISPOSAL - DESTRUCTION OF CONTRABAND**

Upon receipt of notification, the Property Officer shall dispose of articles of evidence pursuant to court order and according to statutory mandates and departmental procedures.

If owners are known, can be contacted, and wish to regain items other than guns, knives, or contraband, the items may be returned. If the owner is unknown, cannot be contacted, or if the owner is known, but does not wish to regain the item(s), the item(s) may be disposed of.

#### **800.28 FIREARMS EVIDENCE**

Firearms, which may be evidence, stolen/recovered property held for safekeeping, or found property, shall be taken into custody and booked by the police officer, detective or support personnel assigned to the incident. If the firearm is placed in a container (i.e., paper bag, cardboard container, etc.), the booking officer shall indicate on the packaging if the weapon is "LOADED" or "UNLOADED." If a magazine is attached, it should be removed from the weapon.

In an investigation of suicide or homicide by gunshot, the weapon shall be secured in its original state until the Los Angeles County Coroner or the Robbery/Homicide Investigator can determine how the weapon will be preserved.

#### **800.29 FIREARMS PROCEDURES - GENERAL**

Care shall be exercised in handling and examining any firearm being held by this Department in order that it will not become contaminated or its evidentiary value destroyed.

The officer finding, or taking possession of, any firearm, which is to be booked into evidence, is responsible for ascertaining its serial numbers. If the firearm has no serial numbers, the officer shall mark it in such a way that it may be readily identifiable. If marking is necessary, it shall be

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done in such a manner and location that will not damage the firearm, obliterate any possible latent fingerprints, or contaminate any evidence.

The investigator assigned to an incident in which a firearm was taken, recovered, or used, shall be responsible for processing the weapon. This includes, but is not limited to, entering or clearing the serial numbers with NCIC, obtaining ballistics tests, making all necessary inquiries and notifications, and authorizing the release of the weapon for disposal when it is no longer required to be retained by this Department.

The investigator authorizing release of a firearm shall sign with a complete signature the Property Receipt Form and include the date of authorization. At the time the weapon is released to an authorized person, the Property Officer shall also sign and date the property receipt.

#### 800.29.1 DESTRUCTION OF FIREARMS AND OTHER WEAPONS

The sale of any firearm or weapon or any part or component or attachment thereof in the Property & Evidence Bureau is strictly prohibited.

The following procedure shall be utilized for the destruction of firearms:

- (a) The Evidence Technician shall periodically consult with Detective Bureau staff to identify firearms ready for destruction.
- (b) All firearms held for evidence shall be held until the criminal case is adjudicated.
- (c) Eligible firearms shall be sent to NIBIN for testing.
- (d) Upon completion of adjudication, the assigned detective shall contact the firearm owner and advise the owner to complete the online Law Enforcement Release Application form on the California Department of Justice website.
  1. Except in cases where a firearm has been submitted for destruction by the owner, a certified letter shall also be sent to the known address of the firearm owner.
  2. The date of receipt of the certified letter starts the 180-day period addressed in Penal Code § 12021.3(g).
  3. A copy of the certified letter receipt shall be uploaded to the report in Mark 43.
  4. Un-serialized and/or un-registered firearms, should be destroyed when the case has been adjudicated without the necessity of a certified letter or phone contact.
- (e) Once the Law Enforcement Release Eligibility Letter is received by the firearm owner, the owner must contact the Gardena Police Department Property and Evidence Bureau and set an appointment.
  1. The Law Enforcement Release Eligibility Letter is valid for 30 days from the date on the letter.
- (f) If the owner of the firearm cannot be located, and a "Return to Sender Notice" is received from the post office, the assigned detective shall seek a court order or a signed memo from the Chief of Police to destroy the firearm(s).

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- (g) Notwithstanding any other provision of law, the department shall not be required to retain a firearm for more than 180 days after the owner has been notified by the Gardena Police Department that the firearm has been made available for return. Any unclaimed firearm may be destroyed after the 180-day period has expired (Penal Code § 12021.3).

#### **800.30 MENTALLY ILL - CONTROL OF A FIREARM**

In each incident involving a firearm where the police officer has reasonable cause to believe that a person having custody or control of the weapon(s) is suffering from a mental illness, every effort should be made to have the person detained for observation. Under these conditions, the person detained would be classified according to § 8100 or 8103 of the Welfare and Institution Code and the weapon(s) booked as evidence.

In the event the police officer has reasonable cause to believe the person is suffering from a mental illness, but circumstances preclude detention, the officer shall book any firearms in that person's custody or control for safekeeping. If there is no responsible person to whom the firearm(s) may be released, and the person from whom it was taken demands its return, the investigating officer shall not return the weapon(s) until all hearings and/or investigations have been completed.

Firearms booked under these circumstances may be released or retained according to the statutory requirements as outlined in § 8102 or the Welfare and Institutions Code.

#### **800.31 BOOKING FOUND PROPERTY / EVIDENCE - MONEY**

An employee booking in money as evidence or found property shall complete the Evidence/Property Tag and place the money into the currency envelope. The employee will then take both items to the Watch Commander for approval and signature. The currency envelope will then be booked into an evidence locker or given directly to the Property Officer.

#### **800.32 MOBILE VIDEO EVIDENCE**

For details of mobile video evidence refer to the Mobile Video System Policy.

##### **800.32.1 VIEWING OF THE VIDEOTAPE EVIDENCE BY A JURY**

Jury viewing of videotape is sometimes ordered by the court and will be handled by the investigating officer, who is responsible for obtaining the evidence according to Departmental policy.

##### **800.32.2 DISPOSAL OF VIDEOTAPE EVIDENCE**

The investigating officer shall maintain contact with the court to determine when the case has been adjudicated. Upon adjudication, the videotape evidence will be returned to the Property Officer, who will dispose of it according to Departmental policy.

##### **800.32.3 VIDEO TAPES MADE BY CIVILIANS**

The investigating officer should make every legal effort to obtain the original tape made by a civilian of any incident to which that tape may prove to be of evidentiary value.

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#### **800.33 PROPERTY OFFICER RESPONSIBILITIES FOR GUN RELEASE**

- (a) A. Firearms held under the provisions of 12028.5 PC and 8102 W&I
1. Effective January 1, 2005 section 12021.3 is added to the Penal Code and states that any person who wishes to have the firearm returned to him or her shall make application for a determination by the Department of Justice as to whether he or she is eligible to possess a firearm. Therefore, effective January 1, 2005, prior to law enforcement's return of a firearm to its owner, the individual seeking the return of the firearm must complete and submit to the DOJ a Law Enforcement Gun Release Application. The Department of Justice (DOJ) will no longer conduct Law Enforcement Gun Release checks at the request of law enforcement agencies or courts.
  2. An individual desiring the return of his/her weapon(s) will contact the Gardena Police Department Property Detail who will assist in filling out the Law Enforcement Gun Release application. The individual will then mail the application to DOJ for processing.
  3. Once the firearm eligibility check has been completed, the individual will be notified via U.S. Mail of the eligibility check results.
  4. In the event the eligibility check is approved the individual must contact the Property Detail and provide the original copy of DOJ Determination Notice to the Property Officer. The Property Officer will keep the original copy and provide the individual with a copy. The Determination Notice is valid for 30 days from the date of the notice. Prior to releasing the firearm(s), the Property Officer must check the Automated Firearms System (AFS) to verify: 1) that none of the firearms being held have been reported stolen; and 2) that any of the firearms(s) that are handguns have been reported in AFS in the name of the individual seeking return of the firearm(s). Long guns (rifles and shotguns) will not be reported in AFS.
  5. If the owner does not wish to obtain possession of the firearm, or is determined ineligible to possess by DOJ, but wants to sell or transfer the firearm, the Gardena Police Department must facilitate the sale or transfer of the firearm(s) to a firearms dealer licensed pursuant to PC 12071 by DOJ (provided the firearm(s) is otherwise lawful). It is recommended that the owner submit a No Longer in Possession form to DOJ once the transfer is complete, to disassociate him or herself from the firearm. No Longer in Possession forms are available on the Firearms Division web site at [www.ag.ca.gov/firearms](http://www.ag.ca.gov/firearms) or by calling (916) 263-4887.
  6. PC section 12021.3(g) specifies that notwithstanding any other provision of law, no law enforcement agency (or court) shall be required to retain a firearm for more that 180 days after the owner has been notified by the Gardena Police Department that the firearm has been made available for return. Any unclaimed firearm may be disposed of after the 180-day period has expired.
  7. Do not return firearms if it is evidence in pending case or person is otherwise prohibited. Contact the Detective Bureau Supervisor if you believe the return of firearms will be a danger to subject or others.

## Records Bureau Procedures

### 801.1 PURPOSE AND SCOPE

The purpose of these procedures is to establish guidelines for the maintenance and release of department reports.

### 801.2 REPORTS AND REQUESTS FOR INFORMATION

Records personnel shall be responsible for establishing the proper identity and a valid right to the record information requested of those persons who make their requests at the front counter. If the person who requests the record information does not have a right of access to the information, Records personnel have a duty to refuse access to the record information.

Upon displaying proper identification and establishing a right to the information, the records personnel shall provide the requestor with a Request For Record Information form and, if necessary, assist the person in completing the form properly. A form will be completed for each record requested.

### 801.3 RECORDS PROCESSING

After receiving a Request for Record Information form, the assigned person will obtain the information requested, subject to all limitations imposed by law, and convey it to the requestor.

All completed Request for Record Information forms, whether they were honored or not, shall be attached to the records to which they pertain before filing.

### 801.4 COPYING RECORDS

Any person entitled to examine a record held by this Department may do so without charge.

### 801.5 ACCESS TO RECORDS

Records of the Department are available to governmental agencies in furtherance of an official investigation.

### 801.6 RELEASE OF MUG SHOTS

For release of all booking photographs refer to the Los Angeles County Sheriff's LACRIS website.

### 801.7 RELEASE OF RECORDS – RECORDS BUREAU RESPONSIBILITY

- (a) Records Bureau personnel will do all file searches. They will not interpret or summarize reports for interested parties.
- (b) Any report or incident released will be logged and the tear off portion of the Report Request Envelope will be affixed to the report prior to returning the report to file. In the case of incidents, the tear off portion of the Report Request Envelope will be filed in the Incident File.
- (c) The following items shall not be released:
  - 1. Local or State Criminal History

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2. Investigative follow-up reports
3. Fingerprint cards

#### **801.8 RELEASE OF INACTIVE OR CLOSED CASES**

The general exemption from release for records of criminal investigations in the Public Records Act may still apply to closed and inactive cases. The exemption for investigatory files does not terminate with the conclusion of the investigation. Police management may authorize the release of information from inactive or closed cases; however, the following information shall be deleted:

- (a) Identities of any confidential informants
- (b) Confidential information supplied exclusively by confidential informants
- (c) Information that would disclose certain investigative techniques or procedures
- (d) Information, the disclosure of which would constitute an unwarranted invasion of personal privacy
- (e) Information, the disclosure of which would threaten the safety of a law enforcement officer

#### **801.9 CRIMINAL OFFENDER RECORD INFORMATION - DEFINITIONS**

##### **801.9.1 GENERAL INFORMATION**

Criminal Offender Record Information means records and data compiled by criminal justice agencies for purposes of identifying criminal offenders and of maintaining, as applies to each offender, a summary of arrests, pretrial proceedings, the nature and disposition of criminal charges, sentencing, incarceration, rehabilitation, and release.

Such information shall be restricted to that which is recorded as the result of an arrest, detention, or other initiation of criminal proceedings or any consequent proceeding related thereto.

It includes rap sheets, master name cards, teletypes and any other form of summary of criminal offender record information.

##### **801.9.2 DEFINITIONS**

**Criminal Justice Agency** - a public agency or component thereof, which performs a criminal justice activity as its principal function.

**Authorized Person or Agency** - any person or agency authorized by court order, statute, or decisional law to receive criminal offender record information.

**Right to Know** - the right to obtain criminal offender records information pursuant to court order, statute, or decisional law.

**Need to Know** - the necessity to obtain criminal offender record information in order to execute official responsibilities.

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#### **801.10 CRIMINAL RECORD REVIEW**

Upon being positively identified, persons may obtain information on their Gardena Police Record, which will be limited to dates of arrest, charges and disposition.

##### **801.10.1 MISUSE - PENALTIES**

The Department's policy regarding the reproduction and release of criminal offender record information is based upon statutory law. Personnel violating this policy may be subject not only to internal discipline, but criminal prosecution for a violation of State law. Furthermore, an intentional violation of this policy may lead to the suspension of computerized information services available through the California Department of Justice, the California Law Enforcement Telecommunications System, and the National Crime Information Center.

##### **801.10.2 DESTRUCTION**

All criminal offender record information, will be destroyed after the court appearance by the arrestee.

The Senior Administrative Assistant Manager will be responsible for the reviewing, shredding, and recording the destruction of all criminal offender record information.

#### **801.11 RELEASE OF CRIMINAL INFORMATION**

Criminal history information is defined as the master record of information compiled by either the Department of Justice or a local law enforcement agency pertaining to the identification and criminal history of any person. The Penal Code prohibits dissemination of such information, unless the material released is merely statistical or research data that does not identify the subject of the record, or is done to help apprehend a person wanted in connection with the commission of a crime.

Dissemination of rap sheet information regarding an arrestee does not fit either of these exceptions and the unauthorized release of such information may be prosecuted as a misdemeanor. Police personnel shall not release rap sheet information regarding any arrestee, unless the stated criteria for release have been met.

#### **801.12 RELEASE OF JUVENILE CRIME/ARREST REPORTS**

When juveniles (any person under the age of 18 years) are detained for questioning or taken into custody as suspects in a criminal matter, their identity shall not be released. The juvenile court has jurisdiction over disclosure in such matters and neither the media nor the public may inspect these records except by order of the court. The fact that an arrest has been made and other factual information may be released as long as the juvenile's identity is not disclosed.

#### **801.13 RECORDS OF JUVENILES**

Records relating to the activities of juveniles investigated by this Department may be disclosed to another law enforcement agency for the purpose of official disposition of a case. When the disposition is available, it must be included with any disclosed information.



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#### **801.14 SEALING RECORD(S) OF A MINOR**

Records of a minor's contacts with a law enforcement agency, probation department, and/or court is sealed only after a court has ordered the records sealed, and only those records stated in the court order will be sealed.

##### 801.14.1 PETITION TO SEAL RECORD

Any person who contacts a member of the Department regarding the sealing of records of a minor should be advised to obtain a Petition Request form for the sealing of records of a minor from the Juvenile court:

After a petition to seal has been granted the requesting person will bring the petition to the Gardena Police Department for the processing of their record(s).

##### 801.14.2 RECORDS COMPLIANCE

The manager/supervisor of records will comply with the order of the court to seal the records of a minor and will initiate and forward a letter of compliance to the court.

#### **801.15 STATE-WIDE TRANSPORTING OF GARDENA WARRANTS**

Gardena arrest warrants are entered into the State Department of Justice computer system via JDIC and the Department is frequently notified of persons in custody at locations throughout the state.

The Gardena Police Department will return to this jurisdiction those persons named in local "felony" warrants when such persons are available for release. If the arresting jurisdiction is out of the immediate Southern California area, arrangements for transportation will be made with Los Angeles County Sheriff's Department transportation.

In the case of a "misdemeanor" warrant, the arresting agency will be advised to release on bail and issue a citation to appear in the local court.

##### 801.15.1 DEPARTMENT COMPLIANCE

Upon being notified that "custody" has taken place on a Gardena felony warrant, Records Bureau personnel shall immediately transmit an abstract of the warrant to the holding agency. An inquiry will also be made at that time to determine whether the person is available for release.

If advised that, for any other reason, the person is not immediately available, Records personnel shall, upon being advised that this is the case, contact the watch commander.

#### **801.16 NCIC - ENTRY OF MISSING JUVENILES**

A formal missing juvenile report shall be accepted by the Gardena Police Department, including telephonic reports, of a missing juvenile, including runaways, without delay inside or outside of this Department's jurisdiction, under circumstances not in conformance with the minor's regular habits and who may be at risk or in need of police assistance by reason of:

- (a) Age, physical or mental handicaps
- (b) Possible foul play, suicide or accident

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- (c) Circumstances that would cause concern to parents, guardian, or custodian
- (d) An informal report of the missing juvenile having been made and the juvenile has not been located within a reasonable length of time
- (e) If the missing person is under 16 years of age, or there is evidence that the person is at risk, the department shall broadcast a "Be On the Look-Out" bulletin, without delay, within its jurisdiction.
- (f) If the person reported missing is under 16 years of age, or if there is evidence that the person is at risk, the report shall be submitted, within two hours after the accepting of the report, to the Attorney General's office through the use of the California Telecommunications System.
- (g) If the missing person or runaway is a resident of another jurisdiction, the Gardena Police Department shall, without delay and within no more that 24 hours, notify and forward a copy of the report to the agency having jurisdiction of the residence address of the missing person or runaway and of the place where the person was last seen.

#### **801.17 VEHICLE RECORDS - STORED/IMPOUNDED**

##### **801.17.1 NOTIFICATION TO DEPARTMENT OF MOTOR VEHICLES**

Upon receipt of registration information from DMV, the information shall be checked with that contained on the original Vehicle Report. Records personnel will contact the Watch Commander of any corrections or inclusions that needs to be made. The registration information will become a part of the Department's records and attached and filed with the original Vehicle Report.

##### **801.17.2 STATE STOLEN VEHICLE SYSTEM**

Information concerning all vehicles stored or impounded in which a Vehicle Report is submitted shall be placed into the State Stolen Vehicle System files as an impounded vehicle by Records personnel using a Vehicle Entry Form.

Records personnel shall insure that the teletype reply to all queries and the entry of the impounded vehicle into the State Stolen Vehicle System are attached to the original Vehicle Report and are a part of the Department records.

#### **801.18 VEHICLE REPORT DISTRIBUTION**

Copies of the Vehicle Report shall be distributed as follows:

- (a) The original shall be retained by Records
- (b) One copy of a stolen or recovered vehicle will be directed to the Detective Bureau
- (c) One copy to Traffic Investigations, if the vehicle is on a 30-day hold

#### **801.19 WRITTEN NOTIFICATION - STORED OR IMPOUNDED VEHICLES**

The California Vehicle Code, §22852, requires that when a vehicle is stored or impounded as authorized by the Code, the registered owner and the legal owner shall be notified in writing of the grounds for removal and the place of storage. It is the responsibility of Records personnel to

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make such written notification. The officer at the location provides the owner of the tow service with a copy of the CHP 180 Report.

Written notices need not be sent, when it has been determined that the vehicle has been returned to the person formerly in charge of the vehicle shortly after being stored or impounded, and the forwarding of the notices would serve no purpose.

#### **801.20 RELEASE OF CONCEALED WEAPONS PERMIT INFORMATION**

Concealed weapons permits (CCW) are not exempt from disclosure under the CPRA. Details contained in CCW applications and permits may be withheld to the extent that release of same would increase the risk of harm to the permit holder. Details concerning a CCW permittee's own, family medical or psychological history shall not be released.

Statistical data regarding the number of permits issues may be released to the media.

#### **801.21 RELEASE OF INFORMATION REGARDING 5150 WIC PLACEMENT**

Information regarding responses to calls which resulted in placement of an individual for involuntary treatment per §5150 WIC may be released, as would any similar incident as long as the person's identity is not revealed. All information and records obtained in the course of providing services under the involuntary treatment law are confidential and shall not be released.

#### **801.22 COURT ORDERS**

The courts may authorize the release of police records to named parties for case preparation or order the reproduction of police records.

All documents will be accepted only during normal business hours (0800-1700 hours) Monday through Friday and excluding holidays. They shall be served directly on the Records Manager or designee, or if not available, upon the Watch Commander.

#### **801.23 COURT ORDER FEES**

No fee will be required with the service of Subpoena Duces Tecum in criminal matters, however, occasionally a check may be tendered at time of service for witness fees, travel expenses, etc. If this occurs, the check shall be accepted and Records personnel shall issue a receipt for the fees.

#### **801.24 WITNESS FEES: CIVIL MATTERS**

A witness fee and travel expenses are required with service of a Subpoena Duces Tecum in a civil matter. If the witness is a Gardena Police employee, a pre-determined fee is required. These fees must be tendered at time of service before the document is accepted.

#### **801.25 FEES FOR RECORD COPIES**

A fee, as required by Gardena Municipal Ordinance, shall be charged for all reproductions of reports made by the Department and furnished to persons requesting them, except for records for other law enforcement agencies, governmental or military agencies, and in obedience to a court order.

# Gardena Police Department

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### *Records Bureau Procedures*

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#### **801.26 COLLECTION, RECEIPT AND DEPOSIT OF RECORDS FEES**

The records bureau personnel delivering the reproduced records to the requestor are responsible for collection of the proper fee and completion of the necessary paperwork. A receipt will be made out with a copy to the requestor and a copy in the register with the collected fee. The Administrative Services Bureau Manager will be responsible for insuring that all fees collected will be taken to the City Finance Department on a routine basis. The Administrative Services Bureau Manager will also be responsible for periodic audits of the receipts and fees collected.

## **Chapter 9 - Custody**

## Temporary Holding Facility

### 900.1 PURPOSE AND SCOPE

These procedures are guidelines for warrant pickups, booking and release of prisoners and parole holds.

### 900.2 BOOKING/CUSTODY PROCEDURES

#### 900.2.1 WEAPONS IN JAIL FACILITY - PROHIBITED

Weapons are prohibited in the Jail facility (guns, batons, flashlights, etc.)

#### 900.2.2 PRISONER'S PROPERTY - RESPONSIBILITY

The arresting/booking officer shall be responsible for the care and custody of an arrestee's personal property until the property is listed on the Booking Sheet and turned over to the Jailer. The Jailer shall then be responsible for the care and custody of the property until it has transferred or released.

#### 900.2.3 DETENTION/BOOKING - TRAFFIC INFRACTION WARRANTS

Whenever a person is arrested on warrants for failure to appear for traffic infractions, and there are two or fewer warrants, the officer making the arrest shall:

- (a) Transport the arrested person to the booking area of the Gardena Police Jail where a search of the person will be made.
- (b) Advise the arrested person of the right to post immediate bail, provided the arrestee possesses sufficient cash. If the arrested person does not have sufficient cash to post bail, the arrestee will be afforded the opportunity to make three telephone calls to obtain bail. Three hours will be made available for the arrestee to make arrangements for bail to be deposited.

If the arrestee waives these rights, the arrestee may be booked and incarcerated pursuant to the guidelines of the Gardena Police Department. However, if the arrestee invokes these rights, the arrestee shall be placed in the booking cell. At the conclusion of three hours, if the arrested person has not arranged for bail to be posted, the arrested person shall be booked.

#### 900.2.4 ABSENTEE BOOKING PROCEDURE

On occasion, suspects charged with a crime are booked directly into County Jail on a Gardena Police Department case. In order to accurately document this arrest, it is imperative that the officer obtains a Gardena Police Department booking number from the on-duty jailer.

In the case where a Gardena Police Officer books a suspect into a County Jail facility without first booking the suspect at this facility, the officer shall contact the on-duty jailer. The officer will provide the jailer with the information required for the booking sheet and will be given a Gardena Police Department booking number. In the incident report, the officer will note the fact that an absentee booking was completed.

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#### **900.3 PAROLE HOLDS**

When an officer arrests a person who is currently on parole, a “no bail” parole may be placed (§3056 PC).

During normal business hours, the service officer should contact the parole officer with jurisdiction over the person on parole. That parole officer will evaluate the circumstances and determine whether or not to issue a parole hold. If the parole officer decides to issue a parole hold, the hold will be teletyped to the Department.

In order to determine if an arrestee is on active parole, or to place a parole hold outside of normal business hours, the officer should contact the California Department of Corrections ID/Warrants Unit in Sacramento (this unit operates 24 hours a day/7 days a week). This unit will place a parole hold on a parole only if the parolee has been arrested and booked on a felony charge, or is a parole absconder whose parole term has been suspended by the Board of Prison Terms.

In order for the ID/Warrants Unit to determine if an arrestee is on current parole and to place a parole hold, the officer should be prepared to provide the following information:

- Name of the person arrested
- Date of Birth
- Height
- Weight
- Eye/Hair Color
- Booking and DR number
- Charges arrested for
- Gardena Police Department’s mnemonics (GLN)
- Parolee’s CDC number (if known)

#### **900.4 RELEASES - § 849 PC**

It is the policy of this Department to fully comply with the duty imposed by §851.6 of the Penal Code, which states:

“In any case in which a person is arrested without a warrant and is released without being formally charged with a crime, pursuant to paragraph (1) of Subdivision (b) of §849, such persons shall be issued a certificate, signed by the releasing officer or his/her superior officer, describing the action as a detention. The Attorney General shall prescribe the form and contents of such certificate.”

In conformance with PC §851.6, this Department will use the prescribed “Certificate of Release” from the State Attorney General’s office. This form shall consist of an original and one copy. The original shall be given to the detained individual upon release, and the copy shall be forwarded to the Records Bureau.

# Gardena Police Department

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### *Temporary Holding Facility*

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#### 900.4.1 COMPLETION OF CERTIFICATE OF RELEASE - RESPONSIBILITY

The completion of the Detention Certificate in duplicate is the responsibility of the officer who is authorizing the release under this procedure. Whoever releases a prisoner using this procedure shall sign the Detention Certificate.

No Detention Certificate shall be complete until a supervisor has signed the release.

The signature of the approving supervisor shall appear on all Detention Certificates.

#### 900.4.2 RELEASE PROCEDURES - § 849 PC

An arrested person may be released when officers are satisfied that the circumstances surrounding the arrest fall within the criteria of §849 of the Penal Code. If this determination is made, the officer shall notify the appropriate supervisor.

The supervisor will be responsible for making an independent evaluation of the circumstances. If the supervisor concurs with the opinion of the officer, the supervisor will advise the officer to release the arrestee according to the provisions of §849(b)(1) or (2) and §851.6 PC.

When a release is made pursuant to §849(b)(1) PC, the service officer will complete the Detention Certificate in duplicate. The officer will give the original certificate to the person being released. The duplicate copy shall be delivered to the Records Bureau.

When a person is subject to being released pursuant to §849(b)(2) PC, the service officer will fill out a Detention Certificate as part of the booking procedure.

Within six (6) hours, the service officer will determine if the person has sufficiently recovered to be released. If no other charges are pending, and there are no outstanding warrants for the person's arrest, the service officer shall notify the appropriate supervisor. If a determination is made to release the person, the service officer shall complete a Detention Certificate in duplicate and obtain the signature of the duty Watch Commander. The original Detention Certificate shall be given to the individual upon release, and the copy shall be filed with the Records Section.

For additional procedures relating to releases pursuant to §849 PC, refer to the Custody Section of this manual.

#### **900.5 BOOKING - WARRANTS FROM OTHER COUNTIES**

Pursuant to §821 of the Penal Code (felonies) and §822 of the Penal Code (misdemeanors), persons arrested on authority of warrants originating in other counties must be informed in writing of their right to either be taken before a magistrate in the county where they were arrested for the purpose of posting bail, or to post bail with the officer in charge of the Jail.

In order to meet the requirements set forth in §821 and §822 of the Penal Code, if the person arrested does not bail out, he/she will be immediately transported to the Los Angeles County Jail for transportation to the warrant's originating county.



## Custody Searches

### 901.1 PURPOSE AND SCOPE

The following procedures are guidelines for prisoners that are to be transported to a court lock-up or any other facility.

### 901.2 SEARCH OF PRISONERS - COURT AND TRANSPORT

- (a) The on-duty jailer will conduct searches of all prisoners going to court before they are transported.
- (b) It will be the responsibility of the patrol watch commander to assign personnel, as needed, to assist in the searching of prisoners prior to transport to court.
- (c) After all prisoners are searched and found to be free of contraband they will be secured using department approved restraining devices and released to the transporting custody officer.
- (d) It will be the responsibility of all transporting officers to ensure their vehicle is free of contraband prior to placing any prisoner in that vehicle.
- (e) If at any time contraband is located on any prisoner that item(s) shall be seized and the on-duty watch commander or supervisor shall be notified.
- (f) At no time shall any prisoner be transported from the Gardena Jail to court or any other custody facility without being searched prior to leaving the jail.

## **Chapter 10 - Personnel**

## Assignment Transfer Procedure

### 1002.1 PURPOSE AND SCOPE

The purpose of these procedures is to provide guidelines for the selection, assignment, and removal of specialist positions.

### 1002.2 TRANSFER REQUEST AND ASSIGNMENT SELECTION PROCEDURE

Personnel will be given advance notice of pending assignments in order to evaluate their qualifications and submit a memorandum of interest. Those who meet the minimum qualifications may submit a memo of interest to the Chief of Police via the chain of command. Separate requests shall be submitted for each position sought with an order of preference.

#### 1002.2.1 SELECTION CRITERIA

- (a) The department shall define the duties and responsibilities of all special assignments, and identify the experience, training, and special abilities which are required, highly desirable, or beneficial to each individual assignment.
- (b) Applicants are required to submit, on separate sheets of paper, a personal statement regarding their interest in the position (also known as a request for transfer) and a resume detailing their education, experience, and training as it relates to the position requested.
- (c) All transfers will be based upon Departmental need to facilitate efficient operations, fill vacancies, and maintain authorized personnel strength within divisions.
- (d) Effort will be taken to ensure that transfers take place in a manner, which minimally disrupts the lives of affected personnel, and that sufficient notice of transfer is given so that employees may make plans accordingly. The Bureau Commander shall notify the employee as soon as a decision is made to transfer.

#### 1002.2.2 SUPERVISORY APPROVAL

The employee's immediate supervisor shall conduct a preliminary review of the application for transfer and:

- (a) Verify that the employee meets the minimum requirements for the requested transfer.
- (b) Ensure that the request for transfer and resume is completed correctly.
- (c) Forward all required documents to the Bureau Commander responsible for the vacant position.

#### 1002.2.3 BUREAU COMMANDER RESPONSIBILITY

The Bureau Commander will review the application to ensure that the minimum qualifications have been met and will evaluate the comments of the applicants' current and past bureau supervisors. In addition, the Bureau Commander will determine if there are any commendations or other personnel notations concerning the employee. This information will be provided to the interview panel.

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### *Assignment Transfer Procedure*

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The Bureau Commander shall notify any officer not endorsed for further consideration. Suggestions on how the officer may become eligible for future consideration will be made.

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

The Division Captain shall keep the Chief of Police apprised of all aspects of the assignment process.

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

#### 1002.2.4 SELECTION PROCESS

- (a) The Department shall publish the eligibility criteria for each position when a vacancy is anticipated. The Department shall publish the selection process chosen by the Department to select personnel prior to soliciting applications. When possible, the Department will meet with the GPOA and confer about the Department's desired selection process.
- (b) In all cases, the Department will first seek interested personnel to fill vacancies of special assignments. Eligible personnel wishing to apply for special assignments shall make application through their chain of command to the Bureau Commander responsible for the assignment sought.
- (c) The interview will incorporate the assessment of pre-determined competencies needed to be successful in the open position. The applicants will receive these competencies at least 7 days in advance in order to prepare their presentations.

#### 1002.2.5 DURATION OF ASSIGNMENT

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

#### 1002.3 REMOVAL FROM SPECIALIST POSITION

- (a) An employee may be removed from the Specialist Plan at the direction of the Chief of Police without prejudice to the employee.
- (b) An employee receiving Specialist Bonus Pay shall continue to receive such bonus for a period of time, in accordance with the current M.O.U., providing affected employee has not voluntarily vacated the Specialist Plan, or has not been removed from the Specialist Plan for disciplinary cause.

#### 1002.4 ASSIGNMENT ROTATION

- (a) It is the goal of the Department to establish an environment where employees are able to broaden their skills and enhance their careers by working specialized assignments. It is in the Department's, and the individual employee's best interest to create and develop well-rounded and knowledgeable officers and supervisors to accomplish the goals and objectives of the organization. This goal can best be accomplished by

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### *Assignment Transfer Procedure*

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creating an environment where an employee's expertise is developed, valued and strategically balanced between the Operation and Support Bureaus.

- (b) It is the intention of the Department to create a rotational framework for employees assigned to designated positions, which include, but are not limited to, the following positions:

#### **1002.5 DESIGNATED SPECIALTY POSITIONS**

Detective Bureau
Detective Bureau Robbery/Homicide Positions
Detective Bureau Juvenile Position
Traffic Investigator
Task Force Positions
Crime Suppression Unit (CSU)
GHMET Officer
Motor Officer
K-9 Officer
Field Training Officer
Traffic Officer
Special Enforcement Unit (SEU)
School Resource Officer (SRO)

*Or any other position designated by the Chief of Police*

#### **1002.6 ROTATION**

An employee, below the rank of sergeant, leaving a specialty assignment will transfer to patrol and complete one 4-month schedule cycle prior to being appointed to another specialty position. Employees at the rank of Sergeant and above are assigned at the discretion of the Chief of Police.

#### **1002.7 ASSIGNMENT GUIDELINES**

The Department has a wide variety of specialist positions. Since there is such a variety, the standards for developing expertise can and does vary. The following time guidelines indicate expected service for the various assignments. These guidelines are subject to change based on the needs of the department and change in specialty assignment specifications. The Chief of Police will have the ultimate discretion in specialty position guidelines.

#### **1002.8 SPECIALTY POSITION TIME GUIDELINES**

<b>3 Years</b>	<b>5 Years</b>
Field Training Officer	Detective Bureau
	D.B. Robbery/Homicide Positions (7 years)
	D.B. Lead Juvenile Position (7 years)
Traffic Officer	K-9 Officer (life of K-9)

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Special Enforcement Unit (SEU)	Traffic Investigator (7 years)
	Crime Suppression Unit (CSU)
	School Resource Officer (SRO)
	Task Force Positions
	Motor Officer
	Administrative Services Officer

#### **1002.9 8 MONTH TEMPORARY ASSIGNMENT**

Detective Bureau	SEU, CSU, Traffic Bureau
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#### **1002.10 PROCEDURES**

- (a) Generally, officers will be assigned to a specialized assignment for the time frames listed above and then rotated out to allow others the opportunity to gain experience in the vacated position. The exception to the "year-based" term shall be officers assigned to K-9 duties, which will be mainly determined by the ability of the K-9 to perform.
- (b) There are three specialist positions that are designated at "7 year" rotation positions. Within the Detective Bureau, there is the Robbery/Homicide Unit which includes three detectives and a DB Lead Juvenile position. Within the Traffic Bureau, there is one Traffic Investigator position. In accordance with the Gardena Police Officer's Association MOU, the Chief retains the right to modify the rotation period for these positions at this sole discretion.
- (c) Considerations for term extensions will generally only be authorized to accomplish specific objectives of the Department or Bureau. The extension of a specialized assignment shall be granted, on a case-by-case basis, with the recommendation of the Division Captain and approval of the Chief of Police. The length of extension shall be at the discretion of the Chief of Police.
- (d) Rotation shall not create situations where operation of the Department and services to the community are compromised because of a void of experience in critical positions.
- (e) Temporary 8-month specialty assignments are generally only available to employees who have never held an investigative position within the department.
- (f) Employees, who have reached 25 years of service with the department and are in a specialty position, are not subject to the rotation policy guidelines provided they maintain acceptable performance standards.
- (g) Employees selected for specialty positions are expected to fulfill their commitment to that position (3 years or 5 years). Transfers to other specialty assignments while holding a current specialty commitment will generally not be approved.
- (h) Employees must complete four (4) months in patrol before re-appointment to a specialist position. At the discretion of the Chief of Police a waiver of this four-month patrol period may be granted.
- (i) Employees assigned to a specialty position should, at the time of their appointment, have an above-average performance evaluation. Specialist should maintain above

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### *Assignment Transfer Procedure*

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standards evaluations during their tenure as a specialist. If an employee fails to maintain performance standards, this may serve as grounds for removal from a specialty position.

- (j) In accordance with the Gardena Police Officer's Association MOU, the Police Chief retains the right to move specialists with or without cause at his sole discretion.

## Communicable Diseases

### 1008.1 PURPOSE AND SCOPE

The following procedures will apply to the disposal and decontamination after responding to an event that involved contact with the person's blood or bodily fluid.

### 1008.2 USE OF WASTE CONTAINERS

Officers shall dispose of biohazard with the on-scene fire response vehicle, or at the attending clinic/hospital with their approval, or in an appropriately marked biohazard waste container at the station immediately upon arrival.

The biohazard waste container located at the station shall be appropriately labeled with a biohazard warning and routinely emptied.

### 1008.3 DECONTAMINATION OF SKIN AND MUCOUS MEMBRANES

Personnel shall wash their hands immediately (on-scene if possible), or as soon as possible following the removal of potentially contaminated gloves. Antibacterial soap and warm water or an approved disinfectant shall be used to wash one's hands, paying particular attention to the fingernails.

If an employee's intact skin contacts someone else's blood or bodily fluids or other potentially infectious materials, the employee shall immediately wash the exposed part of his/her body with soap and warm water and/or an approved disinfectant, as soon as possible. If the skin becomes grossly contaminated, body washing shall be followed by an approved hospital strength disinfectant. If large areas of the employee's skin are contaminated, the employee shall shower as soon as possible, using warm water and soap and/or an approved disinfectant. Medical treatment should be obtained.

Contaminated non-intact skin (e.g., injured skin, open wound) shall be cleaned using an approved disinfectant and then dressed or bandaged as required. Medical treatment is required.

All hand, skin, and mucous membrane washing that takes place in the station shall be done in the designated cleaning or decontamination area. Cleaning shall not be done in the kitchen, bathrooms, or other locations not designated as the cleaning or decontamination area.

### 1008.4 SHARPS AND ITEMS THAT CUT OR PUNCTURE

All personnel shall avoid using or holding sharps (needles) unless needed to do so while assisting a paramedic, or collecting them for evidence. Unless required for evidentiary reasons related to evidence preservation, employees are not to recap sharps. If recapping is necessary, a one-handed method shall be employed to avoid a finger prick. Disposal, when practicable, shall be into a puncture proof biohazard container.

All sharps and items that cut or puncture (e.g., broken glass, razors, and knives) shall be treated cautiously to avoid cutting, stabbing, or puncturing one's self or any other person. In addition, if a sharp object contains known or suspected blood or other bodily fluids, that item is to be treated



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### *Communicable Diseases*

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as a contaminated item. If the item is not evidence, touching it with the hands shall be avoided. Rather, use a device such as tongs, or a broom and a dustpan to cleanup debris. If the material must be hand held, protective gloves must be worn.

#### **1008.5 DISPOSABLE PROTECTIVE EQUIPMENT**

Contaminated disposable supplies (gloves, dressings, CPR mask) shall be transported with the patient or suspect in the ambulance or police vehicle. The waste material shall then be disposed of in a biohazard waste container at the hospital or police station. Disposable gloves are to be worn while placing the waste into the waste biohazard container, placing the gloves in with the waste when through.

#### **1008.6 DECONTAMINATION OF PERSONAL PROTECTIVE EQUIPMENT**

After using any reusable personal protective equipment, it shall be washed or disinfected and stored appropriately. If the personal protective equipment is non-reusable (e.g., disposable gloves), it shall be discarded in a biohazard waste container as described in the Communicable Diseases Policy.

Any personal protective equipment that becomes punctured, torn, or loses its integrity, shall be removed as soon as feasible. The employee shall wash up and replace the personal protective equipment if the job has not been terminated. If this situation resulted in a contaminated non-intact skin event, Policy Manual § 1009.3.2 shall be implemented.

Contaminated reusable personal protective equipment that must be transported prior to cleaning it shall be placed into a biohazard waste bag and transported in the ambulance, paramedic truck or police vehicle. Gloves shall be worn while handling the biohazard waste bag and during placement into the biohazard waste container, and then included in with the waste.

#### **1008.7 DECONTAMINATION OF NON-DISPOSABLE EQUIPMENT**

Contaminated non-disposable equipment (e.g., flashlight, gun, baton, clothing, portable radio) shall be decontaminated as soon as possible. If it is to be transported, it shall be done by first placing it into a biohazard waste bag.

Grossly contaminated non-disposable equipment items shall be transported to a hospital, fire station, or police station for proper cleaning and disinfecting. Porous surfaces such as nylon bags and straps shall be brushed and scrubbed with a detergent and hot water, laundered and allowed to dry. Non-porous surfaces (e.g., plastic or metal) shall be brushed and scrubbed with detergent and hot water, sprayed with a bleach solution, rinsed, and allowed to dry. Delicate equipment (e.g., radios) should be brushed and scrubbed very carefully using a minimal amount of a type of germicide that is approved by Environmental Protection Agency (EPA) .

While cleaning equipment, pay close attention to handles, controls, portable radios, and corners (tight spots). Equipment cleaning shall not be done in the kitchen, bathrooms, or other areas not designated as the cleaning/decontamination area.

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### *Communicable Diseases*

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Contaminated equipment should be cleaned using an approved EPA germicide or a 1:100 solution of chlorine bleach (one-quarter-cup of bleach per one gallon of water) while wearing disposable gloves and goggles. Large particles of contaminants such as, vomit, feces, blood clots, etc. should first be removed (using a disposable towel or other means to prevent direct contact) and properly disposed of.

#### **1008.8 DECONTAMINATION OF CLOTHING**

Contaminated clothing such as uniforms and undergarments shall be removed as soon as feasible and rinsed in cold water to prevent the setting of bloodstains. If the clothing may be washed in soap and hot water, do so as soon as possible. If the clothing must be dry cleaned, place it into a biohazard waste bag and give it to the Exposure Control Officer. The ECO will secure a dry cleaner that is capable of cleaning contaminated clothing, and inform them of the potential contamination. This dry cleaning will be done at the Department's expense.

Contaminated leather boots shall be brushed and scrubbed with detergent and hot water. If the contaminant soaked through the boot, the boot shall be discarded.

#### **1008.9 DECONTAMINATION OF VEHICLES**

Contaminated vehicles and components such as the seats, radios, and doors shall be washed with soap and warm water and disinfected with an approved germicide as soon as feasible.

#### **1008.10 DECONTAMINATION OF STATION AND CLEANING AREA**

The ECO shall designate a location at the station that will serve as the area for cleaning/decontamination. This area is to be used to keep equipment clean and sanitary and for the employees to wash any potential contamination from their bodies. This area is to be thoroughly cleaned after each use and to be maintained in a clean and sanitary order at all times between each use. The application of cosmetics, smoking cigarettes, consuming food and drink are prohibited in this designated area at all times.

## Outside Employment

### 1020.1 PURPOSE AND SCOPE

This procedure provides a detailed description of the steps involved when a private employer wants to hire police personnel for outside employment.

### 1020.2 CONDITIONED OUTSIDE EMPLOYMENT

All potential conditioned employers shall be directed to the Bureau Commander for inquiries regarding the hiring of police personnel for Conditioned outside Employment. The Bureau Commander shall insure that potential conditioned employers are given proper directions for completing the City outside Employment Proposal form.

The Bureau Commander will also be responsible for:

- (a) Reviewing the City outside Employment Proposal form and either approve or deny the proposed employment. If approved, the Bureau Commander shall determine the number of personnel, as well as employee classification(s), required to fulfill the proposed employment.
- (b) Notifying the potential employer of the number of personnel required and the cost(s) of the proposed employment. The conditioned employer will be directed to the City Finance Department to make the appropriate deposit of funds and the Bureau Commander shall verify the deposit prior to assigning personnel.

The Gardena Police Officers Association has agreed to assist police management in maintaining the eligibility list of personnel interested and eligible for assignment to Conditioned outside Employment.

The department retains the right to determine the eligibility of personnel based upon the employee's current job assignment or disciplinary considerations.

### 1020.3 PRIOR APPROVAL

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

- (a) At any location or in any employment which will tend to bring the Department into disrepute or to reduce an employees efficiency or usefulness as an employee thereof.
- (b) In any establishment where the sale of liquor is the principle business.
- (c) In any employment requiring any affiliation, membership, or allegiance that would tend to interfere with the proper discharge of their duties as an employee of the Department or the public interest.
- (d) In the uniform or equipment of the Department; except as assigned by Department Management.
- (e) In any employment requiring the service of civil processes.
- (f) On investigations or other work in which they must avail themselves of the access to confidential or restricted police information, records, files, or correspondence.

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### *Outside Employment*

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- (g) For any other municipality or political subdivision of the State; except by express permission of the Chief of Police.
- (h) As a private security officer/guard (Government Code §1126(b) regarding conflicting employment).
- (i) Involves such time demands as would render performance of his or her duties less efficient.
- (j) Which tends to expose the City to the potential of having to defend itself or its employees against suits for negligent training or supervision related to his or her police officer status.
- (k) While carried on administrative leave, sick leave or IOD status except by specific permission of the Chief of Police.
- (l) At a time which will conflict with the employees normal tour of duty.

#### **1020.4 SCHEDULING**

The schedule lieutenant, will be responsible for scheduling personnel for conditioned outside employment, utilizing the established eligibility list, according to the following guidelines:

- (a) Personnel will be selected based upon their position on the eligibility list.
- (b) When interested personnel are unable to work conditioned outside employment due to a scheduling conflict with City employment, the affected personnel shall retain their position on the eligibility list for other outside employment assignments.
- (c) When there is no scheduling conflict with City employment and interested personnel decline conditioned outside employment assignments, the declining employee's name shall be moved to the bottom of the eligibility list.
- (d) Upon accepting a conditioned outside employment assignment, the employee's name will be moved to the bottom of the eligibility list for rotation of future conditioned outside employment assignments.
- (e) Should a conditioned outside employment assignment be canceled, assigned personnel shall be returned to the top of the eligibility list for future assignments.
- (f) Once an employee accepts an assignment, there will be no modifications, or switching of assignments by the affected employee. If an emergency arises, or employees are unable to report due to illness, the employee shall report such absence to the on-duty Watch Commander, who will be responsible for replacing the absent employee.
- (g) Personnel assigned to work conditioned outside employment will report to the on-duty Watch Commander prior to the start of their assignment for issuance of a vehicle and/or proper equipment. The on-duty Watch Commander will make an entry into the Chief's log regarding the conditioned outside employment assignment.
- (h) Personnel shall then report to the job site on a timely basis. An on-duty supervisor will supervise personnel on assignment unless one is also assigned to the outside employment.

## Uniform Regulations

### 1023.1 PURPOSE AND SCOPE

The following procedure will describe in detail the types of uniform and equipment to be worn by Gardena Police Department personnel.

### 1023.2 WEARING OF THE UNIFORM

All sworn personnel, Reserve Officers, and Service Officers shall wear the prescribed uniform and equipment during their tour of duty.

### 1023.3 EXCEPTIONS TO WEARING

Any supervisor may grant exemption from the provisions of this chapter.

### 1023.4 CLASS A UNIFORM

- (a) The Class A Uniform is to be worn on special occasions such as funerals, graduations, ceremonies or as directed. The Class A uniform is required for all sworn personnel. The uniform shall be dark navy colored long sleeve shirt and trousers of wool, wool blend or polyester fabric. The shirt shall be made of the same type material as the pants. A shined basket weave Sam Browne duty belt and accessories. The footwear shall be appropriate for Class A ceremonial uniform, e.g. shined leather boots, uniform shoes or Corframs. A black clip-on tie with a silver tie bar or gold for sergeant and above.
- (b) A Class A dress cap will be worn at the direction of the Chief of Police.

### 1023.5 CLASS B UNIFORM

- (a) The Class B Uniform will consist of the same garments and equipment as the Class A uniform with the following exceptions. The shirt may be long or short sleeved with the collar open, no tie is required. All shirt buttons must remain buttoned except for the last button at the neck. The Sam Browne duty belt shall be black basket weave or optional Nylon web gear. The footwear shall be Department approved black patrol style duty boots or shoes.
- (b) An approved option to the traditional Class B uniform, is the Blauer wool/poly blend Armorskin flat pocket uniform vest with an Armorskin base shirt (long or short sleeved). The base shirt shall have the Department cloth badge and patches affixed along with the embroidered officer's name (first initial, last name) in the appropriate locations. This optional uniform shall be purchased from an authorized uniform dealer and at the employee's expense.
- (c) The ArmorSkin shirt is designed specifically to be worn under the Blauer ArmorSkin vest cover and shall not be worn by itself during field activity. Further, the Blauer ArmorSkin shirt shall not be worn with armor designed to be worn under clothing, while engaging in field activities.
- (d) While wearing the ArmorSkin shirt, officers may at their discretion, remove external body armor for short periods of time. (i.e., while at police facilities and NOT IN PUBLIC

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### *Uniform Regulations*

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VIEW). However, external armor carriers will be donned before reengaging in field activities and pre-shift briefings. Officers assigned to patrol shall keep their outer vest carrier within arm's reach at all times.

- (e) Any sworn personnel opting to wear the Blauer Armorskin System, but not required to wear bullet resistant body armor (IE administrative positions, detectives), will have the Blauer ArmorSkin vest cover readily available at their primary assignment location.
- (f) Outer Carrier- The department-approved outer carrier is only to be worn during patrol functions or uniformed field activity. This excludes formal events where Class A uniforms are more appropriate. While wearing the outer carrier, officers may, at their discretion, remove the outer carrier for short periods of time. (i.e., while at police facilities and NOT IN PUBLIC VIEW). However, outer carriers will be donned before reengaging in field activities and pre-shift briefings. Officers assigned to patrol shall keep their outer carrier within arm's reach at all times.

The carrier shall be worn in concert with the Blauer-Armorskin base shirt (long or short sleeved). The base shirt shall have the department cloth badge and patches affixed along with the embroidered officer's name (first initial, last name) in the appropriate locations. These optional uniform additions shall be purchased from an authorized uniform dealer and at the employee's expense.

The only authorized outer carrier to be deployed by GPD officers is Point Blank's Guardian modular vest. The Guardian is the most suitable combination of efficiency, technology, and professionalism. The load carriage will consist of 'laser cut' texture, which is an exceptionally strong and durable 500 denier CORDURA outer shell. To maintain continuity and consistency with departmental training, all primary firearms and tasers are to remain stowed on the officer's Sam Browne.

#### Outer Carrier Specifications:

- The outer carrier shall feature the following components, via Point Blank Body Armor:
  - The outer carrier will be black
  - A front vertical zipper, hidden with the fold-over flap feature.
  - Two concealed chest pockets, featuring the zipper closure.
  - Sewn Loop [Velcro] for the officer's badge.
    - A department cloth badge shall be adhered with sewn loop [Velcro] on the front left of the upper outer carrier.
  - 1"x4" name placard in heat-transferred lettering.
    - Last name with first initial.
    - White for officers.
    - Yellow for sergeants and above.
  - Epaulettes are not authorized on the outer carrier.
  - Top-loading plate pockets, in the scenario officers deploy trauma/rifle plates.

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- Officers have the option to attach laser-cut texture to the rear of the outer carrier but for handcuff case[s] only.
- The word POLICE shall be heat transferred to the back of the carrier, in white 3"x11" lettering.

#### Outer Carrier [Pouches]:

- Only the following pouches are permitted on the outer carrier [front and sides]. All pouches and cases will be black in color.
  - Magazine pouches for department-issued handgun.
  - Radio holder
  - Handcuff case
  - OC Spray case
  - Flashlight case
  - Small utility pouch
  - Tourniquet case
  - First Aid pouch

#### **1023.6 CLASS C BICYCLE PATROL/SUMMER UNIFORM**

- (a) The Class C uniform shirt shall be a navy blue polo, short or long-sleeved. The fabric shall be Department approved. The Gardena Police Department shoulder patches and badge shall be white, and silk screened appropriately on the shirt. The officer's first initial and last name shall be embroidered to the right breast area of the shirt with 9/16" high, white, block capital letters. The word "POLICE" shall be silk screened on the back of the shirt in 4" high, white, block letters. The Chief of Police, Captains and Lieutenants shall have rank insignia, which may be worn on the shirt collar. Sergeants and field training officers shall wear rank insignia on the uniform sleeve.
- (b) Uniform shorts shall be black nylon blend with cargo pockets.
- (c) Uniform shoes shall be low or high tops, solid black, athletic shoe with no ornamentation.
- (d) Uniform socks shall be plain black crew or ankle, with no ornamentation.
- (e) Uniform equipment shall be approved basket weave or black nylon gear.
- (f) Officers opting to wear the Class C uniform must have a Class B uniform available.
- (g) Class C uniform must be purchased from an authorized uniform dealer.

#### **1023.7 CLASS D INCLEMENT WEATHER/SPECIALTY UNIFORM**

- (a) The Class D Uniform shall be black, made from Ripstop fabric. The shirt may be long or short sleeved. The shirt shall be of the same type material as the pants and to be worn with tactical nylon gear. The Tactical Duty Uniform brand shall be approved by the department. Department shoulder patches shall be affixed to both sleeves and a

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soft cloth badge shall be affixed to the front of the shirt over the left breast pocket. A cloth nametag, black with off-white (silver) lettering shall be used.

An approved option to the traditional Class D uniform, is the Blauer polyester BDU Armorskin uniform vest with an Armorskin BDU base shirt (long or short sleeved). The base shirt shall have the Department cloth badge and patches affixed along with the embroidered officers name (first initial, last name) in the appropriate locations. This optional uniform shall be purchased from an authorized uniform dealer and at the employee's expense

- (b) The ArmorSkin shirt is designed specifically to be worn under the Blauer ArmorSkin vest cover and shall not be worn by itself during field activity. Further, the Blauer ArmorSkin shirt shall not be worn with armor designed to be worn under clothing, while engaging in field activities.
- (c) While wearing the ArmorSkin shirt, officers may at their discretion, remove external body armor for short periods of time. (i.e., while at police facilities and NOT IN PUBLIC VIEW). However, external armor carriers will be donned before reengaging in field activities and pre-shift briefings. Officers assigned to patrol shall keep their outer vest carrier within arm's reach at all times.
- (d) Any sworn personnel opting to wear the Blauer Armorskin System, but not required to wear bullet resistant body armor (IE administrative positions, detectives), will have the Blauer ArmorSkin vest cover readily available at their primary assignment location.
- (e) Officers wearing a Class D Uniform must have a Class B Uniform available.
- (f) The outer carrier may be worn with the Class D Inclement Weather/Special Uniform as well. See subsection (f) under Class B uniform for outer carrier guidelines.

#### **1023.8 HONOR GUARD UNIFORM**

The Honor Guard uniform will be worn by Honor Guard personnel for special ceremonies such as funerals, Color Guard events, parades and as directed by the Honor Guard Commander or Chief of Police.

- (a) The Honor Guard cap will be the black felt campaign style cap with Gardena Police cap piece. The cap will have a high gloss patent leather strap with the silver buckle centered at the front. The end of the strap will be trimmed to approximately 2"-3" to the left of the buckle in a "V" style.
- (b) A clear plastic rain cover for the campaign cap will be worn during inclement weather.
- (c) The dress jacket will be the U.S. Marine Corps Officer Dress Blues jacket with (4) large gold "P" buttons on the front lapel, (6) small gold "P" buttons on the upper and lower front pockets and shoulder flaps.
- (d) The dress jacket accessories will include a high gloss black patent leather Sam Browne belt work outside the jacket across the waist and over the left shoulder with gold polished belt buckles, Gardena Police badge on upper left breast, gold polished nameplate with dark blue lettering worn on the flap of the right breast pocket. There will be (2) gold polished "GPD" insignia on the neck band. The U.S. flag pin with gold



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leaf cluster will be worn on the left breast pocket flap (left side of the button). Additional pins will be worn as directed by the Honor Guard Commander.

- (e) White ceremonial cloth gloves
- (f) Trousers will consist of black U.S. Navy dress trousers with gold stripes on the outer sides of the legs.
- (g) Black crew length socks
- (h) Black corfram military style shoes
- (i) Formal accessories: A ceremonial sword and scabbard may be worn by the Honor Guard Lieutenant, Sergeant or Officer acting as Honor Guard leader, as needed for ceremonial purposes.
- (j) For inclement weather, the U.S. Army 3/4 length black dress raincoat will be worn over the Honor Guard uniform. The Sam Browne belt and Gardena Police badge will be worn on the outside of the raincoat.
  - 1. Rank insignia for the Sergeant will be polished gold metal Sergeant chevrons on the collar of the coat. The chevrons will be placed vertically, on each side of the collar with the single point up and the center of the insignia on a line bisecting the angle of the point of the collar. The lower outside edge of the insignia will be equally spaced 1/2 inch from both sides of the collar.
  - 2. The rank insignia for the rank of Lieutenant or above will be worn on the upper shoulder flap, 3/4 inch from the outer end of the flap. The insignia will be entered with the insignia bar parallel to the end of the flap.

### **1023.9 UNIFORM AND EQUIPMENT POLICE OFFICER**

#### 1023.9.1 UNIFORM CLOTHING

All Department employees, when on duty and in uniform, shall wear the uniform in the following manner:

- Police Department Badge: The badge currently issued to the wearer shall be worn on the uniform attached to the badge holder on the outermost garment so as to be clearly visible at all times.
- Shirt: The shirt shall be worn complete with shoulder patches and appropriate insignia of rank. All buttons shall be buttoned, except for the top on the Class B uniform shirt. Class B uniform shirts can be long sleeved or short. Long-sleeved shirts shall be worn with the sleeves down and buttoned.
- Undershirt (T-Shirt): The T-Shirt shall be a black crew neck.
- Mock Neck Long Sleeve Shirt: Lee 100% cotton with "GPD" stenciled on the collar, or a designated by the Administrative Services Manager. The Shirt shall be worn under a long sleeve uniform shirt and is authorized for use by all uniformed personnel.
- Necktie: The regulation black clip-on necktie IS worn with Class A.

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- **Tie Clasp:** The tie clasp shall be worn on the tie and secured to the shirt directly in-line with the top seam of the right pocket. Police officers, under the rank of sergeant, shall wear a white metal tie clasp. Sergeants and above shall wear a yellow metal tie clasp.
- **Jacket:** When the jacket is worn, it shall be complete with badge, shoulder patches and insignia of rank. The jacket will be insulated. The jacket can also be a Blauer softshell fleece jacket. The only version authorized for wear is model number 4660, in black.
- **Trousers:** The prescribed trousers shall be worn.
- **Trouser Belt:** A belt meeting Department specifications shall be worn.
- **Socks:** Appropriate uniform socks. With Class A black crew socks required.
- **Shoes:** Black patrol style shoes or duty boots meeting Department specifications shall be worn.
- **White Gloves:** White gloves shall be worn only with the dress uniform at officially designated ceremonies and special assignments.

#### 1023.9.2 ON-DUTY HOLSTERS

Holsters shall not be modified from the manufacturer's design. Department issued holsters shall be used in conjunction with the department issued handgun. All holsters shall be subject to the approval of the Administrative Services Bureau Manager regarding the holster's suitability for the weapon carried.

#### 1023.9.3 BULLET PROOF VEST/BODY ARMOR

- (a) Soft body armor vests that meet or exceed the minimum protective standards as prescribed by the National Institute of Justice shall be the only types worn by any sworn employee or City member.
- (b) All personnel shall wear the soft body armor vests issued to them.
- (c) Soft body armor vests issued to members who, by the nature of their assignment, do not wear a uniform shall keep the safety vest reasonably accessible while on duty. Such members shall wear their safety vests when it would be prudent to do so or when directed to do so by any supervisor.

#### **1023.10 RANK - DEPARTMENT AND UNIT INSIGNIA**

All officers of the rank of Sergeant or above shall wear the insignia of their rank as provided in this section.

##### 1023.10.1 SERGEANT RANK INSIGNIA

The regulation three-stripe cloth chevron shall be worn on the uniform shirt. The chevron shall be worn on each sleeve with the uppermost portion of the chevron one-half inch below the lowermost portion of the shoulder patch. Sergeants who have attained Step 6 may wear a three-striped chevron with a rocker.

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#### 1023.10.2 LIEUTENANT RANK INSIGNIA/SINGLE BAR (GILT)

The specified single bar shall be affixed to the center of each side of the shirt collar. The front edge of the bar shall be one-half inch from, and parallel to, the front edge of the collar.

The specified single bar shall be affixed to each shoulder of the jacket. It shall be placed with the outer edge five-eighth inch above the sleeve seam. The bar shall be centered over the shoulder seam and parallel to the sleeve seam.

#### 1023.10.3 CAPTAIN RANK INSIGNIA/DOUBLE BAR (GILT)

The specified double bar shall be affixed to each side of the collar of the uniform shirt. The front edge of the insignia shall be one-half inch from and parallel to the front edge of the collar.

The specified double bar shall be affixed to each shoulder of the jacket with the outer edge one-half inch above the sleeve seam. The insignia shall be centered over the shoulder seam and shall be parallel to the sleeve seam.

#### 1023.10.4 DEPUTY CHIEF OF POLICE RANK INSIGNIA - THREE FIVE-POINT STAR

The Deputy Chief's rank insignia worn on the uniform shirt shall be three (3) three-quarters inch, five-pointed, yellow metal stars. The stars shall be centered between the top and bottom edges of the collar, three-quarters inch from the collar flap front.

The specified five-pointed stars shall be affixed to each shoulder of the jacket with the outer edge one-half inch above the sleeve seam. The insignia shall be centered over the shoulder seam and shall be parallel to the sleeve seam.

#### 1023.10.5 CHIEF OF POLICE RANK INSIGNIA - FOUR FIVE-POINTED STAR

The Chief's rank insignia worn on the uniform shirt shall be four (4) three-quarters inch, five-pointed, yellow metal stars. The stars shall be centered between the top and bottom edges of the collar, three-quarters inch from the collar flap front.

The specified five-pointed stars shall be affixed to each shoulder of the jacket with the outer edge one-half inch above the sleeve seam. The insignia shall be centered over the shoulder seam and shall be parallel to the sleeve seam.

### **1023.11 DEPARTMENT INSIGNIA**

#### 1023.11.1 SHOULDER PATCH

All uniformed personnel shall have the official Department shoulder patch affixed to each shoulder of the uniform shirt and field jacket. The patch shall be attached with the top of the patch one-half inch below the sleeve head seam of all shirts and blouses and three-quarters inch on all jackets.

It shall be affixed in such a manner that a line bisecting the center of the patch shall be perpendicular to the ground when the garment is worn. The patch shall be sewn on the garment with black colorfast thread and shall not be cross-stitched.

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#### 1023.11.2 SPECIALIST

The regulation two-stripe cloth chevron shall be worn on all uniforms along with the police field service jacket. The chevron shall be worn on each sleeve with the uppermost portion of the chevron one-half inch below the lower most portion of the shoulder patch.

#### 1023.11.3 TRAFFIC BUREAU EMBLEMS

Personnel assigned to the Traffic Detail shall wear the emblem specified for that particular section within that Bureau.

#### 1023.11.4 TRAFFIC DETAIL EMBLEM(S)

The Traffic Detail emblem shall be a cloth patch embroidered with a wheel and wings. The Traffic Bureau Investigator shall wear the Specialist two-stripe chevron.

Emblems shall be worn on each sleeve of the uniform shirt between the shoulder and the elbow one and one-half inches below the bottom of the shoulder patch.

### **1023.12 SERVICE DESIGNATION - YEARS OF SERVICE**

#### 1023.12.1 SERVICE STRIPE

The service stripe shall be worn after completion of five years of sworn or non-sworn law enforcement service (i.e., Service Officers). The service stripe may be affixed six (6) months prior to the fifth year.

#### 1023.12.2 ANY AGENCY

This provision shall not only include the City of Gardena but shall recognize service with any law enforcement agency within the United States. Service stripes shall only be worn on long-sleeved uniform shirts.

### **1023.13 AUTHORIZED MEDALS**

Meritorious medals, awarded by the department, are the only medals authorized for display on the uniform. The Chief of Police has the discretion of authorizing the wearing of other medal(s) and insignia.

Recipients of the Medal of Valor or Distinguished Service Award may display the appropriate award insignia upon the left breast pocket of their uniform.

### **1023.14 EQUIPMENT - UNIFORMED OFFICERS**

#### 1023.14.1 SAM BROWNE DUTY BELT

The duty belt shall snugly fit the wearer's waist so that only the top edge of the trouser belt is visible. A minimum of four (4) "keepers" shall keep the duty belt in place. The keepers will be fastened downward.

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#### 1023.14.2 DUTY GEAR

All duty gear shall be black basket weave type unless otherwise specified. All metal hardware on the duty belt (and accessories) shall be chromium plated. Each officer is required to maintain the department issued duty gear in good condition.

#### 1023.14.3 NYLON DUTY GEAR

In addition to the black basket weave duty belt (Sam Browne), the black ballistic nylon duty belt and accessories are approved for use. Officers have the option of wearing the nylon gear at the officer's expense. Nylon duty belt and accessories must comply with current policy related to the type of equipment authorized by the department for duty belts. Only department approved holsters shall be worn with the nylon duty belt. Nylon gear shall not be worn with the Class-A or other ceremonial type uniforms. Nylon gear shall not be mixed with basket weave accessories.

Approval for the use of a specialized weapons belt and holster for specialty detail assignments rests with the Bureau Manager.

#### 1023.14.4 FIREARM

Refer to the firearms policy for the approved type of firearm to be carried. The firearm will be in the holster fully loaded with department issued ammunition.

#### 1023.14.5 ON-DUTY HOLSTER

Refer to the firearms policy for the description of the approved holster.

#### 1023.14.6 AMMUNITION HOLDER

Refer to firearms policy for the description of approved ammunition holders.

#### 1023.14.7 BATON

While on duty, the department approved baton shall be carried on the officer's person. Only that style of baton may be carried for which the officer has received appropriate training and has been approved and authorized by the Gardena Police Department.

Department personnel may use a department approved collapsible baton.

#### 1023.14.8 HANDCUFF

Handcuffs are to be carried in a closed handcuff case.

#### 1023.14.9 ELECTRONIC CONTROL DEVICE (ECD)

Refer to the ECD Policy for further details of the ECD to be carried.

#### 1023.14.10 HOBBLE/RESTRAINT DEVICE

Department issued hobble/restraint may be carried.

#### 1023.14.11 BODY ARMOR

Officers shall wear department issued body armor anytime they are in a situation where they could reasonably be expected to take enforcement action. Refer to the body armor policy for further details.

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#### **1023.15 ADDITIONAL FIELD EQUIPMENT**

##### 1023.15.1 NOTEBOOK

Uniformed line personnel, while on duty, shall carry a pocket style notebook.

##### 1023.15.2 WRITING INSTRUMENT

Pens and/or pencils shall be carried in the pen pocket of the left shirt pocket.

##### 1023.15.3 FLASHLIGHT

A department issued or approved flashlight shall be carried while on duty.

##### 1023.15.4 TRAFFIC CITATION BOOK

Both personal service ("mover") citations and parking citation books shall be carried.

##### 1023.15.5 BODY-WORN VIDEO (BWV) CAMERAS

Uniformed line personnel while on duty shall have their department-issued Axon BWV system appropriately attached to their uniform.

##### 1023.15.6 TRAUMA KIT

The Department issued trauma kit or other trauma kit approved by the Administrative Services Commander shall be accessible to patrol personnel while on duty.

##### 1023.15.7 RAIN CLOTHING - UNIFORMED OFFICERS AND NON-SWORN UNIFORMED FIELD PERSONNEL

Uniformed officers and non-sworn field personnel shall possess department issued rain clothing during inclement weather. When wearing rain clothing, the badge will be affixed to the badge holder on the outermost garment.

#### **1023.16 OPTIONAL FIELD EQUIPMENT**

##### 1023.16.1 GLOVES

Gloves worn by uniform personnel shall be black in color and may be leather or wool.

##### 1023.16.2 (TRAFFIC) SAFETY VEST

Refer to the Traffic Function and Responsibility policy for further details.

#### **1023.17 REQUIRED EQUIPMENT**

Generally, the following accessories shall be carried and worn on the duty belt, but may be modified with the approval of a bureau commander or above. Accessories must match the style of the duty belt (i.e., basket weave, nylon, etc.).

##### 1023.17.1 REQUIRED DUTY BELT ACCESSORIES

- (a) Magazine Pouch: Double or triple, with closed with flap
- (b) Keeper straps: May be either single or double snap (white metal or hidden snap button, no brass), or Velcro style

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- (c) Key holder
- (d) Baton holder
- (e) Portable radio holder with radio
- (f) O.C. Spray and case
- (g) Handcuff case/single type only: Optional: two (2) handcuff cases may be utilized
- (h) Department-approved firearm holster/firearm: Worn strong-side, no cross-draw
- (i) Department-issued TASER with holster: Shall be worn opposite of sidearm

#### 1023.17.2 OPTIONAL DUTY BELT ACCESSORIES

- (a) Tourniquet: Black in color
- (b) Flashlight holder
- (c) Glove pouch

#### **1023.18 PLAINCLOTHES**

Officers, while on plainclothes duty, except for special assignments and details approved by the Bureau Commander, shall carry the following equipment:

- (a) Department Badge and Identification Card
- (b) Firearm - Fully loaded – Refer to firearms policy for approved firearm
- (c) Reserve ammunition/magazines
- (d) Holster - Refer to firearms policy for the approved type of holster
- (e) Equipment belt/optional
  - (a) This belt shall be of high-quality leather and the accessories attached shall be of the same construction and finish.
  - (b) The wearing of the required accessories on the equipment belt shall be in accordance with bureau directives.
  - (c) This belt may be worn with the existing trouser belt.

The Bureau Commander may excuse personnel assigned to “undercover” duty from parts of this procedure wherein it is necessary to conceal their identity.

Additional Equipment - Officers, while on plainclothes duty, may carry any of the following additional items of equipment:

- (a) Flashlight
- (b) O.C. Spray
- (c) Collapsible baton
- (d) Equipment – Off-Duty
- (e) In addition to civilian clothing, the officer may wear the authorized firearm and holster whenever in public places or when traveling on public streets and highway.

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- (f) The department's Identification card shall be in the officer's possession.



# Employee Speech, Expression and Social Networking

## 1028.1 PURPOSE AND SCOPE

This procedure will provide guidelines for the usage of social networking sites by employees when the circumstances subject to regulation.

### 1028.1.1 DEFINITIONS

**Blog (a contraction of the term "weblog")** - a type of website, usually maintained by an individual with regular entries of commentary, descriptions of events, or other material such as graphics or video. Entries are commonly displayed in reverse-chronological order. "Blog" can also be used as a verb, meaning to maintain or add content to a blog.

**Confidential Information** - Electronic media depicting the Gardena Police Department, its employees, and any information that is sensitive to law enforcement or otherwise protected as confidential information by any Federal, State, City, or Departmental laws or codes.

**Electronic Communication** - any kind of communications, created by, represented by, sent to, or stored by any user using any electronic communications system, including all information, data, and attachments to the communication.

**Electronic Media** - Electronic media are media that use electronics or electromechanical energy for the end user (audience) to access the content. This is in contrast to static media (mainly print media), which are most often created electronically, but don't require electronics to be accessed by the end user in the printed form. The primary electronic media sources are video recordings, audio recordings, multimedia presentations, slide presentations, CD-ROM and online content.

**Microblog** - another type of blogging, featuring very short posts, such as 140 characters or less (example: twitter.com) staying connected in real time. Followers of a microblog typically "subscribe" to the microblog of another and automatically receive newly posted information.

**Personal Information** - any type of information that might lead to the identification of any individual. Examples may include social security numbers, dates of birth, addresses, phone numbers, email addresses, driver's license or other state identification numbers.

**Post or Posting** - Text or digital information that is placed on a website or message(s) sent to a news group.

**Proprietary Information** - any photographs, videos, audio recording or information of digital or electronic device created or obtained while an employee is on duty remains the property of the Gardena Police Department. The work product of the Gardena Police Department is subject to all Federal law, State law, City codes, and Department Policy regarding its confidentiality and release.

**Pseudonym** - a fictitious name, especially a pen name. This applies to "user names" or "user account identifications".

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### *Employee Speech, Expression and Social Networking*

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**Social Networking Website** - an internet web site that provides a virtual community for people interested in a particular subject and/or for communicating with each other. Members can create their own online "profile" with biographical data, pictures, likes, dislikes and any other information they choose to post. They communicate with each other by voice, chat, instant message, videoconference and blogs, and the service typically provides a way for members to contact "friends" of other members. One can find dating sites, friendship sites, sites with a business purpose, and hybrids that offer a combination of these.

Current examples of Social Networking websites and social media are: Facebook, Myspace, Twitter, Instagram Second Life, World of Warcraft, YouTube, LinkedIn, etc.

**Virtual Worlds** - a computer simulated world where users can socialize, connect, play games and create an alternate reality. Users can interact with other users in real time. Users can be represented as themselves or fictional characters. Virtual worlds typically have "currency" which is specific to the website which can be purchased with real world money or earned by accomplishments.

**Work Product** - anything created by an employee is considered to become the property of the Gardena Police Department. Examples may include, but are not limited to: photos, videos, audio recordings, blog entries, depicting the Gardena Police Department, its employees, crime scenes, internal videos, daily work activity, information sensitive to law enforcement, electronic files or documents, and information created or obtained during the performance of an employee's duties.

#### **1028.2 GARDENA POLICE DEPARTMENT RESPONSIBILITIES**

- (a) The Department shall make efforts to review the participation of applicants in social networking websites prior to employment. The Department may review the participation of current employees on a case-by-case basis.
- (b) The Department has the responsibility to protect the work product from each employee, its trademarks, confidential information, evidence and intellectual properties.

#### **1028.3 MANAGEMENT AND STAFF RESPONSIBILITIES**

- (a) Establish and maintain policy and procedures for the use of Social Networking websites.
- (b) Ensure that violations of this policy are investigated.

#### **1028.4 EMPLOYEE RESPONSIBILITIES**

- (a) All electronic media created while on duty, to include photos of crime scenes, traffic accidents, arrests, subject stops, traffic stops, prisoner and any other daily work activity, is the property of the Gardena Police Department and subject to all Federal law, State law, City codes, and Department Policy regarding its confidentiality and release. Copies of such shall not be maintained by employees. Dissemination outside of the Police Department is strictly prohibited without specific written authorization of the Chief of Police or his/her designee.

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- (b) Employee conduct online can have an impact on the Gardena Police Department whether the employee is on or off duty. While off-duty, an employee will not communicate or speak on behalf of the City unless approved by the Chief of Police. Employee participation in social networking websites, virtual worlds, blogs or micro-blogs should clearly state you are communicating your own view points and shall not indicate in any manner that you are an employee or representative of the Gardena Police Department.
- (c) On-duty employees who wish to post comments on any aspect of the Gardena Police Department or any policy issue in which the Gardena Police Department is involved must obtain prior authorization from the Chief of Police.
- (d) Employees should be cognizant of posting any information about the Police Department, its employees (such as tagging of individuals) or work product. Employees should be aware that any content in a video/photo (security issues, layout of Police facility(s), weapons storage areas, communications equipment, etc.) could jeopardize the safety and security of our personnel.
- (e) Posting electronic media containing the Gardena Police Department's uniform, patch or insignia(s), trademarks, symbols, property, the City seal or work product is prohibited without prior authorization of the Chief of Police.
- (f) Each employee shall protect confidential or proprietary information and shall not post that information on any internet site.
- (g) Each employee shall reflect the values of the Gardena Police Department when participating in on-line communities whether on or off duty. Remember your conduct and appearance reflects on the Gardena Police Department and Law Enforcement.
- (h) These policies apply even if your blogging is anonymous or under a pseudonym. If employees engage in such blogging, you should be aware that in appropriate circumstances the Gardena Police Department may take steps to determine your identity.
- (i) Investigations. Employees who are conducting investigations which are part of their normal duty assignment are specifically authorized to use social networking websites to aid in their investigation. For example, using pseudonyms for user name(s), locations, etc. to gain access to electronic communication(s) or information relevant to an investigation. Employees shall not utilize tools or techniques to spoof, masquerade, or assume any identity or credentials except for legitimate law enforcement purposes.
- (j) Employees shall avoid mixing their professional information with their personal information.
- (k) Employees shall not use their work passwords on social media websites.
- (l) Employees who become aware of a violation of this policy shall notify a department supervisor or manager as soon as practical.

## **Attachments**

## **Risk Assessment - High Risk Operations Form.pdf**



**GARDENA POLICE DEPARTMENT  
RISK ASSESSMENT FOR HIGH RISK OPERATION  
(PROCEDURE 608)**

Date: \_\_\_\_\_ Dr#: \_\_\_\_\_ Crime: \_\_\_\_\_

Location: \_\_\_\_\_

Search Warrant:  Arrest Warrant:  Other:

Investigator: \_\_\_\_\_

Does Suspect have active arrest warrant issued for this case?  Yes  No

Offense Assessment	Yes	No	Unknown
Is Offense a Felony? <i>If Yes, List Offense(s):</i>			
Was a weapon used during commission of offense?			
Were victims injured during offense?			
Were any officers injured during offense?			

Suspect Assessment				
<b>Name:</b>				
<b>Prior Convictions/Charges:</b>				
<b>Sex:</b>	<b>Race:</b>	<b>Hgt:</b>	<b>Wgt:</b>	<b>DOB:</b>
On Probation: <input type="checkbox"/> Yes <input type="checkbox"/> No			Moniker: _____ <input type="checkbox"/> Yes <input type="checkbox"/> No	
On Parole: <input type="checkbox"/> Yes <input type="checkbox"/> No			Gang Member: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Photo Avail: <input type="checkbox"/> Yes <input type="checkbox"/> No			Gang: _____	

Suspects Mental Stability:			
Suicidal <input type="checkbox"/> Yes <input type="checkbox"/> No	Ever threatened suicide by Police <input type="checkbox"/> Yes <input type="checkbox"/> No		
On Medication <input type="checkbox"/> Yes <input type="checkbox"/> No	Documented 5150 <input type="checkbox"/> Yes <input type="checkbox"/> No		

Suspects Propensity for Violence:			
Resisting Arrest <input type="checkbox"/> Yes <input type="checkbox"/> No	Assault on P.O. <input type="checkbox"/> Yes <input type="checkbox"/> No		
Homicide <input type="checkbox"/> Yes <input type="checkbox"/> No	Armed Robbery <input type="checkbox"/> Yes <input type="checkbox"/> No		
Assault <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapons Convictions <input type="checkbox"/> Yes <input type="checkbox"/> No		
Other <input type="checkbox"/> Yes <input type="checkbox"/> No	Explain other:		

Does Suspect have prior military/police/weapons/tactics experience:  Yes  No

Weapons Assessment		
Prior Weapons Charges:	<input type="checkbox"/> Yes <input type="checkbox"/> No	Explain:
Weapons Registered to Suspect	<input type="checkbox"/> Yes <input type="checkbox"/> No	Type:
Weapons Registered to Location	<input type="checkbox"/> Yes <input type="checkbox"/> No	Type:



**GARDENA POLICE DEPARTMENT  
RISK ASSESSMENT FOR HIGH RISK OPERATION  
(PROCEDURE 608)**

**Date:** \_\_\_\_\_ **Dr#:** \_\_\_\_\_ **Crime:** \_\_\_\_\_

*Will Location be surveilled prior to warrant service?*     Yes     No

*Who surveilled Location* \_\_\_\_\_ *Date:* \_\_\_\_\_ *Time:* \_\_\_\_\_

<b>Location Assessment</b>	
Address:	
Phone Number:	

<b>Site Assessment</b>	<b>Yes</b>	<b>No</b>	<b>Additional Information</b>
<i>Aerial Photos</i>			
<i>Photos</i>			
<i>Heavily Fortified</i>			
<i>Possible Victims</i>			
<i>Possible Hostages</i>			
<i>Multiple occupants</i>			
<i>Evidence of Children present</i>			
<i>Elderly Occupants</i>			
<i>Handicapped Occupants</i>			
<i>Guard/Pet Dogs</i>			
<i>Surveillance cameras</i>			
<i>Security bars on doors</i>			
<i>Security bars on windows</i>			
<i>Prior Warrants served at Location</i>			
<i>Gang Neighborhood</i>			
<i>Location close to a school/daycare</i>			
<i>Is Suspect known to leave location</i>			



**GARDENA POLICE DEPARTMENT  
RISK ASSESSMENT FOR HIGH RISK OPERATION  
(PROCEDURE 608)**

**Date:** \_\_\_\_\_ **Dr#:** \_\_\_\_\_ **Crime:** \_\_\_\_\_

**Warrant Matrix**

*When preparing an operational plan or Search Warrant, this checklist shall be incorporated into the plan and used as a tool to evaluate the need for assistance from the SWAT team. Any number of circumstances may dictate that a SWAT team be used. All Search Warrants will have a Threat Assessment completed prior to the service of the warrant unless exigent circumstances exist for immediate service.*

**Recommended SWAT Activation**

Have specific threats of violence been made against Peace Officers or is there a history of violent contacts with Police?  Yes  No

*Explain:*

Are automatic weapons, explosives, military ordinance, or booby traps believed to be on the premises?  Yes  No

*Explain:*

Based on specific articulable facts, is there a likelihood of violent/armed confrontation?

Yes  No

*Explain:*

Is the subject currently being sought/wanted for violent assaults involving the use of weapons?  Yes  No

*Explain:*

Day Service

Night Service

**Special Weapons Team Requested?**  Yes  No

**Sergeant Review:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Lieutenant Review:** \_\_\_\_\_ **Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_

**Division Captain Review** \_\_\_\_\_ **Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_

**Swat Authorized:**  Yes  No



**Risk Assessment High Risk Operation Form.pdf**



## GARDENA POLICE DEPARTMENT RISK ASSESSMENT FOR HIGH RISK OPERATION

Date: \_\_\_\_\_ Dr#: \_\_\_\_\_ Crime: \_\_\_\_\_

Location: \_\_\_\_\_

Search Warrant:  Arrest Warrant:  Other:

Investigator: \_\_\_\_\_

Does Suspect have active arrest warrant issued for this case?  Yes  No

Offense Assessment	Yes	No	Unknown
Is Offense a Felony? <i>If Yes, List Offense(s):</i>			
Was a weapon used during commission of offense?			
Were victims injured during offense?			
Were any officers injured during offense?			

<b>Suspect Assessment</b>				
Name: _____				
<i>Prior Convictions/Charges:</i>				
<b>Sex:</b>	<b>Race:</b>	<b>Hgt:</b>	<b>Wgt:</b>	<b>DOB:</b>
On Probation: <input type="checkbox"/> Yes <input type="checkbox"/> No			Moniker: _____ <input type="checkbox"/> Yes <input type="checkbox"/> No	
On Parole: <input type="checkbox"/> Yes <input type="checkbox"/> No			Gang Member: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Photo Avail: <input type="checkbox"/> Yes <input type="checkbox"/> No			Gang: _____	

<b>Suspects Mental Stability:</b>			
Suicidal <input type="checkbox"/> Yes <input type="checkbox"/> No	Ever threatened suicide by Police <input type="checkbox"/> Yes <input type="checkbox"/> No		
On Medication <input type="checkbox"/> Yes <input type="checkbox"/> No	Documented 5150 <input type="checkbox"/> Yes <input type="checkbox"/> No		

<b>Suspects Propensity for Violence:</b>			
Resisting Arrest <input type="checkbox"/> Yes <input type="checkbox"/> No	Assault on P.O. <input type="checkbox"/> Yes <input type="checkbox"/> No		
Homicide <input type="checkbox"/> Yes <input type="checkbox"/> No	Armed Robbery <input type="checkbox"/> Yes <input type="checkbox"/> No		
Assault <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapons Convictions <input type="checkbox"/> Yes <input type="checkbox"/> No		
Other <input type="checkbox"/> Yes <input type="checkbox"/> No	<i>Explain other:</i>		

Does Suspect have prior military/police/weapons/tactics experience:  Yes  No

<b>Weapons Assessment</b>		
Prior Weapons Charges:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<i>Explain:</i>

|



## GARDENA POLICE DEPARTMENT RISK ASSESSMENT FOR HIGH RISK OPERATION

Date: \_\_\_\_\_ Dr#: \_\_\_\_\_ Crime: \_\_\_\_\_

Weapons Registered to Suspect	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Type: _____
Weapons Registered to Location	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Type: _____

*Will Location be surveilled prior to warrant service?*     Yes     No

*Who surveilled Location* \_\_\_\_\_ *Date:* \_\_\_\_\_ *Time:* \_\_\_\_\_

<b>Location Assessment</b>	
Address:	
Phone Number:	

<b>Site Assessment</b>	<b>Yes</b>	<b>No</b>	<b><i>Additional Information</i></b>
<i>Aerial Photos</i>			
<i>Photos</i>			
<i>Heavily Fortified</i>			
<i>Possible Victims</i>			
<i>Possible Hostages</i>			
<i>Multiple occupants</i>			
<i>Evidence of Children present</i>			
<i>Elderly Occupants</i>			
<i>Handicapped Occupants</i>			
<i>Guard/Pet Dogs</i>			
<i>Surveillance cameras</i>			
<i>Security bars on doors</i>			
<i>Security bars on windows</i>			
<i>Prior Warrants served at Location</i>			
<i>Gang Neighborhood</i>			
<i>Location close to a school/daycare</i>			



# GARDENA POLICE DEPARTMENT RISK ASSESSMENT FOR HIGH RISK OPERATION

Date: \_\_\_\_\_ Dr#: \_\_\_\_\_ Crime: \_\_\_\_\_

Is Suspect known to leave location			
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### Warrant Matrix

*When preparing an operational plan or Search Warrant, this checklist shall be incorporated into the plan and used as a tool to evaluate the need for assistance from the SWAT team. Any number of circumstances may dictate that a SWAT team be used. All Search Warrants will have a Threat Assessment completed prior to the service of the warrant unless exigent circumstances exist for immediate service.*

### Mandatory SWAT Activation

Have specific threats of violence been made against Peace Officers or is there a history of violent contacts with Police?  Yes  No

*Explain:*

Are automatic weapons, explosives, military ordinance, or booby traps believed to be on the premises?  Yes  No

*Explain:*

Based on specific articulable facts, is there a likelihood of violent/armed confrontation?  Yes  No

*Explain:*

Is the subject currently being sought/wanted for violent assaults involving the use of weapons?  Yes  No

*Explain:*

Day Service

Night Service

Special Weapons Team Requested?  Yes  No

Sergeant Review: \_\_\_\_\_ Date: \_\_\_\_\_

Lieutenant Review: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_



**GARDENA POLICE DEPARTMENT  
RISK ASSESSMENT FOR HIGH RISK OPERATION**

**Date:** \_\_\_\_\_ **Dr#:** \_\_\_\_\_ **Crime:** \_\_\_\_\_

**Division Captain Review** \_\_\_\_\_ **Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_

**SWAT Authorized:**  Yes  No

**Witness Transportation Consent Form.pdf**

GARDENA POLICE DEPARTMENT  
**WITNESS TRANSPORTATION CONSENT FORM**

File No. \_\_\_\_\_

**CONSENT**

I, \_\_\_\_\_, understand that I am being asked by officers from the Gardena Police Department to go to the station for \_\_\_\_\_ an interview.

Transportation to be by  my own personal means.  
 police vehicle, for transportation only.

I hereby freely consent to this voluntary trip to the station, with the understanding that I have the right to refuse to consent. I acknowledge that I am not under arrest, that I am free to leave the station at any time I choose, and that return transportation will be provided for me, if requested.

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

**PARENTAL CONSENT FOR MINORS**

I, \_\_\_\_\_, am the parent or guardian of the minor named above. I understand my rights as mentioned above and hereby consent to my child's voluntary transportation to the station.

Date: \_\_\_\_\_

Name: \_\_\_\_\_  
(Print Name)

Signature: \_\_\_\_\_

Investigator Witness \_\_\_\_\_ Emp. No: \_\_\_\_\_

## **INDEX / TOPICS**