

TABLE OF CONTENTS

PAGE

INTRODUCTION

1-01.00	<u>Code of Ethics</u>	1
1-03.00	<u>Public Safety Officers' Procedural Bill of Rights</u>	2

ADMINISTRATION, ORGANIZATION AND SUPERVISION

2-00.00	<u>Glendale Community College District Police Department Manual</u>	7
2-00.01	Policy	7
2-00.03	Composition of Manual	7
2-00.05	Numbering System	7
2-00.07	Maintaining the Manual	7
2-00.09	Issuance of New Indexes	8
2-00.11	Audit of Department Manual	8
2-00.13	Definition of Terms	8
2-00.15	Legality of Contents.....	9
2-03.00	<u>Administration</u>	10
2-03.01	Chief of Police	10
2-03.03	Police Captain	10
2-03.05	Police Officer	11
2-03.07	Police Dispatch Clerk	11
2-05.00	<u>Duties of Supervisory Officers</u>	12
2-05.01	Extent of Supervision.....	12
2-05.03	Supervisory Identity.....	12
2-05.05	Employee Performance.....	12
2-05.07	Chain of Supervisory Responsibility	12
2-05.09	Supervisory Command Responsibility	12
2-05.11	Organization Control	12
2-05.13	Delegation of Authority	12
2-05.15	Improved Procedures	12
2-05.17	Assignment for Efficiency	13
2-05.19	Orders and Instructions.....	13
2-05.21	Responsibility for Subordinates.....	13
2-05.23	Relationships with Subordinates.....	13
2-05.25	Evaluation of Subordinates	13
2-05.27	Welfare of Subordinates	13
2-05.29	Supervisory Devices	13
2-05.31	Development of Acceptable Officer Attitudes	14
2-05.33	Counseling	14

TABLE OF CONTENTS

PAGE

2-05.35	Report of Sickness	14
---------	--------------------------	----

RULES

3-00.00	<u>General Rules of Duty</u>	15
3-00.01	General Duties	15
3-00.03	Specific Duties	15
3-00.05	Conformity to Rules and Regulations.....	15
3-00.07	Obedience	15
3-00.09	Police Action Off Duty	15
3-00.11	Attention to Duty	16
3-00.13	Off-Duty Employment.....	16
3-00.15	Knowledge of Rules and Regulations.....	20
3-00.17	Performance of Duties	20
3-00.19	Cowardice	20
3-00.21	Reporting for Duty.....	20
3-00.23	Questions Regarding Procedures and Policy	20
3-00.25	Conflicting Orders	20
3-00.27	Assistance	21
3-00.28	Cooperation.....	21
3-00.29	Insubordination	21
3-00.31	Questions Regarding Assignment.....	21
3-00.33	Seniority.....	21
3-00.35	Privileges of Seniority	21
3-00.37	Officer of Senior Rank Assuming Command.....	21
3-00.39	Officer of Equal or Junior Rank Assuming Command.....	21
3-00.41	Recognition of Command.....	22
3-00.43	Chain of Command.....	22
3-00.45	Address and Telephone Numbers	22
3-00.47	Driver's License	22
3-00.49	Financial Obligations	22
3-01.00	<u>Orders</u>	23
3-01.01	Criticism of Orders	23
3-01.03	Manner of Issuing Orders	23
3-01.05	Unlawful Orders	23
3-01.07	Obedience to Unlawful Orders	23
3-01.09	Obedience to Unjust or Improper Orders	23
3-01.11	Conflicting Orders	23
3-01.13	Reports and Appeals	23

TABLE OF CONTENTS

PAGE

3-03.00	<u>Departmental Discipline</u>	24
3-03.01	Disciplinary Action.....	24
3-03.03	Circumstances Subject to Disciplinary Action	24
3-03.04	Employee Conduct.....	26
3-03.05	Departmental Authority to Discipline.....	26
3-03.07	Penalties	26
3-03.09	Administrative Leave.....	27
3-03.11	Report of Disciplinary Action.....	27
3-03.13	Informing the Member Being Disciplined.....	27
3-03.15	Appeals from Penalties	27
3-05.00	<u>Gifts and Gratuities</u>	28
3-05.01	Defined.....	28
3-05.03	Soliciting.....	28
3-05.05	Acceptance.....	28
3-05.07	Disposition.....	28
3-05.09	Free Admissions and Passes	28
3-05.11	Other Transactions	28
3-05.13	General.....	28
3-07.00	<u>Official Correspondence and Communications</u>	29
3-07.01	Confidential Information	29
3-07.03	Communications Regarding Orders and Regulations.....	29
3-07.05	Criticism of the Department	29
3-07.07	Criticism of Official Acts	29
3-07.09	Derogatory Remarks Against Orders.....	29
3-07.11	Disputes Between Officers	29
3-07.13	Forms and Stationery	29
3-07.15	Telephones	29
3-07.17	Radio Discipline	29
3-07.19	Tape Recording Devices	30
3-07.21	Department Business Cards	30
3-09.00	<u>Department Property and Equipment</u>	31
3-09.01	Policy	31
3-09.03	Care of Department Facility	31
3-09.05	Care of District Property.....	31
3-09.07	Lost District Property.....	31
3-09.09	Misappropriation of Property.....	31
3-09.11	Return of District Property	31
3-09.13	Posting of Notices	31

TABLE OF CONTENTS

PAGE

3-11.00	<u>General Conduct on Duty</u>	32
3-11.01	General Behavior	32
3-11.03	Prohibited Activity.....	32
3-11.05	Loitering.....	32
3-11.07	Loitering in Station	32
3-11.09	Roll Call.....	32
3-11.11	Relief from Assignment.....	32
3-11.13	Meals.....	32
3-11.15	Reporting	32
3-11.17	Absence from Duty	33
3-11.19	Inspections	33
3-11.21	Training.....	33
3-11.23	Physical Fitness for Duty.....	33
3-11.25	Smoking and Use of Tobacco	33
3-11.27	Intoxicants.....	33
3-11.29	Intoxication	33
3-11.31	Consumption.....	34
3-11.33	Authority	34
3-11.35	Duty	34
3-13.00	<u>Hours of Duty</u>	35
3-13.01	Policy	35
3-13.03	Police Action, Outside Jurisdiction	35
3-13.05	Lunch Break.....	36
3-13.07	Supervisory Discretion	36
3-15.00	<u>Training and Education</u>	37
3-15.01	Policy	37
3-15.03	Probationary Training.....	37
3-15.05	In-Service Training	37
3-17.00	<u>Overtime</u>	38
3-17.01	Defined.....	38
3-17.03	Rate of Compensation.....	38
3-17.05	Report of Overtime	38
3-19.00	<u>Sick Leave</u>	39
3-19.01	Report of Illness or Injury.....	39
3-19.03	False Report of Illness or Injury	39
3-19.05	Industrial Accidents	39

TABLE OF CONTENTS

PAGE

3-21.00	<u>Subpoenas - Criminal</u>	40
3-21.01	Incoming Subpoenas.....	40
3-21.03	Subpoena Log	40
3-21.05	Subpoena Service.....	40
3-21.07	Vacation Status	40
3-21.09	Illness or Injury	40
3-21.11	On-Call.....	40
3-21.13	Compensation	40
3-21.15	Juvenile and Juvenile Traffic Court.....	40
3-23.00	<u>Subpoenas - Civil</u>	41
3-23.01	Payment of Money.....	41
3-23.03	Policy and Procedures.....	41
3-23.05	Claims for Damages.....	41
3-23.07	An Officer as the Defendant	41
3-23.09	Release of Reports	41
3-25.00	<u>Court Appearance</u>	43
3-25.01	Required Attendance.....	43
3-25.03	Court Dress	43
3-25.05	Case Preparation	43
3-25.07	Attentiveness in Court	43
3-25.09	Manner of Speaking.....	43
3-25.11	Truthfulness and Accuracy	43
3-27.00	<u>Commendations</u>	44
3-27.01	Policy	44
3-27.03	Responsibility of Supervisory Staff.....	44
3-27.05	Duty to Report Commendatory Acts	44
3-27.07	Commendation - Other	44
3-27.09	Approval	44
3-27.11	Commendation of Citizens	44
3-29.00	<u>Grievance Procedure</u>	45
3-29.01	Policy	45
3-31.00	<u>Outside Employment</u>	46
3-31.01	Policy	46
3-31.03	Approval	46

TABLE OF CONTENTS

PAGE

3-31.05	Forms	46
3-31.07	Working as a Police Officer at Special Events	46
3-31.09	Rules	46

REGULATIONS AND PERSONAL APPEARANCE

4-00.00	<u>Sworn Officers</u>	47
4-00.01	Possession of Uniforms and Personal Equipment	47
4-01.00	<u>Personal Appearance</u>	48
4-01.01	Policy	48
4-01.03	Mixed Clothing	48
4-01.05	Jewelry	48
4-01.07	Insignia Wearing.....	48
4-01.09	Safety Vests	48
4-01.11	Required Equipment	49
4-01.13	Wearing of Hats	49
4-01.15	Tattoo/Body Art.....	49
4-01.17	Exceptions in Dress Standards.....	50
4-01.19	Business Attire.....	50
4-03.00	<u>Uniforms and Equipment - District Issued</u>	51
4-03.01	Maintenance and Replacement	51
4-05.00	<u>Grooming and Hair Standards</u>	52
4-05.01	Uniformed Male Personnel.....	52
4-05.03	Uniformed Female Personnel	52
4-07.00	<u>Civilian Personnel</u>	53
4-07.01	Attire	53
4-07.03	Hair Standards.....	53
4-07.05	Unacceptable Attire	53
4-07.07	Supervision	53

GENERAL PROCEDURES OF OPERATION

5-00.00	<u>Investigations, Arrests, and Detentions</u>	54
5-00.01	Command of Scene	54
5-00.03	General Responsibilities of Members at Crime Scenes.....	54

TABLE OF CONTENTS

	PAGE
5-00.05	Responsibilities of Assigned Members at Crime Scenes..... 54
5-00.07	Relief of Members Conducting Preliminary Investigation..... 54
5-00.09	Identification as Police Officer 54
5-00.11	Arrests 55
5-00.13	Rights - General 55
5-00.15	Custody of Prisoners 55
5-00.17	Transportation of Prisoners..... 56
5-00.19	Physical Force - Use of 56
5-00.21	Reports and Bookings 57
5-00.23	Press Relations at Crime Scenes 57
5-00.25	Security of Departmental Business..... 57
5-00.27	Interference in Criminal Cases 57
5-00.29	Assisting Criminals..... 57
5-00.31	Recommending Attorneys and Bondsmen 58
5-00.33	Outside Jurisdiction Policy 58
5-00.35	Outside Jurisdiction Procedure 58
5-01.00	<u>Ride-Along Program</u> 59
5-01.01	Policy 59
5-03.00	<u>Operation of Police Vehicle</u> 60
5-03.01	Policy 60
5-03.03	Permission..... 60
5-03.04	Supervisor's Unit..... 60
5-03.05	Inspection..... 60
5-03.07	Servicing 60
5-03.09	Locking Vehicles 60
5-03.11	Push Bumpers 61
5-03.13	Unauthorized Passengers 61
5-03.15	Nonsworn or Off-Duty Personnel..... 61
5-03.17	Accidents 61
5-03.19	Private Vehicles 61
5-03.23	Seat Belts 61
5-05.00	<u>Emergency Vehicle Operation</u> 63
5-05.01	Emergency Vehicle Defined..... 63
5-05.03	Obedience to "Rules of the Road" 63
5-05.05	Exemption of Emergency Vehicles 63
5-05.07	Due Caution 63
5-05.09	Emergency Defined 63
5-05.11	Escorts..... 63
5-05.13	Number of Vehicles Dispatched 64

TABLE OF CONTENTS

		PAGE
5-05.15	Unassigned Units	64
5-05.17	Additional Emergency Vehicles	64
5-07.00	<u>Police Vehicular Pursuit</u>	65
5-07.01	Purpose.....	65
5-07.03	Definitions	65
5-07.05	Scope.....	66
5-07.07	Policy	66
5-07.09	Procedure	67
5-09.00	<u>Firearms</u>	76
5-09.01	Displaying.....	76
5-09.03	Dry Firing and Loading and Unloading.....	76
5-09.05	Authorized Firearms	76
5-09.07	Department Issued Firearm.....	76
5-09.09	Approval of Firearms.....	76
5-09.11	Mechanical Safety.....	76
5-09.13	Maintenance of Firearms	76
5-09.15	Firearms - On Duty	76
5-09.25	Ammunition - On Duty.....	77
5-11.00	<u>Use of Force</u>	78
5-11.01	Operational Intent	78
5-11.03	Administrative Intent	78
5-11.05	Policy	78
5-11.07	Reporting	81
5-11.09	Inspection.....	81
5-11.11	Injuries	81
5-11.13	Reporting Unnecessary/Excessive Force.....	82
5-13.00	<u>Shooting Policy</u>	83
5-13.01	Background.....	83
5-13.03	General Statement.....	83
5-13.05	Warning Shots.....	83
5-13.07	Self Defense.....	83
5-13.09	Misdemeanor Offenders	83
5-13.11	Suspected Felony Offenders	83
5-13.13	Known Felony Offenders.....	83
5-13.15	Fleeing Juveniles.....	83
5-13.17	Moving Vehicles.....	84
5-13.19	Animal Destruction.....	84

TABLE OF CONTENTS

PAGE

5-13.21	Officer-Involved Shootings - Investigative Responsibilities.....	84
5-13.23	Officer-Involved Shootings in General.....	84
5-13.25	Officer-Involved Shootings - Person Hit or Injured	85
5-13.27	Supervisor's Responsibilities	85
5-13.29	G.P.D. Homicide Bureau's Responsibilities	86
5-13.31	Department Psychologist.....	87
5-13.33	Confidentiality of Records.....	87
5-13.35	Communications and Rumor Control.....	88
5-13.37	Officer-involved Shootings - No One Hit.....	88
5-13.41	Chief of Police Responsibility	89
5-13.43	Review Process in Shooting Cases	89
5-15.00	<u>Firearms Training</u>	90
5-15.01	Proficiency Training	90
5-15.03	Proficiency Training Exemption.....	90
5-15.05	Firearms Proficiency Course	90
5-15.07	Proficiency Points	90
5-15.09	Ammunition.....	90
5-15.13	Pistol Range Use.....	91
5-17.00	<u>Impact Weapons</u>	92
5-17.01	Baton.....	92
5-17.03	Flashlight	92
5-17.05	Saps and Other Related Devices.....	92
5-17.07	Knives and Other Cutting Tools	92
5-19.00	<u>Handcuffing</u>	93
5-19.01	Policy	93
5-19.03	Handcuffs - How Employed	93
5-19.05	Handcuffing Mentally Disordered Persons.....	93
5-23.00	<u>Neck Restraint</u>	94
5-23.01	Policy	94
5-23.03	Definition.....	94
5-23.05	Uses to Avoid.....	94
5-23.07	Reporting	94
5-23.09	Supervisory Responsibility	95
5-25.00	<u>Oleoresin Capsicum (OC)</u>	96
5-25.01	Policy	96

TABLE OF CONTENTS

		PAGE
5-25.03	When to use Oleoresin Capsicum.....	96
5-25.05	Oleoresin Capsicum Reporting.....	96
5-27.00	<u>Reporting Policy</u>	97
5-27.01	Crime Reports	97
5-27.03	Sex Offense Reports	97
5-27.05	Arrest Reports	97
5-27.07	Incident Reports	97
5-27.09	Writing Instruments and Legibility.....	97
5-27.11	Turning in Reports	98
5-27.13	Incomplete Reports	98
5-27.15	Additional Information	98
5-27.17	Quality Control/Report Review	99
5-27.19	Vehicle Impound Inventories.....	99
5-29.00	<u>Physical Evidence</u>	100
5-29.01	Responsibility	100
5-29.03	Custody of Evidence	100
5-29.05	Chain of Custody	100
5-29.07	Marking Evidence.....	100
5-29.09	Prompt Booking of Evidence.....	100
5-29.11	Booking Procedure	101
5-29.13	Misappropriation of Property or Evidence	101
5-29.15	Request for Evidence	101
5-31 .00	<u>Press Relations</u>	102
5-31 .01	Policy	102
5-31 .15	Gag Orders	102
5-33.00	<u>Assistance to Disabled Motorists Policy</u>	103
5-33.01	Purpose.....	103
5-33.03	Policy	103
5-33.05	Responsibility	103
5-33.07	Exceptions.....	103
5-35.00	<u>Use of Push Bumpers</u>	104
5-35.01	Purpose.....	104
5-35.03	Policy	104

TABLE OF CONTENTS

PAGE

5-37.00	<u>Traffic Accident Review Board</u>	105
5-37.01	Purpose.....	105
5-37.03	Policy	105

DEPARTMENT RECORDS

7-00.00	<u>Release of Police Department Records</u>	106
7-00.01	Policy	106
7-00.03	Release of Records - By Whom.....	106
7-00.05	Release of Records - To Whom.....	106
7-00.07	Arrest Records	106
7-00.09	Juvenile Records	106
7-00.11	Record Security.....	106
7-00.13	Policy Questions	106
7-00.15	Release of Statistical Information.....	107

INTERNAL COMPLAINT PROCEDURES

9-00.00	<u>Internal Complaint Procedures</u>	108
9-00.01	Location	108
9-00.03	Use	108
9-00.05	Citizen Complaints Against Police Personnel Policy	108
9-00.07	Procedures.....	109
9-00.09	Disclosure of Peace Officer Personnel Records	114

MISSING PERSONS

11-00.00	<u>Missing Persons Policy</u>	115
11-00.01	Purpose.....	115
11-00.03	Policy	115
11-01.01	Responsibility	115
11-01.03	Priority	115
11-03.01	Jurisdiction.....	115
11-05.01	Notification	115
11-05.03	Broadcast	115
11-07.01	Reporting	115
11-09.01	Dental Records.....	116
11-09.03	Release Form	116

TABLE OF CONTENTS

PAGE

11-11.00	<u>Duties</u>	117
11-11.01	Officer.....	117
11-11.03	Watch Commanders.....	117
11-11.05	Records Personnel.....	117
11-11.07	Follow-up Investigation.....	117

DOMESTIC VIOLENCE

13-00.00	<u>Domestic Violence Policy</u>	118
13-00.01	Purpose.....	118
13-00.03	Policy.....	118
13-01.01	Definitions -13700 PC.....	118
13-01.03	Enforcement of Laws.....	118
13-03.00	<u>Enforcement of Laws Relating to Domestic Violence</u>	120
13-03.01	Felony Arrest.....	120
13-03.03	Misdemeanor Arrest.....	120
13-03.05	Private Person's Arrest.....	120
13-03.07	Tenancy.....	120
13-05.00	<u>Court Protective Orders</u>	122
13-05.01	Restraining Orders.....	122
13-05.03	Stay Away Orders.....	124
13-05.05	When Orders Not Verifiable.....	124
13-05.07	Reporting.....	125
13-07.00	<u>Victim Assistance</u>	126
13-07.01	Procedure.....	126
13-09.00	<u>Officer Safety</u>	127
13-09.01	Policy.....	127

HATE CRIMES

15-00.00	<u>Hate Crimes Investigative Procedure (Ralph Civil Rights Act)</u>	128
15-00.01	Purpose.....	128
15-01.02	Definitions.....	128
15-01.03	Procedure.....	128

TABLE OF CONTENTS

PAGE

TABLE OF CONTENTS

PAGE

LAW ENFORCEMENT CODE OF ETHICS

1-01.00

Code of Ethics

As a law enforcement officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

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

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

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

PUBLIC SAFETY OFFICERS
PROCEDURAL BILL OF RIGHTS

(Chapter 9.7, Division 4, of Title 1 of the Government Code)

1-03.00 Public Safety Officers' Procedural Bill of Rights

A. TITLE:

Section 3300. This chapter is known and may be cited as the Public Safety Officers' Procedural Bill of Rights Act.

B. WHO IS INCLUDED:

Section 3301. For purposes of this chapter, the term public safety officer means all peace officers, as defined in Section 830.1 and subdivisions (a) and (b) of Section 830.2 of the Penal Code, including peace officers who are employees of a charter city or county or special district.

C. SPECIFIC RIGHTS:

1. **Section 3302. POLITICAL ACTIVITY.**

Except as otherwise provided by law, or whenever on duty or in uniform, no public safety officer shall be prohibited from engaging, or be coerced or required to engage in political activity.

2. **Section 3303. INTERNAL INVESTIGATIONS.**

When any public safety officer is under investigation and subjected to interrogation by his commanding officer, or any other member of the employing public safety department, which could lead to punitive action, such interrogation shall be conducted under the following conditions. For the purpose of this chapter, punitive action is defined as an action which may lead to dismissal, demotion, suspension, reduction in salary, written reprimand, or transfer for purposes of punishment.

- a. The interrogation shall be conducted at a reasonable hour, preferably at a time when the public safety officer is on duty or during the normal waking hours for the public safety officers, unless the seriousness of the investigation requires otherwise. If such interrogation does occur during off-duty time of the public safety officer being interrogated, the public safety officer shall be compensated for such off-duty time in accordance with regular Department procedures, and the public safety officer shall not be released from employment for any work missed.
- b. The public safety officer under investigation shall be informed prior to such

interrogation of the rank, name, and command of the officer in charge of the interrogation, the interrogating officers, and all other persons to be present during the interrogation. All questions directed to the public safety officer under interrogation shall be asked by and through no more than two interrogators at one time.

- c. The public safety officer under investigation shall be informed of the nature of the investigation prior to any interrogation.
- d. The interrogating session shall be for a reasonable period, taking into consideration gravity and complexity of the issue being investigated. The person under interrogation shall be allowed to attend to their own personal physical necessities.
- e. The public safety officer under interrogation shall not be subjected to offensive language or threatened with punitive action, except that an officer refusing to respond to questions or submit to interrogations shall be informed that failure to answer questions directly related to the investigation or interrogation may result in punitive action. No promise of reward shall be made as an inducement to answering any question. The employer shall not cause the public safety officer under interrogation to be subjected to visits by the press or news media without their expressed consent nor shall their home address or photograph be given to the press or news media without their expressed consent.
- f. No statement made during interrogation by a public safety officer under duress, coercion, or threat of punitive action shall be admissible in any subsequent civil proceeding. This subdivision is subject to the following qualifications:
 - (1) This subdivision shall not limit the use of statements made by a public safety officer when the employing public safety department is seeking civil sanctions against any public safety officer, including disciplinary brought under Section 19572.
 - (2) This subdivision shall not prevent the admissibility of statements made by the public safety officer under interrogation in any civil action, including administrative actions, brought by that public safety officer, or that officer's exclusive representative, arising out of a disciplinary action.
 - (3) This subdivision shall not prevent statements made by a public safety officer under interrogation from being used to impeach the testimony of that officer after an in camera review to determine whether the statements serve to impeach the testimony of the officer.
 - (4) This subdivision shall not otherwise prevent the admissibility of statements made by a public safety officer under interrogation if that

officer subsequently is deceased.

- g. The complete interrogation of a public safety officer may be recorded. If a tape recording is made of the interrogation, the public safety officer shall have access to the tape if any further proceedings are contemplated or prior to any further interrogation at subsequent times. The public safety officer shall be entitled to a transcribed copy of any notes made by a stenographer or to any reports of complaints made by investigators or other persons, except those which are deemed by the investigating agency to be confidential. No notes or reports which are deemed to be confidential may be entered in the officer's personnel file. The public safety officer being interrogated shall have the right to bring their own recording device and record any and all aspects of the interrogation.
- h. If prior to or during the interrogation of a public safety officer it is deemed that he or she may be charged with a criminal offense, he or she shall be immediately informed of their Constitutional rights.
- i. Upon the filing of a formal written statement of charges, or whenever an interrogation focuses on matters which are likely to result in punitive action against any public safety officer, that officer, at their request, shall have the right to be represented by a representative of their choice who may be present at all times during such interrogation. The representative shall not be a person subject to the same investigation.

This section shall not apply to any interrogation of a public safety officer in the normal course of duty, counseling instruction, or informal verbal admonishment by, or other routine or unplanned contact with a supervisor or any other public safety officer, nor shall this section apply to an investigation concerned solely and directly with alleged criminal activities.

- j. No public safety officer shall be loaned or temporarily reassigned to a location or duty assignment if a sworn member of this Department would not normally be sent to that location or would not normally be given that duty assignment under similar circumstances.

3. Section 3304. GRIEVANCE RIGHTS.

- a. No public safety officer shall be subjected to punitive action, or denied promotion, or be threatened with any such treatment because of the lawful exercise of the rights granted under this chapter or the exercise of any rights under any existing administrative grievance procedure.

Nothing in this section shall preclude a head of an agency from ordering a public safety officer to cooperate with other agencies involved in criminal investigations. If an officer fails to comply with such an order, the agency may officially charge him with insubordination.

- b. No punitive action, nor denial of promotion on grounds other than merit, shall be undertaken by any public agency without providing the public safety officer with an opportunity for administrative appeal.

4. Section 3305. PERSONNEL FILES.

No public safety officer shall have any comment adverse to their interest entered in their personnel file, or any other file used for any personnel purposes by their employer, without the public safety officer having first read and signed the instrument containing the adverse comment indicating he or she is aware of such comment, except that such entry may be made if after reading such instrument the public safety officer refuses to sign it. Should a public safety officer refuse to sign, that fact shall be noted on that document and signed or initialed by such officer.

5. Section 3306. RIGHT TO RESPONSE.

A public safety officer shall have 30 days within which to file a written response to any adverse comment entered in their personnel file. Such written response shall be attached to and shall accompany the adverse comment.

6. Section 3307. PROHIBITION OF POLYGRAPH.

No public safety officer shall be compelled to submit to a polygraph examination against their will. No disciplinary action or other recrimination shall be taken against a public safety officer refusing to submit to a polygraph examination nor shall any comment be entered anywhere in the investigator's notes or anywhere else that the public safety officer refused to take a polygraph examination nor shall any testimony or evidence be admissible at a subsequent hearing, trial, or proceeding, judicial or administrative, to the effect that the public safety officer refused to take a polygraph examination.

7. Section 3308. RIGHT TO PRIVACY.

No public safety officer shall be required or requested for purposes of job assignment or other personnel action to disclose any item of their property, income, assets, source of income, debts or personal or domestic expenditures (including those of any members of their family or household) unless such information is obtained or required under state law or proper legal procedure, tends to indicate a conflict of interest with respect too the performance of their official duties or is necessary for the employing agency to ascertain the desirability of assigning the public safety officer to a specialized unit in which there is a strong possibility that bribes or other improper inducements may be offered.

8. Section 3309. LOCKER PRIVACY.

No public safety officer shall have their locker or other space for storage searched without their prior consent, or unless a valid search warrant has been obtained or where he or she has

been notified that a search will be conducted. This section shall apply only to lockers or other space for storage that are owned or leased by the employing agency.

9. Section 3309.5. VIOLATION OF RIGHTS.

- a. It shall be unlawful for any public safety department to deny or refuse to any public safety officer the rights and protections guaranteed to them by this chapter.
- b. The superior court shall have initial jurisdiction over any proceeding brought by any public safety department for alleged violations of this section.
- c. In any case where the superior court finds that a public safety department has violated any of the provisions of this chapter, the court shall render appropriate injunctive or other extraordinary relief to remedy the violation and to prevent future violations of a like or similar nature, including, but not limited to, the granting of a temporary restraining order, preliminary restraining order, preliminary or permanent injunction prohibiting the public safety department from taking any punitive action against the public safety officer.

10. Section 3310. EXISTING CONTRACTS.

Any public agency which has adopted, through action or its governing body or its official designee, any procedure which at a minimum provides to peace officers the same rights or protections as provided pursuant to this chapter shall not be subject to this chapter with regard to such a procedure.

11. Section 3311. MUTUAL AID.

Nothing in this chapter shall in any way be construed to limit the use of any public safety agency or any public safety officer in the fulfilling of mutual aid agreements with other jurisdictions or agencies, nor shall this chapter be construed in any way to limit any jurisdictional or interagency cooperation under any circumstances where such activity is deemed necessary or desirable by the jurisdictions or the agencies involved.

ADMINISTRATION, ORGANIZATION AND SUPERVISION

2-00.00 Glendale Community College District Police Department Manual

2-00.01 Policy

The purpose of this order is to implement the Glendale Community College Police Department Manual. Special considerations are defined to explain the various features, organizations and use of the Manual. This Manual contains the policies of the Glendale Community College Police Department in a codified form. The format of the orders permits ready reference to specific matter.

All personnel are responsible for knowing, maintaining, and carrying out the provisions of all general orders.

2-00.03 Composition of Manual

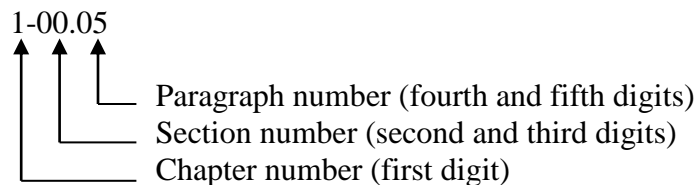
An extensive alphabetical cross-index system by subject shows the location of any order or subject in the manual. Use of this index should assist the reader in locating material rapidly. The manual is also divided into numbered sections. The content of each numbered section is indicated in the numbered section index. This should be viewed as a table of contents.

This Manual is designed for use in a three-ring binder using numerical dividers.

2-00.05 Numbering System

A modified decimal numbering system is utilized in the Department Manual to identify each chapter, section, and paragraph. The numbering system provides quick reference to all manual material.

An example of the Departmental Manual numbering system is as follows:



2-00.07 Maintaining the Manual

The following procedure shall be used when placing new or revised orders in this Manual:

- A. Print or type the new indexing data in the alphabetical index in proper sequence.
- B. Print or type the title or change information into the section listing.

- C. When revoking an entire order, cross out neatly all indexing data pertaining to the order.

2-00.09 **Issuance of New Indexes**

When a sufficient number of new and/or revised indexes have been issued, the Chief of Police will have published new numerical-and-alphabetical indexes. Officers should check the office copy of the Department Manual to insure that the material contained in their Manual is up to date.

2-00.11 **Audit of Department Manual**

The Captain or designee shall be responsible for conducting an annual audit on the completeness of the Department Manual.

- A. The audit will be initiated on the first of January each year and is to be completed within 30 days.
- B. In the event that the manual is missing a specific general order, the Captain shall obtain a copy of the order and add it to the Manual where appropriate.
- C. The Captain shall submit a memorandum to the Chief of Police certifying that the Department Manual is complete and up to date.

2-00.13 **Definition of Terms**

The following are definitions of important terms which will assist members in understanding and conforming to Department orders:

- A. **Policy:** Policy consists of principles and values which guide the performance of a department's activity. Policy is not a statement of what must be done in a particular situation, but is a statement of guiding principles to be followed in activities which are directed toward the attainment of Department objectives. Policy establishes operational standards to assist Department members in the necessary exercise of discretion in discharging their responsibilities.
- B. **Procedure:** A procedure is a method of performing an operation or a manner of proceeding on a course of action. It differs from policy in that it directs action in a particular situation to perform a specific task within the guidelines of policy. Both policies and procedures are objective oriented, but policy establishes limits of action while procedures direct response within those limits. Procedures are established in writing and are indicated by general orders or special orders.
- C. **Gender:** The use of the masculine gender in any directive, order, or manual includes the female or neuter when applicable.

- D. **Immediately**: The term "immediately" is to be construed to mean "as soon as possible and practicable."
- E. **Shall and May**: "Shall" is mandatory and "may" is permissive.
- F. **Watch Commander**: A Watch Commander shall be the senior ranking officer on duty when the Captain is not present.
- G. **Discipline**: All members of the Glendale Community College Police Department shall be responsible for adhering to the policies and procedures set forth in this Manual. Any member violating their oath and trust by committing an offense punishable under the laws or statutes of the United States, State of California, Glendale Community College District, or who violates any provisions of the Rules and Regulations or written orders of the Glendale Community College Police Department, or who is incompetent to perform their duties is subject to appropriate disciplinary action.
- H. **Department or Departmental** : "Department" or "Departmental" alone shall mean the Glendale Community College Police Department.
- I. **Member**: Member shall mean all employees of the Glendale Community College Police Department.

2-00.15

Legality of Contents

If any chapter, section, paragraph, portion, or phrase in this Manual is found to be illegal or otherwise incorrect or inapplicable, such finding shall not affect the validity of the remaining portions of the Manual.

2-03.00 **Administration**

2-03.01 **Chief of Police**

- A. The Chief of Police is the administrative head of the police department. He or she is responsible for planning, organization, and external relations. He or she confers with the V.P. of Administrative Services on Departmental policies, procedures, and programs. He or she directs and reviews the work of the Department. He or she maintains discipline among the members of the Department. He or she is fully responsible for the complete discharge of all duties imposed on them by law, ordinance, or resolution by the Board of Trustees. He or she prepares the annual budget estimates and controls budget expenditures. He or she directs the operation of the Glendale Community College District Police Department operation.
- B. The Chief of Police is responsible for the safety, health, and welfare of all employees of the District. He or she is the administrator of all emergencies or disasters and is responsible for the supervision of all personnel handling emergency or disaster situations.
- C. The Chief of Police (or designee) shall be available for notification or response to emergency situations 24 hours a day.

2-03.03 **Police Captain**

- A. The Captain assigns and directs officers in general patrol activities. He or she determines the need for police action based on reports or complaints. He or she assists officers in handling difficult situations. The Captain is responsible for enforcement of the rules of this manual. He or she also supervises the station and Department record keeping. He or she provides guidance and training to subordinate officers and is responsible for performance evaluations. He or she will relieve superior officers in their absence as assigned.
- B. The Captain supervises the work of officers assigned to field patrol and the law enforcement support staff of the Glendale Community College District. He or she follows up on non-routine cases and instructs officers in handling unusual or difficult situations. He or she assists and supervises field investigations, bookings, fingerprinting, searching and custody care of prisoners. He or she reviews officer reports. He or she is the Watch Commander.
- C. In addition to supervision responsibilities, the Captain shall perform a variety of administrative duties and responsibilities as delegated to him by the Chief of Police.

2-03.05

Police Officer

The Police Officer is responsible for performing general patrol functions that include crime prevention and enforcement. He or she can be assigned to a radio car or to foot patrol. He or she is the preliminary investigator and collects evidence and prepares reports. He or she will make arrests, transport and book prisoners. He or she will assist in solving problems as they occur in the field. He or she will also act in detection and apprehension of traffic law violators.

2-03.07

Police Dispatch Clerk

The Police Dispatch Clerk is responsible for the operation of all telephone and radio communications equipment and to receive and record routine and emergency calls. The Police Dispatch Clerk provides information; dispatches police and other Departmental personnel; operates computer equipment; operates the California Law Enforcement Teletype System; types a variety of police and other reports; files; maintains records; duplicates reports; and performs a variety of clerical support duties.

2-05.00 **Duties of Supervisory Officers**

2-05.01 **Extent of Supervision**

Every member of the Glendale Community College Police Department, with the exception of the Chief of Police, shall be supervised by the Captain. The Captain is accountable for the proper execution of every order and deemed to supervise such execution of orders whether by personal presence, rules, instructions given, or delegation of authority. Lack of physical presence does not relieve him of supervisory responsibility.

2-05.03 **Supervisorial Identity**

It shall be the duty of every supervisory officer to know who they are supervising at all times. It shall be the duty of every member to know their supervisory officer.

2-05.05 **Employee Performance**

Each supervisory officer shall be required to take all reasonable steps to determine that each employee under supervision performs their duty completely, promptly, and complies with all departmental rules. Supervisors shall accept their full share of the responsibility for achieving objectives. The Captain shall document on forms provided by the District, the performance of all subordinates on an annual basis or as provided for by the District's personnel rules and regulations.

2-05.07 **Chain of Supervisorial Responsibility**

Each supervisory officer shall assume the responsibility for supervision of all members subordinate to them in the chain of command.

2-05.09 **Supervisorial Command Responsibility**

Each supervisory officer shall strive to create and maintain high morale among personnel, constantly evaluating the quality and quantity of supervision exercised by subordinate-ranking officers.

2-05.11 **Organization Control**

Each supervisory officer shall, by act, manner and attitude, promote understanding of all procedures essential to effect organizational control. They shall convey the intent and spirit of orders and directives to their subordinates.

2-05.13 **Delegation of Authority**

Each supervisory officer shall make suitable and clear-cut delegations of authority toward the end that maximum efficiency may be achieved. This delegation of authority in no way relieves a supervisor of their overall responsibility for the proper performance of duties by subordinates.

2-05.15 **Improved Procedures**

Each supervisory officer shall develop sound and resourceful procedures on the

basis of their own experience and that of others to the end that these techniques may be transferred from experienced officers to new officers. They shall encourage the contribution of new ideas from their subordinates.

2-05.17 **Assignment for Efficiency**

Each supervisory officer shall strive to match capabilities of subordinates accurately with the requirements of assignments to be executed.

2-05.19 **Orders and Instructions**

Each supervisory officer shall inspire confidence and industriousness by the use of tact in giving orders and in correcting mistakes. They should test understanding of instructions with care so that subordinates know in detail what they are to do and how to do it, and if appropriate, the reasons therefore.

2-05.21 **Responsibility for Subordinates**

Each supervisory officer shall have knowledge of their subordinates' progress and assist them by counsel, advice, and direction. They shall be expected and required to suggest and recommend solutions to problems which arise during the tour of their subordinates.

2-05.23 **Relationships with Subordinates**

Each supervisory officer shall strive to maintain a high level of morale and respect through friendly, but reserved, conduct toward subordinates. They shall personally set a good example.

2-05.25 **Evaluation of Subordinates**

Each supervisory officer shall investigate the report of laxity in performance of duty or the violation of Departmental rules on the part of their subordinates. After determining the facts, they shall report the findings, in writing, to the next higher supervisor in the chain of command.

2-05.27 **Welfare of Subordinates**

Each supervisory officer should strive to assist subordinates and improve their welfare. The solution of many personal problems can be facilitated by advice and counseling on the part of the supervisory officer. The result is increased efficiency and high morale.

2-05.29 **Supervisory Devices**

Supervision will be implemented by the following methods:

- A. Regular inspections.
- B. Memoranda on conduct of employees.
- C. Inspection of reports filed by subordinates.

D. Observance of field performance.

2-05.31 **Development of Acceptable Officer Attitudes**

Each supervisory officer shall be responsible for the development and maintenance of proper officer attitudes by subordinates in dealing with and handling the public.

2-05.33 **Counseling**

When a supervisory officer reprimands, corrects, counsels or instructs a subordinate officer, it should be done privately and out of the hearing of other employees.

2-05.35 **Report of Sickness**

Each supervisory officer may determine the authenticity of sickness or debility calls made by or in behalf of Glendale Community College District subordinates. The supervisor shall take steps to make a determination concerning the justification for the absence.

RULES

3-00.00 General Rules of Duty

3-00.01 General Duties

Members of this Department shall preserve the public peace, prevent crime, detect and arrest violators of the law, protect life and property, and enforce those Federal statutes, laws of the State of California, and the rules and regulations of the Glendale Community College District which the Department is required to enforce by law or policy.

3-00.03 Specific Duties

Notwithstanding the assignment of specific duties and responsibilities to members of this Department, all members shall perform all such other duties as may be required of them by competent authority.

3-00.05 Conformity to Rules and Regulations

It shall be the duty of every employee of the Glendale Community College Police Department to fully familiarize themselves with the provisions of this Department Manual. They shall conform to, and abide by, such rules and regulations, observe the laws and ordinances, and render their services to the Glendale Community College Police Department with enthusiasm, courage, discretion and loyalty. An employee, when assigned to duty with other members of the Department, shall be jointly responsible for compliance with rules and regulations and proper performance of duty.

3-00.07 Obedience

Members of this Department shall strictly obey and properly execute any lawful order emanating from any ranking officers. The term "lawful order" shall be construed as an order in keeping with the performance of any duty prescribed by law or rule of the Department or for the preservation of order and proper discipline.

3-00.09 Police Action Off Duty

The Penal Code authorizes specific law enforcement officers peace officer authority anywhere in the state as to a "public offense committed in his presence or which there is probable cause to believe has been committed although not in his presence and with respect to which there is immediate danger to person or property, or of the escape of the perpetrator of such offense."

Therefore, unless the off-duty officer has observed the commission of a crime and/or believes there is an immediate danger to person or property, or has received prior approval from the chief law enforcement officer of that jurisdiction, they should not take police action in the capacity of a peace officer when they are outside of the jurisdictional boundaries of the Department

In all situations wherein off duty police officers take police action in any off duty incident, Department personnel shall adhere to the following procedures:

- A. Identify themselves as peace officers before taking any police action, safety permitting.
- B. Make an arrest if the elements of an arrest are present and a legal arrest can be made.
- C. Notify the police agency having jurisdiction.
- D. Immediately notify the on-duty Glendale Community College Police Department Watch Commander by telephone and verbally advise him of the situation when police action is taken
- E. Prepare appropriate written reports and submit a copy to the Department.
- F. Under no circumstances shall an off-duty police officer who is under the influence of an alcoholic beverage or other intoxicating substance, take peace officer action.

3-00.11 **Attention to Duty**

Except as otherwise stated in section 3-00.13 of the Department Manual, officers shall devote their time and attention to the service of the Department and shall not engage in any other business or occupation without the express permission of the Chief of Police.

3-00.13 **Off-Duty Employment**

Recognizing that many peace officers wish to engage in outside employment in order to augment their income, the legislature has empowered chief executives of law enforcement agencies to declare certain types of outside employment as inconsistent with and/or in conflict with the fundamental responsibilities of a peace officer.

Government Code 1126 sets forth factors which, in and of themselves, create conflicts of interest. The Attorney General of California has opined that these are examples and not to be construed as a complete list. Additionally, the Legislature recently (1996) required all agencies to articulate in its outside employment conflict of interest policy those positions deemed incompatible and, therefore, not permitted.

If the situation arises in the future, a determination of whether outside employment constitutes a conflict of interest will be based upon the criteria set forth in paragraph A. Whether the outside employment brings discredit or disrepute upon this organization will also be considered when reaching such a

decision.

A. Outside employment is in conflict if it brings discredit or disrepute upon the agency and/or:

1. Involves the use of the officer's local agency time, facilities, equipment, supplies, badge, uniform, prestige, or influence of his or her local agency.
2. Involves receipt or acceptance by the officer or employee of any money or other consideration for the performance of an act which the officer or employee would be required or expected to render in the regular course of their local agency employment.
3. Involves the performance of an act which may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement by any officer or employee of the local agency by which he or she is employed.
4. Involves such time and effort that it would render performance of his or her duties as a local agency officer or employee less efficient.

B. Examples of outside employment which are conflicts of interest include, but are not limited to:

1. Security guard.
2. Private investigator, within this or counties directly adjacent to this county.
3. Bartender.
4. Bouncer.
5. Sales clerk position in a liquor store, or gun dealership.
6. Process server.
7. Repossessor.
8. Debt collection.
9. Legal practice of criminal defense.

10. Card Dealer, handicapper, change maker, caller, machine repair person, keno runner, pit boss, table waitress, or employment in any gaming establishment where the employment is directly related to the primary purpose of the employer.
11. Bodyguard.
12. Employment as a "keeper".
13. Funeral escort where traffic control or the wearing of a uniform which resembles that of a peace officer is required.

C. Employees who do not receive prior approval to engage in outside employment, or accept employment prior to receiving permission to do so, or who engage in any outside employment listed herein or determined to be a conflict of interest under this policy, may be subject to disciplinary action.

D. **Approval of Outside Employment**

No Police Officer or full time employee of the Glendale Community College Police Department shall engage in any other type of employment, whether full time or part time, without written approval of the Chief of Police.

Police Officers or employees wanting to work off duty shall submit a completed "Approval of Outside Employment Request Form" to the Chief of Police.

Once the request has been received it will be reviewed to ensure that the outside employment is not in any way related to law enforcement and/or could be considered a conflict of interest.

Outside employment requests will not be approved if:

1. The employee has a current less than competent performance evaluation.
2. The job by its very nature, schedule, or extent, might impair the employee's efficiency in District service.
3. Employment of more than 24 hours per week is involved (this is the maximum limit).

Sworn Police Officers of this Department shall not hold any other

peace officer position granting peace officer authority pursuant to the California Penal Code. This does not preclude personnel from serving as reserve police officers for the City of Glendale or military police officers in reserve military units.

Once the request has been approved or denied by the Chief of Police, a copy will be forwarded to the employee and a copy will be placed in the employee's personnel file. Off-duty employment requests shall be submitted annually and approved requests shall only be valid for (1) year from date of approval.

It is the employee's responsibility to submit a new "Approval of Outside Employment Request Form if any of their employment conditions (i.e. hours, position, address or telephone information) change from the original request.

Department employees who wish to pursue their own business ventures are required to submit an "Approval of Outside Employment Request" just as they would if they were working for another employer.

Department employees do not have peace officer powers while engaged in outside employment are prohibited from identifying themselves as a peace officer while working in this capacity. They retain the arrest powers of a private person.

Department employees while engaged in outside employment with a private employer are prohibited from wearing a Department uniform or to use any Department issued badge, identification card, or safety equipment.

Employees shall inform their employers that they may be contacted or called from their off-duty jobs in an emergency situation.

E. **Appeal Process**

1. Any employee who has been denied the right to engage in outside employment based on the determination that his or her secondary employment falls within the prohibitions outlined in this policy may, within (5) days from the date of notification of the denial to engage in outside employment, file a written appeal to the Chief of Police.
2. If the employee is dissatisfied with the findings of the Chief of Police he or she may then follow the procedures set forth in the agreement between the Glendale

Community College District and the California School
Employee's Association.

3-00.15 **Knowledge of Rules and Regulations**

It shall be the duty of every officer to thoroughly familiarize himself with the provisions of the Department Manual. He or she shall conform to, and, abide by, such Rules and Regulations, rendering service to the District with enthusiasm, courage, discretion and loyalty.

3-00.17 **Performance of Duties**

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

Unsatisfactory performance may be demonstrated by, but not limited to, a lack of knowledge of the application of laws required to be enforced; an unwillingness or inability to perform assigned tasks; failure to conform to work standards established for the officer's rank, grade or position; failure to take appropriate action on the occasion of a crime, disorder or other conditions deserving police attention; absence without leave or unnecessary absence from the assigned patrol area during a tour of duty; inability to work in a cooperative manner with other members of this Department, or with members of other law enforcement and/or governmental agencies.

3-00.19 **Cowardice**

Members of this Department shall not display cowardice or fail to support their fellow officers in the performance of their lawful duties.

3-00.21 **Reporting for Duty**

Members of this Department shall report for duty at a time and place required by assignment or orders and shall be physically and mentally fit to perform their duties. They shall be properly equipped and cognizant of information required for the proper performance of their duties. Members who are off duty shall be subject to recall as needed and shall report for duty as directed by Department procedures or by any supervisory officer.

3-00.23 **Questions Regarding Procedures and Policy**

Members encountering any problems or having any questions concerning their duties or responsibilities shall contact their immediate supervisor for assistance.

3-00.25 **Conflicting Orders**

Members who are given an otherwise proper order which is in conflict with a previous order, rule, regulation or direction shall respectfully inform the superior officer issuing the order of the conflict. If the superior officer issuing the order does not alter or retract the conflicting order, the member shall carry out the order.

The superior officer issuing the conflicting order shall bring the incident to the attention of the next level in the chain of command as soon as it is practical.

3-00.27

Assistance

Members of the Department are required to take appropriate police action toward aiding fellow Glendale Community College Police Officers exposed to danger or in a situation where danger may be impending.

3-00.28

Cooperation

Cooperation between all ranks and members of the Department is essential to effective law enforcement. Therefore, all members are strictly charged with establishing and maintaining a high spirit of cooperation within the Department.

3-00.29

Insubordination

Failure or deliberate refusal of any member or employee to obey a lawful order given by a superior officer shall be considered insubordination.

3-00.31

Questions Regarding Assignment

Members in doubt as to the nature or detail of their assignment shall seek such information from their supervisor by going through the chain of command.

3-00.33

Seniority

Seniority of officers shall be determined by rank and further by length of service in rank. For the rank of police officer, senior officer shall be determined by date of hire. If hired on the same day, rankings on the hiring list shall determine seniority.

3-00.35

Privileges of Seniority

Seniority may be used as one factor to shift bid and vacation bid. The Chief of Police can mandate shifts and/or vacations for the good of the Department

3-00.37

Officer of Senior Rank Assuming Command

An officer of senior rank may take command of a situation by identifying himself and informing the officer then in charge of his intent. Such assumption of command shall be undertaken whenever the situation appears to the senior officer to be beyond the control of the officer then in charge, when jurisdiction is concurrent over a particular duty, or for disciplinary purposes.

3-00.39

Officer of Equal or Junior Rank Assuming Command

An officer of equal or junior rank may take command by identifying himself and informing the officer then in charge of his intent. Such assumption of command shall only be undertaken when the officer then in command is unable, because of physical or mental inability, to perform his duties. An officer, regardless of rank, shall assume command of a situation when so instructed by an officer of superior rank then in command. An officer placed in command of an operation shall maintain that responsibility until relieved by competent authority.

3-00.41 **Recognition of Command**

In the normal performance of routine duties, or at the scene of a police problem, officers shall recognize and respect the position of the officer in charge by effectively and efficiently carrying out all lawful orders that may be issued.

3-00.43 **Chain of Command**

All official communications of the Department regarding requests, information, suggestions, or complaints shall be confined to official channels. Each link in the chain of command shall be respected in this regard. It shall be the responsibility of each echelon to forward communications to the next higher or lower echelon. The supervisor shall, where appropriate, include their approval, disapproval, or recommendations. Complaints of workplace discrimination (i.e.: harassment etc.) are exempt from this provision and may be taken to any level the employee desires.

3-00.45 **Address and Telephone Numbers**

Immediately upon reporting for duty, or within 48 hours of the change, employees shall notify the Department and the Office of Human Resources of their correct address and telephone number. Employees are required to have telephones in the place where they reside. This shall be done within the specified time, whether the employee is working or on leave, and shall be forwarded via chain of command to the Captain.

3-00.47 **Driver's License**

Employees who operate District vehicles or use their own vehicles for District business shall be required to maintain a valid California Class "C" driver's license.

At least once per year, when performance evaluations or probationary evaluations are written, it shall be the supervisor's responsibility to obtain and attach a driver's history printout to the evaluation, and to visually inspect the employee's driver's license.

Employees are responsible to notify their supervisor if their license status changes during the year.

3-00.49 **Financial Obligations**

Members of this Department shall not undertake financial obligations which they know or reasonably should have known they would not be able to meet.

- 3-01.00** **Orders**
- 3-01.01** **Criticism of Orders**
Members shall not publicly criticize instructions or orders they have received.
- 3-01.03** **Manner of Issuing Orders**
Orders from superior to subordinate shall be in clear and understandable language, civil in tone, and issued only in regard to Departmental business.
- 3-01.05** **Unlawful Orders**
No command or supervisory officer shall knowingly issue an order which is in violation of a law, ordinance, or Departmental rule.
- 3-01.07** **Obedience to Unlawful Orders**
Obedience to an unlawful order is not considered a defense for an unlawful action. Therefore, no member or employee is required to obey an order which is contrary to Federal or State law or District ordinance. Responsibility for refusal to obey rests with the member or employee and requires justification for the action taken.
- 3-01.09** **Obedience to Unjust or Improper Orders**
Members and employees who are given orders they feel to be unjust or contrary to Rules and Regulations are differentiated from "unlawful orders" described in section 3-01.07. In this situation members and employees must first obey the order to the best of their ability (except when ordinary and prudent knowledge would indicate that the order would be detrimental to the department, District, or physical well being of a member, employee or a private citizen) and then may proceed to appeal as provided in the section entitled "Reports and Appeals."
- 3-01.11** **Conflicting Orders**
Upon receipt of an order conflicting with any previous order or instruction, the member or employee affected will advise the person issuing the second order or instruction of this fact. Responsibility for countermanding the original command then rests with the individual issuing the second command. If so directed, the latter command shall be obeyed first. Orders or instructions will be countermanded or conflicting orders or instructions will be issued only when reasonably necessary for the good of the department. The person issuing the original command shall be notified in writing by the person issuing the second command of the action taken and the reason thereof.
- 3-01.13** **Reports and Appeals**
A member receiving an unlawful, unjust, or improper order shall immediately file a memorandum to the Chief of Police through official channels. The report shall contain the facts of the incident and the action taken. Appeals to be relieved from such orders may be made at the same time. Departmental action regarding such an appeal shall be conducted through the office of the Chief of Police.

3-03.00 **Departmental Discipline**

3-03.01 **Disciplinary Action**

The Glendale Community College District Police Department has implemented a disciplinary system designed to insure compliance and adherence to rules and regulations. Any employee of the department is subject to disciplinary action for failure to comply with established Rules and Regulations of the Glendale Community College District and/or the Glendale Community College Police Department, as well as for violations of local, state, or federal laws.

Any disciplinary actions shall be consistent with existing and applicable law or statute (i.e., Peace Officer Procedural Bill of Rights).

3-03.03 **Circumstances Subject to Disciplinary Action**

In addition to other provisions of the Glendale Community College Police Department Rules and Regulations and those of the District, the following circumstances may subject an employee to disciplinary action:

- A. Incompetence or inefficiency in the performance of the employee's job duties.
- B. Insubordination, including but not limited to, refusal to do assigned work.
- C. Carelessness or negligence in the performance of duty, or in the care or use of District property.
- D. Discourteous, offensive, or abusive conduct or language toward other employees, students or the public.
- E. Dishonesty, including the unauthorized use of District property.
- F. Consuming any alcoholic beverage while on duty or reporting for duty under the influence of any alcoholic beverage.
- G. Use, possession or being under the influence of any illegal substance on District property.
- H. Engaging in political, commercial or outside organizational activity during assigned hours of employment.
- I. Engaging in, or being convicted of, the crime of moral turpitude, any felony, or any act which could adversely affect the ability of the employee to carry out their assigned duties, or which could adversely affect the relationship between the District and the local community and/or other agencies the District interacts with.

- J. Arrest for a sex or narcotics offense as defined in the Education Code.
- K. Repeated tardiness; and/or unauthorized absence.
- L. Abuse of leave privileges, including but not limited to, sick leave.
- M. Falsifying any information supplied to the District, including but not limited to, information disclosed on the employment application and any information submitted to the Department including payroll records.
- N. Failure to comply with District rules and regulations.
- O. Persistent violation or refusal to obey safety rules and regulations of the District or any appropriate state or local governmental agency.
- P. Abandonment of position, including but not limited to, failing to return to active duty after being medically released to return to duty from disability status, failure to return to duty upon expiration of an authorized leave of absence, or failure to report for duty for three (3) or more work days without prior notification and authorization.
- Q. Advocating the overthrow of federal, state or local government by force, violence or other unlawful means; or advocating the use of force or violence against any individual or group because of race, nationality, gender, political, social, religious, or sexual preference.
- R. Engaging in a work stoppage or "*blue flu*."
- S. Willful mistreatment of a prisoner.
- T. Sleeping while on duty.
- U. Accepting or soliciting a bribe.
- V. Aiding a prisoner in escape.
- W. Misappropriation of any lost, found, stolen, or District property.
- X. Falsification of reports, records, or communications.
- Y. Consistent neglect of payments on personal and legally binding debts and/or contracts.
- Z. Insubordinate conduct.

Aa. Failure to notify supervisors of any knowledge of employee misconduct.

Bb. Failure to obey other reasonable rules and regulations.

3-03.04

Employee Conduct

Conduct, both during and outside of work hours, must be consistent with the employee's status as a police officer and employee of the District. Conduct must not be of such nature that it causes, or if repeated is likely to cause, harm to the public service responsibilities of the employer or discredit to the District.

Employees of the Department will adhere to the following:

- A. Employees, whether on or off duty, shall be courteous and civil to all persons. They shall be orderly, attentive and mindful of their duties. Employees shall treat all persons with respect.
- B. Employees shall treat their superior officers, subordinates, fellow employees and associates with respect. They shall be courteous and civil at all times in their relationships with one another.
- C. Employees shall refrain from speaking in a derogatory manner of any nationality, race religion, sexual orientation, or disability.
- D. Employees shall refrain from using coarse, violent, profane, insolent or disrespectful language.

3-03.05

Departmental Authority to Discipline

Final Departmental disciplinary authority and responsibility rests with the Chief of Police. All Departmental discipline shall be approved by the Chief of Police.

3-03.07

Penalties

Subject to the provisions of the District Rules and Regulations, the following penalties may be assessed against any member of the Department as disciplinary action:

- A. Written reprimand.
- B. Suspension.
- C. Demotion.
- D. Dismissal from service.

3-03.09

Administrative Leave

The Chief and the Captain of College Police have the authority to impose immediate administrative leave (with pay) until the next business day against a member or employee when it appears that such action is in the best interest of the Department. Any member of this Department placed on administrative leave shall report to the Chief of Police on the next business day at 0900 hours, unless otherwise directed by competent authority. The supervisor that brought the incident to the attention of the Department Command Staff shall also report to the Chief or Captain of Police at the same time.

3-03.11

Report of Disciplinary Action

Whenever disciplinary action is recommended and documentation is likely to be made in the employee's personnel file, a written report must be submitted immediately to the Chief of Police, through the chain of command, by the person recommending the action.

3-03.13

Informing the Member Being Disciplined

The member being disciplined shall be informed in writing and provided with all documents upon which the discipline is based on. The employee must be given the opportunity to respond to such proposed discipline prior to the imposition of any discipline. This provision is not applicable to admonishments or reprimands, whether oral or in writing, unless specifically provided for by law.

3-03.15

Appeals from Penalties

Appeals from penalties imposed as disciplinary measures may be made as provided for in the District Personnel Rules.

3-05.00 **Gifts and Gratuities**

3-05.01 **Defined**

Gifts or gratuities include but are not limited to meals, drinks, money, property, loans, promises, services, or entertainment.

3-05.03 **Soliciting**

Members shall not solicit any gift, gratuity, loan or fee where there is a direct or indirect connection between the solicitation and their employment with the District.

3-05.05 **Acceptance**

Members shall not accept, either directly or indirectly, any gift, gratuity, loan, fee or any other thing of value offered because of their police employment. Members shall not accept any gift, gratuity, loan, fee or other thing of value, which might be perceived as influencing the actions of member, in any matter of police business. No member of the Department shall receive any substantial gift (value of \$100.00 or more) or gratuity from other members or employees junior in rank without the express permission of the Chief of Police.

3-05.07 **Disposition**

Any unauthorized gift, gratuity, loan, fee, reward or other thing of value falling into any of these categories coming into the possession of any member or employee shall be forwarded to the office of the Chief of Police together with a written report explaining the circumstances connected therewith.

3-05.09 **Free Admissions and Passes**

Members shall not solicit or accept free admission to theaters or other places of amusement for themselves or others.

3-05.11 **Other Transactions**

Members are prohibited from buying or selling anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case which has come to their attention, or which arose out of their employment with the Department, except as may be specifically authorized by the Chief of Police.

3-05.13 **General**

Unless authorized by Board policy, members shall not accept any gift, gratuity, or reward in money or other consideration for services rendered in the line of duty to the community or to any person, business, vendor, or agency except lawful salary and any additional legal amounts set forth in the District Policies and Procedures Manual.

- 3-07.00** **Official Correspondence and Communications**
- 3-07.01** **Confidential Information**
All members of this Department shall not discuss the official business of the Department, Department directives, contacts with violators, or criminal records with any person outside the Department except as directed by their supervisor or under due process of the law.
- 3-07.03** **Communications Regarding Orders and Regulations**
Members of this Department shall not communicate information regarding orders received or any governing regulations of the Department to anyone outside of the Department.
- 3-07.05** **Criticism of the Department**
Members shall not communicate to any person or agency their criticism regarding internal matters. This information should instead be communicated in the form of a written report to the Chief of Police through the chain of command.
- 3-07.07** **Criticism of Official Acts**
A member shall treat all other members of this Department with respect and shall not publicly criticize any official act performed by any member of the Department.
- 3-07.09** **Derogatory Remarks Against Orders**
No member of this Department shall speak critically or derogatorily to other members of the Department or to any person outside of the Department regarding the orders or instructions issued by a supervisor. However, in the case where there is a sound reason to believe that such orders are inconsistent or unjust, it is the right of any member receiving the order to respectfully call it to the attention of the supervisor issuing such orders or instructions.
- 3-07.11** **Disputes Between Officers**
Disputes among members that cannot be resolved by the parties involved shall be referred immediately to their supervisor.
- 3-07.13** **Forms and Stationery**
Departmental stationery will be used only for official correspondence. No member shall be permitted to use any stationery or forms for personal correspondence.
- 3-07.15** **Telephones**
Department telephone equipment is not to be used for the transmission of private messages.
- 3-07.17** **Radio Discipline**
Members of the Department operating the police radio either from a mobile unit

or in the Communications section shall strictly observe regulations for such operations as set forth in Departmental orders and by the Federal Communications Commission.

3-07.19 **Tape Recording Devices**

Members of the Department may use their own personal recording devices or the departmental tape recorder during the course of an official police investigation or interview.

The use of audio tape recorders in the field can be useful for the collection of evidence and for documentation of field contacts between officers and citizens. If officers elect to carry a tape recorder in the field, the officers are allowed the discretion in deciding whether to record their field contacts.

Tapes that contain information of evidentiary value in a criminal case shall be booked into evidence in accordance with existing procedures. Tapes of field activity that the officer believes may describe circumstances of actual or potential district liability shall be booked into evidence for safekeeping in accordance with existing procedures. All tapes that are booked into evidence shall be retained in accordance with Departmental policies.

Supervisors may review tape recordings resulting from field investigations of criminal cases and/or for addressing citizen complaints. Tape recordings will only be reviewed for these purposes and will not be used for the auditing of routine activity not related to criminal cases, allegations of misconduct, or for employee evaluation purposes.

NO EMPLOYEE SHALL SURREPTITIOUSLY RECORD ANY CONVERSATION WITH ANY OTHER INDIVIDUAL, INCLUDING OTHER MEMBERS OF THE POLICE DEPARTMENT.

Violations of this policy will result in severe disciplinary action and may violate State law that prohibits surreptitiously recording a communication without the expressed consent of all parties involved.

3-07.21 **Department Business Cards**

Members who can justify such use may use a personalized card. The Department furnishes utility business cards for use by members assigned to certain organizational units. This card contains spaces for entering the member's name and telephone extension. Nothing will be entered on any Departmental business card which violates Penal Code Section 146(d). Any knowledge of the distribution of a Department business card that violates Penal Code Section 146 (d) shall be forwarded to the office of the Chief of Police in the form of a report together with any other evidence obtained.

3-09.00 **Department Property and Equipment**

3-09.01 **Policy**

Members are responsible for the proper care of Department property and equipment assigned to them. Damaged or lost property may subject the responsible individual to reimbursement charges and appropriate disciplinary action.

3-09.03 **Care of Department Facility**

Members shall not mark or deface any surface in any Departmental building. No material shall be affixed in any way in Departmental buildings or locker without specific authorization from a commanding officer.

3-09.05 **Care of District Property**

A member shall be responsible for the proper care and maintenance of any District property, either fixed or moveable, issued or assigned for their use. Willful negligent, abuse, mutilation, or destruction of District property shall be made a subject of disciplinary action.

3-09.07 **Lost District Property**

Members shall submit a detailed report to their immediate supervisor concerning uniform equipment or personal property which is lost, stolen or damaged. If it is determined that the property was stolen, a crime report will accompany the memorandum. The Chief of Police may, if the circumstances dictate, replace or repair the articles at no expense to the member or make arrangements for the member to reimburse the District.

3-09.09 **Misappropriation of Property**

Members shall not appropriate for their own use any evidence, lost and found property, stolen and recovered property, or District property. The Chief of Police may approve temporary use of such property for official purposes.

3-09.11 **Return of District Property**

Whenever any member of this Department is suspended, resigns, or is separated from the Department for any reason, they shall surrender to the Chief of Police all property in their possession belonging to the District.

3-09.13 **Posting of Notices**

Members shall not mark, alter, or deface any posted notice. Notices or announcements shall not be posted on bulletin boards without permission. No notices of a derogatory, racial or sexual nature will be posted at any time.

3-11.00 **General Conduct on Duty**

3-11.01 **General Behavior**

No member shall act privately or in any official capacity in such a manner as to bring discredit upon himself and/or the Department.

3-11.03 **Prohibited Activity**

Members are prohibited from engaging in the following activities while on duty with the exceptions noted:

- A. Sleeping, loafing, and idling.
- B. Recreational reading (except at meals).
- C. Conducting personal business.
- D. Use of an Intoxicating substance (without written permission from the Chief of Police).
- E. Gambling (unless to further a Police purpose).

3-11.05 **Loitering**

Members on duty or in uniform shall not enter taverns, theaters, or other public places except to dine or to perform a Police task. Loitering and unnecessary conversation in such locations are forbidden.

3-11.07 **Loitering in Station**

Members going on duty shall be prompt in going directly to their work and shall not loiter about the station.

3-11.09 **Roll Call**

Unless otherwise directed, members shall report to daily roll call at the time and place specified, properly uniformed and equipped. They shall give careful attention to orders and instructions.

3-11.11 **Relief from Assignment**

Members are to remain at their assignment and on duty until properly relieved by another member or until dismissed by proper authority.

3-11.13 **Meals**

Members may suspend their police duty, subject to call, for a lunch period to be taken within the District or on a bordering street subject to modification by the Chief of Police.

3-11.15 **Reporting**

Members shall promptly submit such reports as are required by the performance

of their duties or by proper authority.

3-11.17

Absence from Duty

A member who fails to appear for duty on the date and at the time and place specified for so doing without the consent of proper authority is absent without excuse. Such absences within the period of one day must be reported in writing to the Chief of Police.

3-11.19

Inspections

From time to time, the Chief of Police may call for full-dress inspections of the Department or any part thereof. Members directed to attend such inspections shall report in the uniform prescribed, carrying the equipment specified .

3-11.21

Training

All members shall attend in-service training in the theory and practice of law enforcement at the direction of the Chief of Police. Such attendance is considered a duty assignment.

3-11.23

Physical Fitness for Duty

All members of the Department shall maintain good physical condition so they can handle the strenuous physical contacts often required of a law enforcement officer.

3-11.25

Smoking and Use of Tobacco

Members shall observe common courtesy when using tobacco while in contact with the public. Smoking is not permitted in police vehicles. Members hired with a "smoking prohibition" shall not use tobacco products. Use of chewing tobacco and snuff or similar type substances while on duty is not allowed. Smoking is not allowed in the police station or inside District buildings.

3-11.27

Intoxicants

Members shall not bring into or keep any intoxicating liquor on Departmental premises OR POLICE VEHICLES, except when necessary in the performance of a police task. Liquor brought into the Department premises in the furtherance of a police task shall be properly identified and stored according to current policy.

3-11.29

Intoxication

Members shall not at any time be under the influence of liquor or drugs while on duty. They shall not at any time, on or off duty, be intoxicated in public view.

Definition of "Under the Influence"

- A. If there is at any tinge less than 0.05% by weight of alcohol in a person's blood, it shall be presumed that the person is not under the influence of intoxicating liquor.

- B. If there is at any time 0.05% or more, but less than 0.08% by weight of alcohol in the person's blood, such fact shall not give rise to any presumption that the person is or is not under the influence of intoxicating liquor, but such fact may be considered with other competent evidence in determining whether the person was under the influence of intoxicating liquor at the time of any alleged offense.
- C. If there is any time 0.08% or more by weight of alcohol in the person's blood, it shall be presumed that the person is under the influence of intoxicating liquor.

Definition of "Intoxication"

Every member who is found under the influence of intoxicating liquor or drugs in such a condition that they are unable to exercise care for their own safety or the safety of others is intoxicated.

3-11.31

Consumption

Members shall not consume intoxicants while off duty to the extent that evidence of such consumption is apparent when reporting for duty or the extent that their ability to perform duty is impaired. Members shall not consume any intoxicants during the four hours immediately prior to the beginning of their regularly assigned work shift. Members shall not consume intoxicants while on duty unless necessary in the performance of a police task and then only with the specified permission of a commanding officer and never in uniform.

3-11.33

Authority

When the Watch Commander has cause to believe that a member while on duty might be under the influence of an intoxicant, they shall have the authority to order a test of that member to determine if the member is under the influence of an intoxicant.

3-11.35

Duty

Members while on duty shall have the duty to cooperate with the Watch Commander to take a test for being under the influence of an intoxicant when the Watch Commander has reasonable cause to believe that such member may be under the influence as per the authority granted under Section 3-11.33 of this manual.

3-13.00 **Hours of Duty**

3-13.01 **Policy**

Members of the Glendale Community College Police Department shall have regular hours assigned to them for active duty each work day; and when not so engaged, they shall be considered "off duty." They shall, however, always be held subject to duty as needed.

3-13.03 **Police Action, Outside Jurisdiction**

To establish a clarification of policy and the officer's position under Workmen's Compensation in the event of any police services performed outside the jurisdictional boundaries of the District and immediate surrounding areas, the following is provided:

District policy and legal information presents an understanding that an officer performs duties directly as an agent of the District in protecting life and property to citizens within the community. The officer may reasonably be outside the actual District limits while in transit or directly pursuing their duties and be protected by Workmen's Compensation benefits. Employees, acting outside of the District and immediate surrounding areas, may subject themselves to civil liability for which the district may not be responsible.

An example of this would be that while on assigned tour of duty the officer may be on one street within the District limits and continue through a portion outside the District limits before again reentering the District limits. If an incident occurred while thereby temporarily outside the District limits, it is assumed that the officer would then be covered by Worker's Compensation.

Another example would be that in pursuit of a traffic violator or a criminal the officer may go outside the District limits to effect the arrest and still be within the protection of Workmen's Compensation benefits.

A question would arise, however, concerning rights to these benefits if the employee performs a service outside the District limits on their own initiative and without command direction or acknowledgment, the result of which causes personal injury.

Whenever an officer observes a situation requiring police standby or action outside the District limits, the officer shall notify the Watch Commander immediately and should not perform any act until clearance is given. An employee, when so advised, or when a neighboring agency so requests assistance in normal police activities, shall promptly refer the matter to the Watch Commander.

The Watch Commander or ranking officer assumes responsibility of assignments and through this authorization any officer thereby directed to assist or perform

services outside the jurisdictional District limits is fully protected under compensation benefits.

3-13.05

Lunch Break

Members of this Department may take a lunch break during their regular tour of duty as part of their regular hours worked. Such breaks shall be spent within the District limits or at establishments on bordering streets. These breaks are subject to call or citizens' requests.

Work load permitting, members may also take coffee breaks during their regular tour of duty.

3-13.07

Supervisory Discretion

Supervisory personnel may require the omitting or delay of such breaks during periods of unusual work load or other circumstances that demand the immediate availability of Department personnel.

No overtime pay or compensatory time off shall be permitted for lunch or coffee breaks missed for any reason.

3-15.00 **Training and Education**

3-15.01 **Policy**

It shall be the policy of this Department to encourage and assist the members of the Department in the continuing of their education.

3-15.03 **Training**

As a condition of employment, police officers will be required to successfully complete the Glendale Community College Police Department's Field Training Program. Police officers may be required to attend specialized courses should it be determined that the officer is lacking in certain knowledge or ability to successfully carry out their duties as a competent law enforcement officer.

3-15.05 **In-Service Training**

It shall be the policy of this Department to select certain members to attend specialized schools, police schools, or institutes. This selection process is based upon the demonstrated interest and aptitude for a special phase of police work coupled with the successful completion of basic and secondary training. In-service training is subject to the following:

A. The Department may conduct and require attendance at in-house training on matters related to the Department's operations and policies or any other subject matter approved by the Chief of Police. In-house training shall be conducted in a manner prescribed by the Department.

B. **Training Officer**

The Department Training Officer shall be responsible for maintaining files of in-house training courses, as well as attendance records on all members. The Training Officer shall also be responsible for establishing and maintaining an ongoing training program for the Department consisting of mandatory training and suggested training and shall be responsible for the planning, coordinating and scheduling of all in-house training.

3-17.00 **Overtime**

3-17.01 **Defined**

Overtime is that time beyond or in excess of one's normal or assigned hours.

3-17.03 **Rate of Compensation**

Non-safety classifications employed by this Department shall receive overtime compensation in accordance with existing practices applicable to other non-safety, classified employees in the District. Safety classifications (sworn police officers only) shall receive overtime compensation at a rate negotiated by the District and the California School Employee's Association.

3-17.05 **Report of Overtime**

Members requesting compensation for working overtime shall complete the proper overtime request form. They shall indicate the nature of the overtime worked and record any case numbers of investigations or reports that they were completing. If the request is for court time the member shall log defendant's name, case number and whether they testified.

- A. All requests for overtime compensation shall be reviewed and approved by the Watch Commander on duty.
- B. Except in exigent circumstances, requests for overtime shall be approved in advance.

3-19.00 **Sick Leave**

3-19.01 **Report of Illness or Injury**

Members who are unable to report for work because of illness, injury, or any circumstances that prevent the member from working shall notify the Watch Commander on duty no less than four hours prior to their regularly-scheduled shift (unless circumstances prevent) giving a brief description of the illness or injury, address and phone number where they can be reached.

3-19.03 **False Report of Illness or Injury**

No member of this Department shall feign illness or injury, falsely report themselves ill or injured, or otherwise attempt to deceive any official of the Department as to the condition of their health.

3-19.05 **Industrial Accidents**

When a member of this Department is injured on duty, the employee's immediate supervisor shall complete an "injury report" as soon as possible.

3-21.00 **Subpoenas - Criminal**

3-21.01 **Incoming Subpoenas**

All incoming subpoenas for uniformed personnel shall be given to the on-duty Watch Commander.

3-21.03 **Subpoena Log**

The Watch Commander shall record the date received, the subpoenaed officer, and the defendant on the log. The date served will also be recorded on the log.

3-21.05 **Subpoena Service**

The Watch Commander will serve the subpoena on the named member. It will be the responsibility of each member to check the subpoena log each working day.

3-21.07 **Vacation Status**

If the Watch Commander receives a subpoena for a member who is on vacation, he or she shall notify the District Attorney's office for proper disposition. If a member receives a subpoena for a projected vacation date, it is the responsibility of that member to notify the District Attorney's office and make arrangements with that office.

3-21.09 **Illness or Injury**

In cases of illness or injury, the subpoenaed member shall notify the Watch Commander.

3-21.11 **On Call**

Each member subpoenaed in an off-duty status, who is placed on call by the District Attorney in any criminal is to remain on call until the District Attorney or the Watch Commander relieves him or her of the on-call status. If the on-call location is other than the members residence, it shall be the officer's responsibility to provide the District Attorney or the Watch Commander with an on-call location and phone number. Members are not compensated for being placed on call.

3-21.13 **Compensation**

Officers will be compensated for appearing in court. The rate of compensation to be determined by the District and the California School Employee's Association.

3-21.15 **Juvenile and Juvenile Traffic Court**

Whenever a member is subpoenaed to Juvenile Court or Juvenile Traffic Court, he or she is required to be there. There is no on-call.

3-23.00 **Subpoenas - Civil**

3-23.01 **Payment of Money**

The law requires that officers receive their full pay when subpoenaed as a witness in a civil case within the county of the court. It requires that the person requesting the subpoena reimburse the county, city or state the sum required by law for each day an officer is in court attendance pursuant to the subpoena. The offering of money by a person or the asking of money by the officer to appear as a witness is a misdemeanor. At no time will an officer accept any payment in a civil hearing other than approved by this Department.

3-23.03 **Policy and Procedures**

The Watch Commander shall process civil subpoenas in the same manner as criminal subpoenas.

- A. Upon receipt of a civil subpoena, the Watch Commander or recipient officer, shall immediately notify the Chief of Police.
- B. In the event the appearance date and time have been designated on the officer's off-duty time, the officer shall be paid the same as a criminal case.
- C. In the event the appearance time and date have been designated on the officer's duty time, the officer shall be paid on an hourly basis, the same as a criminal subpoena.

3-23.05 **Claims for Damages**

Members, when contacted by citizens or attorneys in regard to damage claims, are to refer those persons to the Chief of Police.

3-23.07 **An Officer as the Defendant**

Members of this Department are required to accept personal service of summons of themselves in civil cases related to the performance of their duties. With the exception of the Chief of Police, members of this Department shall not accept personal service of a summons in a civil suit for any other member.

- A. Members personally served with a summons in a civil suit shall note the time and date of receipt of the summons in the upper right-hand corner and forward the summons immediately to the Chief of Police.
- B. The Chief of Police will forward the summons to the Risk Manager who will prepare and file the proper pleadings on behalf of the members summoned.

3-23.09 **Release of Reports**

Only authority of the Chief of Police or his assigned agent will release any report

concerning any pending suit.

3-25.00 **Court Appearance**

3-25.01 **Required Attendance**

Members of this Department have an official obligation and responsibility to appear in court and testify as a witness in response to an order of the court. Members shall be punctual in appearing at the time and place specified by the order.

3-25.03 **Court Dress**

Members shall be dressed in the uniform of the day or in civilian clothing of good taste as follows:

A. **Male Personnel**

1. A suit with dress shirt and tie.
2. A sport jacket and slacks with dress shirt and tie.

B. **Female Personnel**

1. Daytime dress or appropriate pant suit.

No member shall wear blue jeans, Levi's, or designer-type jeans.

3-25.05 **Case Preparation**

Members shall have the case which they are appearing properly prepared and property that is to be used for evidence shall be suitably arranged for presentation in court. Members shall have copies of all relevant reports with them in court.

3-25.07 **Attentiveness in Court**

Members shall show the utmost attention and respect toward magistrates, attorneys, and all officers of the court and other persons at all times.

3-25.09 **Manner of Speaking**

When giving testimony, members shall not chew gum or tobacco. They shall speak calmly and explicitly in a clear, distinct and audible tone so as to be easily heard by the court and jury.

3-25.11 **Truthfulness and Accuracy**

When giving testimony, members shall testify with the strictest accuracy, confining themselves to the case before the court, and neither suppress nor overstate the slightest circumstance with the view of favoring or discrediting any person.

3-27.00 **Commendations**

3-27.01 **Policy**

The Department shall foster and maintain a continuous program for extending official recognition to members and employees who perform acts of meritorious service or who accomplish outstanding achievements as defined. As an integral part of this program, the Department shall extend official recognition to private citizens and other District employees who perform meritorious acts in rendering aid to a fellow citizen or the Department under circumstances which are within the scope of Departmental responsibility.

3-27.03 **Responsibility of Supervisory Staff**

In order to attain maximum benefit of the commendation and awards program, it is essential that all supervisors within the Department understand its importance and ensure that all significant performances are promptly and properly recognized.

3-27.05 **Duty to Report Commendatory Acts**

A member of supervisory rank shall make a written report to his/her immediate supervisor:

- A. Acts worthy of commendation which he/she may observe, involving persons supervised.
- B. Acts worthy of commendation reported to him/her which involve members and employees of the Department.

3-27.07 **Commendation - Other**

Any member of the Department, regarding any other member of the Department, may make a written recommendation for commendation.

3-27.09 **Approval**

The Chief of Police will review departmental commendation for approval and disposition.

3-27.11 **Commendation of Citizens**

An officer having knowledge of the performance of an outstanding act of assistance to this Department by a private person shall submit a detailed report, in memorandum form, to the on-duty Watch Commander.

The Watch Commander shall route the memorandum and any other pertinent material in the same manner as in commendations for Department members.

3-29.00 **Grievance Procedure**

3-29.01 **Policy**

The grievance procedure for sworn members of the Glendale Community College Police Department is stated in the current Memorandum of Understanding negotiated between the District and the California School Employee's Association.

3-31.00 **Outside Employment**

3-31.01 **Policy**

The guidelines for additional employment for members of the Department are found in Section 3-00.13

3-31.03 **Approval**

Departmental approval will be on an annual basis by the Chief of Police.

3-31.05 **Forms**

All necessary District forms must be completed and submitted for approval.

3-31.07 **Working as a Police Officer at Special Events**

The member assigned to a special event outside of normal police activity shall be on duty and considered part of the regular watch.

- A. This is to be effected by assigning off-duty personnel on an overtime basis.
- B. The officers assigned shall be paid for their services through the normal District payroll process.

3-31.09 **Rules**

All members assigned to special events shall be under the following Rules and Regulations:

- A. Subject to Departmental Rules and Regulations.
- B. Is not an employee of, nor subject to the supervision of, the requesting party(s) or organization(s) other than to cooperate in rendering police services.
- C. Will be subject to supervision from their superiors in the Department.

REGULATIONS AND PERSONAL APPEARANCE

4-00.00

Sworn Officers

4-00.01

Possession of Uniforms and Personal Equipment

All officers shall possess at all times a serviceable uniform and the necessary equipment to perform uniformed patrol duty. Officers assigned to duty wherein a special uniform is required shall also possess the uniform required by their special assignment.

4-01.00 **Personal Appearance**

4-01.01 **Policy**

Members shall keep their persons clean and sanitary by frequent bathing. Proper barbering shall be practiced.

Official uniform and/or business attire shall always be kept as clean and neat as possible. Leather accessories shall be kept dyed and clean, metal parts shall be shined, and weapons shall be kept clean and serviceable.

Members on duty shall present a professional appearance when representing the Department in court, administrative duties, investigative and staff assignments, and other Departmental business activities. Clothing worn by employees while performing in any of these capacities shall be limited to the prescribed uniform or appropriate business attire.

Special Exemptions: When the wearing of a uniform is not practical because of work conditions, and when prior exemption has been granted by the Chief of Police, certain officers may be exempted from wearing the prescribed uniform.

4-01.03 **Mixed Clothing**

Officers shall wear only the uniform specified for their particular rank and assignment. Civilian clothing shall not be worn with any distinguishable part of the uniform when in public view.

4-01.05 **Jewelry**

No visible necklaces, bracelets, or anklets shall be worn while in uniform. Sworn female officers with pierced ears are permitted to wear a single stud earring (no larger than 3/8" in diameter) in each lobe. All other jewelry shall be limited to rings and watches.

4-01.07 **Insignia Wearing**

No member shall visibly wear any identifying insignia of the Glendale Community College Police Department while in a private vehicle on duty or off duty.

4-01.09 **Safety Vests**

- A. Safety vests will be provided to each officer. The wearing of the vest during routine patrol duties is required.
- B. Each officer not assigned to routine patrol duties and not wearing a safety vest shall wear the vest at the direction of a supervisor.
- C. When sufficient time exists for the proper planning of a high risk activity; i.e., search/arrest warrants where the suspect may be

armed/dangerous, barricaded suspect, or hostage situations; officers should adhere to the following procedures:

1. Officers designated to assist shall wear a safety vest.
2. In every event where entry is to be made, the officer designated to make entry or assist in making entry shall be wearing a safety vest.

4-01.11 Required Equipment

All members, while assigned to uniform duties, shall have on their person or within the police vehicle the following equipment:

- A. Sam Browne belt and equipment as specified in this manual.
- B. Department issued handcuffs.
- C. Department issued baton.
- D. Officers' notebook and field report forms.
- E. Portable radio.
- F. Departmental approved weapon

The following equipment shall be readily available to the officers in the field should a situation arise needing it:

- G. Rain gear.

4-01.13 Wearing of Hats

Police officers may only wear headgear that has been approved by the Department. The only headgear approved by the Department is the following:

- A. Department issued baseball style cap.
- B. Dark blue campaign style hat.

The on-duty supervisor shall approve any exception to this policy.

4-01.15 Tattoo/Body Art

No Department employee shall have any tattoo or body piercing type jewelry placed on a portion of their body; (i.e., forearm, hands, neck, etc.), that is visible while wearing a standard Department uniform (*short or long sleeve*). This section does not apply to any employee who had a tattoo applied prior to August 1, 1997.

4-01.17 **Exceptions in Dress Standards**

The uniform tie is not required for regular daily field assignments; however, under certain conditions the Chief of Police shall have the option to require the wearing of a tie; e.g., formal occasions, funeral, and ceremonial occasions. When not wearing a tie sworn personnel shall only allow the top (collar) button to remain open. Officers shall wear a clean, white, crew neck T-shirt under their uniform.

Partisan political emblems, symbols of fraternal or service organizations, badges or emblems of any kind, other than Department authorized awards, shall not be worn. While on uniform duty, with the exception of a medic alert bracelet or necklace, jewelry shall be limited to rings and watches. Uniformed female personnel are permitted to wear small stud earrings.

4-01.19 **Business Attire**

- A. **Male:** When representing the Department in court, sworn male personnel shall wear a business suit or sports coat and slacks with a conventional shirt and tie or a standard Department uniform. *Casual or leisure wear shall not be worn.* All clothing items shall be clean and neatly pressed at all times.

- B. **Female:** When representing the Department in court, sworn female personnel shall wear a dress, dress suit, skirt and blouse, pantsuit or blouse and pants appropriate to a business-like appearance or a standard Department uniform. *Casual or leisure wear shall not be worn.* All clothing items shall be clean and neatly pressed at all times.

4-03.00 Uniforms and Equipment - District Issued

4-03.01 Maintenance and Replacement

Officers shall be responsible for the maintenance of issued uniforms and equipment. The following shall also apply:

- A. Items shall not be altered. Uniforms may be tailored to provide better fit.
- B. Loss or theft of any District issued item of safety equipment shall be reported immediately in the proper manner.

4-05.00 **Grooming and Hair Standards**

4-05.01 **Uniformed Male Personnel**

Hair shall be neat, clean, properly trimmed and well groomed at all times while on duty. The hair shall be moderately tapered and may touch the shirt collar, but not extend below it. Hairstyles shall not interfere with the normal wearing of any regulation headgear.

- A. **Sideburns:** Sideburns shall be trimmed so as not to extend below the bottom of the earlobe and shall end in a clean shaven horizontal line. The flare and terminal portion of the sideburn shall not exceed the width of the main portion of the sideburn by more than one-fourth (1/4) the unflared width.
- B. **Mustaches:** Mustaches shall be neatly trimmed and groomed and shall not extend below the upper lip line or corners of the mouth. Mustaches shall not extend to the side of mouth by more than one-half (1/2) inch beyond the corners of the mouth.
- C. **Beards:** Beards shall not be permitted.

4-05.03 **Uniformed Female Personnel**

Hair shall be kept clean, neat and well groomed at all times while on duty. The hairstyle shall not be worn in a manner which will jeopardize the safety of the officer, cause a hindrance in the performance of her duties, or interfere with the use of standard headgear. The style shall allow quick placement, and ensure a proper seal, of emergency headgear; (i.e., helmet, gas mask). Hair shall not extend below the collar or below the eyebrows.

All sworn female personnel in non-uniformed line positions; i.e., court liaison, etc., shall adhere to the same grooming standards as those in uniformed assignments. Sworn female personnel in support/staff assignments shall maintain a professional appearance.

4-07.00 **Civilian Personnel**

4-07.01 **Attire**

Appropriate civilian business attire shall be worn. Attire shall be clean and in good repair and of modest lengths where applicable.

4-07.03 **Hair Standards**

- A. **Male:** Members hair shall not extend past the top of the shoulder nor below the eyebrow line on the face. Mustaches are permitted, but they must be neatly trimmed and well groomed.
- B. **Female:** Members hair shall be neatly styled, trimmed and well groomed. It shall not be of a style, length, or artificial color which is offensive to the general public.

4-07.05 **Unacceptable Attire**

The following are considered inappropriate attire and are prohibited:

- A. Shirts outside of trousers.
- B. Shirt jackets.
- C. Blue jeans.
- D. Aloha type shirts.
- E. Shorts.
- F. Tank tops.
- G. Sweat shirts.
- H. Tennis shoes.
- I. Flip flops.
- J. Clogs.

4-07.07 **Supervision**

The Watch Commander will have the on-duty decision regarding questionable attire. The Chief of Police or his designee will have final decision responsibilities.

GENERAL PROCEDURES OF OPERATION

5-00.00 **Investigations, Arrests, and Detentions**

5-00.01 **Command of Scene**

At the scene of any crime, accident, or other police incident, the ranking officer present shall assume command and direction of police personnel in a manner to assure the most orderly and efficient accomplishment of the police task. When two or more officers of the same rank are present, and one of these is assigned to the investigative detail that will follow up the investigation, that ranking officer will be in charge. This provision is intended to provide for the coordination of the efforts of the several subordinate members who may be assigned to the incident. Therefore, it is incumbent upon the ranking officer assuming such control to become acquainted with the facts and ensure that appropriate action is being taken or is initiated.

5-00.03 **General Responsibilities of Members at Crime Scenes**

The first member to arrive at the scene of a crime or other police incident is responsible for the following actions as they may apply to the situation:

- A. Summoning of emergency equipment necessary to prevent loss of life and/or property.
- B. Summoning of medical assistance and the administration of first aid as required to prevent further injury or loss of life.
- C. Arrest of violator(s).
- D. Security of the scene.

5-00.05 **Responsibilities of Assigned Members at Crime Scenes**

The members officially assigned to perform the preliminary or other investigation of an alleged crime or other incident are responsible for the duties described in Section 5-00.03, "General Responsibilities of Members at Crime Scenes." This shall include, but is not necessarily limited to, the securing of statements and other information which will aid in the successful completion of the investigation and locating, collecting and preserving physical evidence material.

5-00.07 **Relief of Members Conducting Preliminary Investigation**

Upon the completion of the preliminary investigation the assigned officer shall stand relieved unless otherwise directed by a superior officer or other officer specifically assigned to the investigation.

5-00.09 **Identification as Police Officer**

Except when impractical or unfeasible, or where the identity is obvious, officers

shall identify themselves by displaying the official badge or identification card, or both, if requested to do so before taking police action.

5-00.11

Arrests

In making an arrest, members shall strictly observe the laws of arrest and the following provisions:

- A. The arresting officers shall use only that amount of restraint necessary to assure the safe custody of the prisoner and their own personal safety.
- B. The arresting officer shall notify the Watch Commander and the booking personnel, jailer, and transporting officers of any injury, apparent illness or other condition that may indicate the arrestee would require special care.
- C. The arresting officers are responsible for the security of the personal property of the arrestee in their personal possession or under their control at the time of arrest. This responsibility is transferred to booking or jail personnel when they accept custody of the arrestee.
- D. The arresting officers are responsible for a complete and thorough search of all prisoners, making sure that all items of property are either identified as evidence or are noted on the arrestee's booking slip.
- E. Whenever a police officer anticipates making an arrest of a prisoner of the opposite sex who is being detained on suspicion of committing a crime or any other violation of law, he or she shall, when practical, call for a back-up unit if one is not already on the scene. After the arrest the back-up unit shall, when practical, follow the transporting unit to the police facility.

5-00.13

Rights - General

Whenever it is necessary to inform an adult or a juvenile subject of his or her rights, these rights shall be read by the officer from the Glendale Community College Police Department Miranda Card.

5-00.15

Custody of Prisoners

Members charged with the custody of prisoners shall observe all laws and Departmental orders regarding this activity. Prisoners shall be kept securely, treated firmly and humanely and shall not be subjected to unnecessary restraint. Interviews, interrogations, and transportation of prisoners of the opposite sex shall not occur except as noted in Section 5-00.17.

5-00.17

Transportation of Prisoners

Officers transporting prisoners will do so in accordance with the following Department policy:

- A. Prisoners requiring medical attention shall be delivered to the appropriate emergency hospital, and the transporting officers shall be responsible for the security of the prisoner and filing the necessary reports.
- B. Prisoners' property shall be surrendered at the booking desk to the jailer or as otherwise directed by proper authority.
- C. Any prisoner transported to a hospital via paramedic van or in a private ambulance shall be accompanied and guarded by an officer unless other police exigencies dictate otherwise. In the latter case a guard will be arranged for the prisoners as soon as possible.
- D. Transportation of prisoners of the opposite sex, both adult and juvenile, shall require the transporting officer to give time, destination, present location and vehicle starting and ending mileage. After in-take and booking, additional transportation to any location outside the facility, for any purpose, shall require the presence of a member of the same sex.
- E. Internal movement; (i.e., feeding and phone calls), shall be under the direct supervision of the on-duty Watch Commander.
- F. Interviews and interrogations shall require the presence of a member of the same sex as the prisoner whenever possible.

5-00.19

Physical Force - Use of

Malicious or willful assaults or batteries committed by members of this Department constitute unlawful conduct and shall not be tolerated. The use of physical force shall be restricted to circumstances specified by law when necessary to accomplish a legitimate police task successfully. Whenever a member, on or off duty, is required to use physical force against another person he/she shall immediately notify a supervising officer. The supervising officer shall make a determination as to whether or not it is necessary to respond to the scene. The use of physical force shall be documented as follows:

- A. Any use of force shall be documented in the police report. If medical attention is required a separate report shall be made. The supervisor and/or Watch Commander shall also conduct an immediate review and document their findings.
- B. Whenever use of force involves a baton, O.C., or other weapon, a

report shall be made. The supervisor and/or Watch Commander shall conduct a separate review and file a report. (Reporting the use of firearms is required and is covered in other sections of this manual.)

- C. A copy of any report documenting the use of force shall be forwarded to the Chief of Police.

5-00.21 **Reports and Bookings**

No member shall knowingly falsify any official report or enter or cause to be entered any inaccurate, false or improper information on the books, records, or registers of the Department.

5-00.23 **Press Relations at Crime Scenes**

Insofar as is consistent with sound police practice, members in control of crime scene shall grant access to the working press. Whenever a member feels that release of information or access to the scene is contrary to sound police practice, he or she shall refer the press to an immediate supervisor or the Chief of Police for further decision.

5-00.25 **Security of Departmental Business**

Members shall not reveal police information outside the Department, except as provided elsewhere in this Manual or as required by law or competent authority. Specifically, information contained in police records, other information ordinarily accessible only to members, names of informants, complainants, witnesses and other persons known to the police are considered confidential. Violation of the security of this type of information reflects gross misconduct.

5-00.27 **Interference in Criminal Cases**

Members shall not interfere with the proper administration of criminal justice and adhere to the following:

- A. Members shall not attempt to interrupt the legal process, except where a manifest in justice might otherwise occur, or participate in any activity which might interfere with the legal process of law.
- B. Except in the interest of justice, members shall not attempt to have any traffic citation or notice to appear reduced, voided or stricken from the calendar.

5-00.29 **Assisting Criminals**

Members shall not communicate in any manner, directly or indirectly, any information which might assist persons guilty of criminal or quasi-criminal acts to avoid arrest, punishment or which may enable them to dispose of or secret evidence of unlawful activity, money, merchandise or other property unlawfully obtained.

5-00.31 **Recommending Attorneys and Bondsmen**

Members acting in an official capacity shall not suggest, recommend, advise or otherwise counsel the retention of any attorney or bail bond broker to any person coming to their attention as a result of police business.

5-00.33 **Outside Jurisdiction Policy**

To establish a uniform procedure and policy to regulate processes and conduct of personnel engaged in outside jurisdictional involvement, procedural guidelines will be adhered to.

5-00.35 **Outside Jurisdiction Procedure**

Whenever it becomes necessary to make any arrest (except those classified as "on view" or "fresh pursuit") or execute any warrants (including search warrants), the arresting or serving officer shall:

- A. Obtain approval for such service from their Watch Commander.
- B. Give reasonable notice of the anticipated service of a search warrant or arrest warrant to the Watch Commander or other supervisor of the outside jurisdiction concerned prior to execution of the arrest or warrant, so that the jurisdiction is aware of the activity and, if necessary, can advise their beat units of the proposed service.

Whenever it becomes necessary to make an arrest resulting from an observation of a violation in an outside jurisdiction or a fresh pursuit terminates in an arrest in an outside jurisdiction, the arresting officer shall, at their earliest convenience, either notify or cause notification to be made to the Watch Commander or other supervisory officer of the outside law enforcement agency concerned of the circumstances of such arrest.

5-01.00 **Ride-Along Program**

5-01.01 **Policy**

Police cadets may ride in the police unit during their off-duty hours with the approval of the Watch Commander. Cadets may not ride along during their regular duty time unless specifically assigned to do so.

5-03.00 **Operation of Police Vehicle**

5-03.01 **Policy**

Members of the Glendale Community College Police Department who operate Department vehicles shall do so in a reasonable and prudent manner, having due regard for the traffic conditions. They shall at all times, whether on or off duty, carefully obey traffic laws and courtesies of the road to the end that no cause may exist for criticism of the Department.

5-03.03 **Permission**

No member of this Department shall take a police vehicle which is not assigned to him from the Department without first having so informed and obtained permission of the Chief of Police or Watch Commander.

5-03.04 **Supervisor's Unit**

Any police unit designated as a supervisor's unit shall not be used by officers for routine patrol without permission from the on-duty or on-call supervisor. The exception to this policy shall be during an emergency situation only.

5-03.05 **Inspection**

Prior to leaving the station, members shall inspect their vehicles for damage, defects and completeness of equipment. Members shall also check for property left in the rear passenger area by prisoners. Officers conducting police vehicle inspections are subject to the following:

- A. All defects must be reported to the Watch Commander on the appropriate form prior to the end of a member's tour of duty.
- B. Damaged vehicles shall be reported to the Watch Commander on duty prior to taking the vehicle into the field.
- C. Members finding a shortage of equipment shall be responsible for reporting the shortage to the Watch Commander on duty and/or for re-supplying the vehicle as needed.

5-03.07 **Servicing**

Members using police vehicles are responsible for refueling the vehicles and clearing all debris from the interior prior to securing from duty. No report forms, clipboards, or other unauthorized equipment shall remain inside the vehicle at the end of an officer's shift.

5-03.09 **Locking Vehicles**

Members shall, upon leaving their vehicle, lock the ignition and remove the keys from the vehicle. When the member leaves the vehicle for an extended period of time, he or she shall lock the doors of the vehicle.

5-03.11

Push Bumpers

Push bumpers are to be used only to remove a vehicle from the traffic lane to the nearest available parking place or point of safety. They shall not be used in an attempt to push-start another vehicle, or for a prolonged distance, such as pushing to a gas station. Before attempting to push another vehicle, the officer shall check for proper alignment of bumpers.

5-03.13

Unauthorized Passengers

Any member of this Department operating any District vehicle shall not permit persons other than authorized members of the Department to ride in such vehicles, except such persons required to be conveyed in the performance of a police duty or by order of a supervisory officer.

5-03.15

Nonsworn or Off-Duty Personnel

No member of this Department shall ride in a patrol unit until they have obtained express permission from the Watch Commander on duty. This will require that they obtain the Watch Commander's permission on each occasion, and no Watch Commander shall give a blanket authorization to an individual to ride in a patrol vehicle when off duty. It shall be the duty of the Watch Commander to determine that their dress is neat, well groomed and that they present a professional image before giving permission.

5-03.17

Accidents

Members of this Department shall promptly notify their supervisor of an accident with damage to any District vehicle or privately owned vehicle in the service of the District operated by them or in their charge.

- A. The Watch Commander shall determine if the accident necessitates investigation by an outside agency. If a member is involved in an accident with an occupied vehicle the accident shall be investigated. If not, an uninvolved member shall investigate the accident.
- B. The accident may be investigated by an outside agency determined by the Watch Commander with preference given to the City of Glendale Police Department.
- C. The involved member shall not make any statement as to responsibility for the accident.

5-03.19

Private Vehicles

Private vehicles shall not be used in the line of duty except at the direction and/or permission of the Watch Commander.

5-03.23

Seat Belts

All members of the department while driving or riding in any District vehicle shall wear seat belts. Occupants of the front of seat of any police vehicle (driver

and passenger) shall wear a 3-point restraint system (shoulder harness system). Passengers in the rear seat of vehicles equipped with seat belts shall wear the provided seat belt.

5-05.00 Emergency Vehicle Operation

5-05.01 Emergency Vehicle Defined

An authorized emergency vehicle is any publicly owned vehicle operated by any police department, sheriff's department or California Highway Patrol personnel (165 VC).

5-05.03 Obedience to "Rules of the Road"

Police officers shall drive their assigned vehicles in compliance with the provisions of the rules governing driving at all times unless the vehicle is being driven in response to an emergency.

5-05.05 Exemption of Emergency Vehicles

The driver of an authorized emergency vehicle is exempt from certain provisions of the vehicle code (namely, the rules of the road) under the following conditions and then only when operating the vehicle's emergency lights and siren as reasonably necessary consistent with the provisions of CVC 21055:

- A. In response to an emergency call or while engaged in rescue operations.
- B. When in the immediate pursuit of an actual suspected violator of the law.
- C. When responding to, but not returning from, a fire alarm.

(Note: Electronic or other horns may not be used in lieu of the siren.)

5-05.07 Due Caution

The member is not relieved from the duty to drive with due regard for the safety of all persons using the highway not protected from the consequences of an arbitrary exercise of the privileges granted the member in the operation of an emergency vehicle (21056 VC).

5-05.09 Emergency Defined

Emergency by definition is the unforeseen combination of circumstances which calls for immediate action. It is difficult to accept this definition in terms of application to the police service, as one set of circumstances may constitute an emergency under different though similar circumstances. Therefore, to determine an emergency, we must rely on good judgment of our officers based on broad experience.

5-05.11 Escorts

Using red lights and siren or driving at an illegal speed when serving as an escort is generally prohibited, except under rare instances, such as when the escort is furnished for the preservation of life. Before a member makes such a decision to

escort, he or she shall be convinced that either the summation of an ambulance or the placement of the subject in the patrol vehicle are not tenable alternatives.

A. **Authorization Required**

Once the decision is made to provide emergency escort service and the escort necessitates leaving the District limits, prior to leaving the District the member shall obtain authorization from the Watch Commander, if on duty.

B. **Procedure**

The member shall contact the Watch Commander by radio or other means and advise of the nature of the emergency and the proposed destination.

5-05.13 **Number of Vehicles Dispatched**

Generally, one police vehicle will be dispatched and designated to respond to the scene of an emergency and to use red lights and siren, except as otherwise provided in the following sections.

5-05.15 **Unassigned Units**

All other police vehicles shall remain available for calls and shall proceed to the scene only if ordered to do so by the Watch Commander or dispatcher and will observe all speed and traffic laws while en route unless otherwise authorized by the Watch Commander.

5-05.17 **Additional Emergency Vehicles**

If the on-duty Watch Commander is of the opinion that another police unit is needed to respond Code 3 to the scene of an emergency, he or she shall authorize another unit to proceed Code 3 and shall notify the originally dispatched police vehicle that an additional unit is responding to the scene Code 3.

5-07.00 Police Vehicular Pursuit

The California Vehicle Code provides that a public entity (The Glendale Community College District) is liable for the negligent acts of its employees (CVC, Section 17001). The public agency may be provided immunity under certain conditions (CVC, Section 17002, et seq.).

Employees may be afforded protection from civil liability under certain conditions. The procedures outlined in this order provide reasonably for the safe conduct of vehicular pursuits by Glendale Community College Police Officers.

This policy is adopted pursuant to CVC Section 17004.7.

5-07.01 Purpose

- A. The primary purpose of this policy is to assist officers in securing a balance between the protection of the lives and safety of the public and police officers, and law enforcement's duty to enforce the law and apprehend violators. Since there are numerous situations that arise which are unique, it is impossible for this policy or any particular standard to anticipate all possible circumstances. Therefore, this policy is intended to guide a police officer's discretion in matters of vehicular pursuit.
- B. This policy has been formulated to provide specific guidelines to direct law enforcement activities in this very critical area of police practice. Deciding whether to pursue a motor vehicle is among the most critical decisions made by law enforcement officers. It is a decision that must be made quickly and under difficult and unpredictable circumstances. In recognition of the potential risk to public safety created by vehicular pursuits, no officer or supervisor shall be criticized or disciplined for a decision not to engage in a vehicular pursuit or to terminate an ongoing vehicular pursuit based on the risk involved, even in circumstances where this policy would permit the commencement or continuation of the pursuit. Likewise, police officers that conduct pursuits consistent with this policy will be strongly supported by the department in any subsequent review of their actions.

5-07.03 Definitions

- A. *Authorized Emergency Unit*: A law enforcement vehicle equipped with a red light and siren.
- B. *Vehicular Pursuit*: An active attempt by police officers in an

authorized emergency vehicle to apprehend an occupant of a moving vehicle when the driver of the vehicle is avoiding apprehension.

- C. **Initiating Pursuit Unit:** The officer(s) operating the authorized emergency vehicle that first attempts to stop the pursued vehicle.
- D. **Primary Pursuit Unit:** The officer(s) operating an authorized emergency vehicle in close proximity to and immediately following the suspect vehicle (may be other than the initiating unit).
- E. **Secondary Pursuit Unit:** The officer(s) operating an authorized emergency vehicle actively participating in the pursuit.
- F. **Trail or Trailing:** To follow a pursuit at any distance without supervisory approval (including paralleling, intercepting, etc., attempting to catch up to a primary unit, responding to the termination point of a pursuit)
- G. **Supervisor:** An employee of the Department with the rank of Sergeant or above, or any other employee so designated temporarily in such a position.
- H. **Allied Agency:** Any other law enforcement agency.

5-07.05

Scope

This general order shall affect all personnel of this Department.

5-07.07

Policy

- A. It shall be the policy of this Department that vehicular pursuits of suspects shall be conducted in such a manner as to safeguard the lives of police personnel and members of the community, and to minimize the possibility of injury to property, both public and private.
- B. Vehicular pursuits shall be conducted in compliance with applicable laws, Department orders and rules, and sound judgment. **Members of the Department are reminded that the goal of law enforcement officers is the protection of life and property.** Officers who are involved in a pursuit must continually question whether the seriousness of the crime justifies continuing the pursuit. The emergency vehicle exemption statute (21055 CVC) does not relieve police officers from exercising "due regard" for the safety of all persons using the highway (21056 CVC). This special rule governing drivers of emergency vehicles permits them to **cautiously** circumvent strict application of the traffic laws in the interest of hastening their mission, thus promoting the public safety and welfare. It does not

permit officers *carte blanche* authority to disregard traffic laws. The importance of stopping the vehicle must be considered in relation to the risk involved. **When it becomes apparent that the immediacy of apprehension is outweighed by a clear and unreasonable danger to the officer or members of the community, the pursuit must be abandoned.**

C. **Pursuits Involving Infractions and Misdemeanors**

Once it has been determined that the driver of a vehicle is refusing to yield, an officer shall immediately discontinue red light and siren and cease attempts to pursue the violator when the only known reason for the intended stop is an infraction or misdemeanor crime (including C.V.C. violations).

An officer may pursue misdemeanor suspects in the following situations:

1. Where the suspect(s) have been observed to be displaying a firearm in an assaultive manner
2. Where the violator is being stopped for driving under the influence of alcohol or drugs and/or the suspect's driving prior to the attempted stop is so flagrantly reckless that he or she presents a clear and present danger to other users of the highway and failure to apprehend the violator would result in an imminent and life threatening danger to the public.

Examples of such driving would be, but are not limited to:

3. Collisions with other vehicles or objects.
4. Forcing other vehicles to take evasive action to avoid a collision.
5. Failure to stop at controlled intersections without slowing.
6. Driving on the wrong side of the highway.

5-07.09 **Procedure**

A. **Considerations Prior to Initiation of Pursuit**

An officer may initiate a vehicular pursuit after the officer has considered the following factors:

1. The seriousness of the crime for which the suspect is

being stopped; e.g., if the suspect is wanted for a felony or a misdemeanor specified above.

2. The nature of the fleeing suspect(s); i.e., whether he/she or they represent(s) a serious threat to public safety.
3. The safety of the public in the area of the pursuit, including the amount of vehicular and pedestrian traffic in the area and the speed of the pursuit.
4. The pursuing officers' familiarity with the area of the pursuit.
5. The weather and road conditions in the area of the pursuit.
6. Ability of the officer to communicate with the dispatcher and/or supervisor.
7. The performance capabilities of the vehicle(s) used in the pursuit in relation to the speed and the other conditions of the pursuit.

B. Initiation of a Pursuit

1. When intending to stop a vehicle, the authorized emergency vehicle shall be within close proximity to the vehicle before the officer activates the emergency lighting system and siren. Close proximity shall be defined as a normal city block.
2. The initiating pursuit unit shall immediately notify dispatch when a pursuit is initiated, and shall include the following information:
 - a. Reason for the pursuit.
 - b. Location and direction of travel.
 - c. Speed of the fleeing vehicle.
 - d. Description of the vehicle, and license plate, if known.
 - e. Number of known occupants.
 - f. The identity or description of the occupants, if

known.

- g. Any information concerning the use of firearms, threat of force, or other unusual hazards.
 - h. Traffic conditions.
 - i. Inform dispatch to advise the supervisor of the pursuit.
- 3. The initiating (primary) and secondary pursuit units shall activate their emergency lights and sirens upon initiating a pursuit, and shall continuously activate same, while involved in the pursuit. Police units that are not equipped with emergency lights and siren shall not become involved in a pursuit.
- 4. Only the primary or initiating pursuit vehicle, one secondary pursuit unit as designated by a supervisor, and the supervisor may engage in the pursuit. The secondary pursuit vehicle, and supervisor, shall notify dispatch upon arrival of joining the pursuit.
- 5. A supervisor may also authorize additional pursuit vehicles if the pursued vehicle presents an obvious danger because of the number of occupants or other known factors that can be articulated by the supervisor or primary pursuit unit.
- 6. Officers that are not authorized to be involved in the pursuit shall not trail, parallel, nor otherwise follow a pursuit without supervisory approval, but should monitor the progress of the pursuit and be prepared to assist if directed by a supervisor. Personnel not involved in the pursuit shall continue to operate their vehicles in accordance with all traffic laws.
- 7. If the unit initiating the pursuit cannot continue as the primary unit, the secondary unit shall become the primary unit.
- 8. In the event an officer in an unmarked vehicle (with red light and siren) initiates a pursuit, the initiating unit shall abandon the pursuit when sufficient marked units are in a position to take over the pursuit. Once sufficient marked

units are handling the pursuit, the unmarked unit shall drop out and proceed to the termination point of the pursuit.

9. Officers shall not initiate a pursuit, nor continue to pursue, a vehicle which is being driven against traffic on a freeway. Officers shall parallel the offender using the traffic lanes designed for travel in the particular direction.
10. Radio broadcasting of the pursuit information is initially the responsibility of the primary pursuit vehicle. This responsibility may be relinquished to the secondary vehicle if desired by the primary unit, and shall be relinquished, if practical, to a two-officer unit involved in the pursuit.
11. The primary pursuit unit has the responsibility to protect and control the termination point crime scene until the arrival of a supervisor.

C. **Continuance of Pursuit**

Pursuing officers shall constantly re-evaluate all factors set forth above during the course of a pursuit.

D. **Aborting/Abandoning of Pursuit**

An officer shall abort/abandon a pursuit when directed by a supervisor, and shall voluntarily abort/abandon a pursuit when the risk of continuing outweighs the danger of permitting the suspect to escape. Under most circumstances, the officer shall abort the pursuit when:

1. The circumstances of the pursuit present an extreme safety hazard to the public, the officer, or the suspect. Safety hazards may exist when:
 - a. Vehicles are driven at high speeds and the degree to which the traffic laws must be broken to continue is significant.
 - b. Road conditions and visibility are poor (wet, slippery pavement, fog, etc.).
 - c. Involving neighborhoods, such as residential, schools, shopping centers, etc..
 - d. Vehicular traffic flow is congested, or

conditions include significant pedestrian traffic.

2. The suspect is identified to the point where later apprehension can be accomplished and continuing to pursue would only serve to increase the risk to all involved.
3. The pursued vehicle's location is no longer known.
4. The pursuing officers are no longer familiar with the geographic area.
5. The pursued vehicle's capabilities far exceed the capabilities of the authorized emergency vehicle driven by the Officer..
6. Radio communications are compromised.
7. An allied agency, which has joined the pursuit, has been notified to discontinue their participation in the pursuit but refuses to do so or if the pursuit tactics being used by an allied agency are not within the Glendale Community College Police Department policy, officers shall be notified of the discontinuance of Departmental participation in the pursuit.

E. Supervisory Responsibilities

1. Monitoring and aborting the pursuit when necessary in accordance with the pursuit policy. The supervisor, during the course of the pursuit, should familiarize himself or herself with all the facts surrounding the pursuit which are known and should also consider the factors listed in subdivision 1 and 4 regarding the initiation and abandoning of the pursuit. If the supervisor decides that the pursuit should be terminated based upon his or her judgment of the conditions and factors involved, the supervisor shall order pursuing officers to terminate the pursuit.
2. Ensuring that the pursuit is conducted in accordance with the pursuit policy, including:
 - a. All required information has been, and continues to be, broadcast by initiating pursuit unit, or subsequent

broadcasting unit.

- b. Authorizing participation of the "secondary pursuit unit," and other additional units, as necessary.
3. Requesting of allied agency assistance, including air support, as appropriate.
4. Proceeding to the termination point of the pursuit, if at all practical, to provide guidance and supervision.
5. Notifying the Watch Commander of any and all allied agencies that join a pursuit without authorization initiated by a Glendale Community College Police Department supervisor.
6. Review, assess, and critique personnel actions during the pursuit, and provide appropriate feed back to involved personnel.

F. **Pursuit into Allied Agency Jurisdiction**

1. If the initial justification for the pursuit continues, and unless otherwise directed by a supervisor, officers may continue pursuits outside the District jurisdiction at their own discretion, while conforming to the Department pursuit policy.
2. The supervisor, or broadcasting pursuit unit, shall advise dispatch to notify the appropriate law enforcement agencies of pursuits entering outside jurisdictions.
3. Units from other allied agencies should not join the pursuit unless requested by a Glendale Community College Police Department supervisor, and approved by the allied agency's supervisor.
4. When a pursuit extends into an allied agency's jurisdiction, the primary pursuit unit or supervisor should determine if the allied agency should assume the pursuit. The following are to be considered:
 - (1) The distance involved;
 - (2) Pursuing officer's familiarity with the area;

- (3) Communication limitations at longer distance.
5. Upon relinquishing the pursuit to an allied agency, all Glendale Community College Police Department units shall discontinue participation in the pursuit.
6. The officer initiating the pursuit should proceed to the location where the pursuit terminated, obeying all traffic laws, to provide information required for the arrest. If the distance makes this impractical, the officer should go to the location where the suspect will be confined.
7. The Glendale Community College Police Department shall be responsible for the custody of the suspect and the resulting prosecution unless other non-traffic violations have occurred subsequent to the pursuit being relinquished to an allied agency and that agency witnessed the violation. The agency witnessing the most serious crime should retain custody of the suspect.

G. Pursuits Entering District Property by Other Allied Agencies

1. Notification of a pursuit from another allied agency entering the District property shall not be construed as a request to join the pursuit.
2. Glendale Community College Police Department units shall not join any pursuit by another agency through the District property unless:
 - a. Requested by the allied agency and authorized by the Watch Commander;
 - b. Extenuating circumstances exist to the point that an officer feels his/her involvement is necessary. These conditions should be related to and approved by the Watch Commander.
3. Glendale Community College Police Department units shall terminate involvement when the pursuit leaves the District property, unless directed otherwise by the Watch Commander.

H. Outside Agency Pursuits

1. A pursuit conducted by an allied agency and traveling near or about Glendale Community College shall not be construed as a request from that agency for Glendale Community College Police Department assistance. Glendale Community College Police Department Officers shall not engage in or participate in that pursuit unless extenuating circumstances exist to warrant and justify their involvement or unless they are specifically requested to assist the pursuing officers.
2. Notifications by allied agencies to our agency that a pursuit is coming onto or near Glendale Community College shall not be construed as a request to participate in the pursuit.
3. Officers engaging in an allied agencies pursuit shall be held responsible for justifying their participation and any resulting actions there in.

I. **Pursuit Reporting**

Following a vehicular pursuit, the following documentation shall be completed:

1. Crime or Arrest Report.
2. Traffic Accident Report (CHP or other jurisdiction).
3. Pursuit Report (CHP 187).

J. **After Hour Notifications**

1. In the event a pursuit should occur at a time when there is no police supervisory personnel on duty, the dispatcher, at the direction of the senior officer on duty, shall notify the on-call supervisor. The dispatcher or senior officer on duty shall inform the on-call supervisor of the total circumstances. The supervisor will make the decision regarding any necessary follow-up action. It shall be the responsibility of the on-duty supervisor or the on-call supervisor to contact the Chief of Police and advise him/her of the circumstances and what action is or has been taken by Departmental personnel.
2. If the pursuit results in injury to any Department personnel or any persons involved directly or indirectly in the pursuit, the dispatcher or senior officer on duty shall

immediately notify the on-call supervisor and the Chief of Police.

K. Responsibility of Department Personnel

1. All personnel are required to follow this pursuit policy until rescinded or superseded .
2. Violations of this pursuit policy is a violation of rules and regulations published by this Department and is a disciplinary offense.
3. All personnel shall become familiar with the contents of this pursuit policy and are responsible for the understanding of its terms and conditions.
4. Suggestions for improving this procedure shall be forwarded in writing to the originator through the chain of command.

- 5-09.00** **Firearms**
- 5-09.01** **Displaying**
Members shall not display firearms in any public place, except for official Department functions or for actual use.
- 5-09.03** **Dry Firing and Loading and Unloading**
Dry firing of weapons, except on the Range or at other Department authorized locations within buildings, is forbidden. Loading and unloading of weapons within any building when the public is present, except under actual combat conditions, is forbidden.
- 5-09.05** **Authorized Firearms**
Sworn officers of this Department shall only possess and use approved firearms.
- 5-09.07** **Department Issued Firearm**
The .40 caliber Smith & Wesson Model 4006 semi-automatic pistol is the Department issued firearm.
- 5-09.09** **Approval of Firearms**
Sworn officers shall, upon acquiring a firearm to be used in connection with the official performance of their duties, submit such firearm(s) to the Captain who shall cause an inspection of the firearm to be performed to certify its conformance to Department standards. A proficiency score must be fired prior to use.
- 5-09.11** **Mechanical Safety**
All firearms carried by sworn officers shall be certified and approved by the Captain. No firearm which is mechanically unsafe shall be carried by any officer while in the performance of their official duties. Any firearm, which has been repaired, altered, or modified, shall be certified by the Captain prior to being carried by officers in the performance of official duties.
- 5-09.13** **Maintenance of Firearms**
Sworn officers of this Department shall maintain personal and Department issued firearms carried in the official performance of their duties in a mechanically safe condition.
- 5-09.15** **Firearms - On-duty**
All on-duty officers shall be in possession of an authorized Department issued firearm during the performance of their duties, unless granted a deviation under Section 5-09.31.
- A. Officers using the Department issued weapon as their standard duty weapon shall demonstrate proficiency in the use of the selected weapon.

- B. The ammunition for such duty weapon and the extra ammunition magazines will be provided by and issued by the Department.
- C. If custom handgun grips are to be utilized in place of the factory supplied grip, the grip must be approved by the Captain prior to its installation.

5-09.25

Ammunition - on Duty

40 ACP caliber Remington - 165 grain Golden Saber (JHP)

5-11.00 **Use of Force**

5-11.01 **Operational Intent**

At times, officers are confronted with situations where control is required to effect arrests or protect the public safety. Respect, dignity and reverence for human life, including those of officers, uninvolved citizens and suspects is the Department's primary consideration and motivation for developing a policy governing the use of force. In contemporary society, the use of force may become necessary to:

- A. Effect an arrest or detention.
- B. Overcome resistance or non-compliance.
- C. Prevent escape.
- D. Protect an officer or others from reasonably apparent danger or imminent bodily injury or death.

5-11.03 **Administrative Intent**

Department policies relating to the use of force are for Departmental use only and do not apply in any criminal or civil proceeding. The Department policy should not be construed as a creation of a higher legal standard of safety or care in any evidentiary sense with respect to third party claims. Violations of this policy may only form the basis for Departmental administrative sanctions while violations of law may form the basis for criminal and civil sanctions in a recognized judicial setting.

5-11.05 **Policy**

Department policy has been established on the use of force to ensure that the force option selected by an officer is reasonable, necessary and effective, in accomplishing those lawful goals.

- A. An officer should utilize a force option that is reasonably necessary in view of the level of the immediate threat or actions of an individual. The use of reasonable force may be necessary in situations that cannot be otherwise safely controlled. Such force should be resorted to only after other reasonable alternatives have been exhausted or would reasonably be ineffective under the specific circumstances.
- B. The reasonableness of a specific use of force will be assessed from the perspective of a reasonable officer on the scene, under the facts and circumstances known to the officer at the time. In determining the proper application of reasonable force, some of the factors to be considered are:

- 1. The severity of the crime at issue.

2. Whether the individual poses an immediate threat to the safety of an officer or another, or has demonstrated dangerousness by prior use of violence or threats of the use of violence.
 3. Whether the individual is actively resisting arrest.
 4. Whether the individual is actively attempting to escape custody.
- C. A wide range of variables that occur within each specific situation determines selection of the force option. A simple equation to pre-determine a reasonable use of force cannot be offered, due to the dynamics of each individual situation. The variety of force options available to an officer during a confrontational situation creates a variety of levels of force to be used. The levels of force described below should be utilized as a guide to determining a reasonable, measured response to those situations where the use of force becomes necessary.
- D. Within these levels of force are progressively escalating force options ranging from low to great. An officer may utilize any of numerous force options within each level of force. Escalation of force does not require that an officer progressively utilizes each individual force option within the levels of force, or necessarily begin by using the lowest level of force. An officer may go directly to any level within the levels of force, provided that the force option selected is reasonable and necessary.
- E. An officer should reasonably assess the immediate threat, or actions, of an individual. From the force options in the levels of force, the officer should respond with the reasonable force option necessary to control the situation or to stop the immediate threat. An officer should reasonably attempt to escalate the force options from low to great, using the force option at which control or defense is successfully accomplished and resistance is overcome. An officer should de-escalate their application of force to a level that will reasonably ensure continued control or physical safety once perceived resistance has ceased.
- F. The force options described below, within the levels of force, are intended to serve as illustrations of possible actions by an officer that fall within each force level.

1. A low level of force, is force which:

- a. Has a low visual impact.
- b. Has no reasonable expectation of serious injury.
- c. Is designed to gain compliant behavior.

Some force options reasonably considered within this level of force include:

- d. Uniform/command presence.
- e. Verbal commands.
- f. Firm grip or gestures.

2. An intermediate level of force, is force which:

- a. Has a high visual impact.
- b. Involves some pain compliance.
- c. Has a reasonable probability of injury.
- d. Has no reasonable expectation of great bodily injury or death.
- e. Is designed to gain control and/or overcome a potentially resistant individual or an actively resistant individual.

Some force options reasonably considered within this intermediate level of force include Departmental approved:

- f. Physical control holds.
- g. Personal body weapons, offensive and defensive techniques, such as hands and feet.
- h. Electronic weapons, such as Taser.
- i. Impact weapons, such as baton.
- j. Non-lethal projectiles, such as sand bags/bean

bag projectiles - rubber bullets; tear gas/OC spray.

3. A great level of force, is force which:
 - a. Is likely to produce a reasonable expectation of great bodily injury or death.

Force options reasonably considered within this great level of force include:

- a. Firearms*

*Use of Firearms is outlined under Section 5-09.00, *et al*, in this manual.

5-11.07 **Reporting**

An officer shall make an oral report to the Watch Commander as soon as possible when any force option other than uniform presence, verbal commands, OC spray or firm grip or gestures has been used upon an individual. The officer shall include all of the details and facts regarding the use of any specific force option(s) in the crime or in the arrest report(s). A written report detailing the use of a specific force option(s) shall be submitted to the Watch Commander if a crime or arrest report is not required for the specific incident. This report shall include a detailed description of the force option(s) used by all officers involved in the incident. The report shall also include all statements and actions of the individual prior to and during the application of force. Nothing in this directive is intended to violate any right(s) the officer may have.

5-11.09 **Inspection**

The Watch Commander, prior to booking, shall visually examine an arrestee if he or she complains of any injury resulting from a use of force option. The Watch Commander shall specifically authorize booking at the appropriate jail facility if booking is required. This procedure shall be documented.

5-11.11 **Injuries**

Whenever any force option is used to either control or subdue an individual, the officer involved is responsible for ensuring that adequate medical treatment is sought and that the required medical treatment is rendered at an appropriate time.

The arresting/transporting officer(s) shall notify the booking officer of the arrestee's injuries or complaint of injuries. The booking officer shall complete the appropriate medical screening forms and, if appropriate, medical treatment shall be summoned.

An individual shall receive medical treatment prior to booking or release if a use

of force option has caused that individual to have any visible physical injury. The medical treatment, if any, shall be documented in an appropriate manner.

Photographs of any individual with visible injuries or the complaint of injuries, as a result of the application of a force option by an officer, should be obtained. Those photographs shall be booked into evidence under the assigned booking number.

5-11.13 Reporting Unnecessary/Excessive Force

Any officer, supervisor, manager, jailer, matron, or other employee who observes what they consider to be unnecessary or excessive force by any member of the Glendale Community College Police Department, or any other law enforcement agency, shall report the incident to the on-duty Watch Commander as soon as possible, and in all cases shall not exceed 24 hours from the time of the incident. The report shall be written and addressed to the Chief of Police utilizing the proper procedure.

5-13.00 **Shooting Policy**

5-13.01 **Background**

Even though the discharging of a weapon consistent with California Penal Sections 196 and 197 may be legally justified, there are moral considerations and other factors that an officer must evaluate prior to discharging their weapon.

5-13.03 **General Statement**

Notwithstanding 196PC and 197PC, it is obvious that outside circumstances make it undesirable and/or unnecessary to employ the use of a firearm every time any of these conditions present themselves. It is necessary that an officer limit the use of firearms within the following guidelines whenever possible. The guidelines are not intended to place unwarranted restrictions on the individual officer nor to inhibit officers from using their own discretion and judgment in the use of deadly force. The below listed items are intended as basic statements of policy which should be observed to the greatest possible extent.

5-13.05 **Warning Shots**

Warning shots should never be fired.

5-13.07 **Self Defense**

An officer may use deadly force only when it appears reasonable and necessary to save himself, another officer, or another person from death or great bodily injury.

5-13.09 **Misdemeanor Offenders**

An officer may not use deadly force to effect the arrest of a person who has committed a misdemeanor offense. This restriction does not interfere with the officer's right of self-defense or the defense of another.

5-13.11 **Suspected Felony Offenders**

An officer shall not shoot at a person who is called upon to halt upon mere suspicion and who simply runs away to avoid apprehension.

5-13.13 **Known Felony Offenders**

The firearm shall not be discharged at persons who are running away to avoid apprehension except under compelling circumstances in felony cases. For example, if the officer reasonably believes a person has committed a serious felony such as murder, assault with a deadly weapon, robbery, etc., the officer may shoot to prevent escape if the offender poses an immediate or imminent threat of violence, serious injury or death and cannot be apprehended by any other reasonable means.

5-13.15 **Fleeing Juveniles**

The guidelines pertaining to self-defense, felony offenders etc., are equally applicable to juveniles, as a suspect can never be considered less dangerous merely because he or she is a youth.

5-13.17 Moving Vehicles

Discharging a weapon at or from a moving vehicle is generally prohibited and should only be used to prevent serious injury or death to the officer(s) or other persons.

5-13.19 Animal Destruction

The destruction of animals, with a firearm, which are seriously injured or that appear to pose a significant immediate threat to the public safety is permitted when no other disposition is practical. This action will be taken only after the safety of others has been considered and, if circumstances permit, animal control has been notified.

5-13.21 Officer Involved Shootings - Investigative Responsibilities

All officer involved shootings that result in an injury or death will be investigated by the City of Glendale Police Department Homicide Bureau under an agreement between the City of Glendale Police Department and the Glendale Community College Police Department.

The Glendale Community College Police Department will investigate officer involved shootings that do not result in a hit or an injury to another person, shootings that involve animals, and accidental discharges. Listed below are the procedures and protocol that are to be followed after a shooting incident.

5-13.23 Officer Involved Shootings in General

Immediate action shall be taken to care for the injured, to apprehend suspects, and to protect the scene. Assisting personnel should attempt to locate and identify any witnesses to the incident. Officers shall refrain from discussing the incident until the arrival of the Watch Commander or on-duty supervisor. The involved personnel should briefly inform the supervisor of the circumstances surrounding the incident and what action has been taken.

The involved officers shall be immediately transported by a supervisor to the station or to another suitable location. Involved personnel shall refrain from discussing the incident with anyone, except the supervisor, until after being interviewed by the G.P.D. Homicide Bureau Investigators. In shootings where no one has been wounded or killed, officers shall refrain from discussing the incident with anyone until each officer involved has written a detailed report articulating the circumstances leading to the encounter, the hazards/threats faced by officers, and the reasons that the decision to use deadly force was made.

The Watch Commander or on-duty supervisor is responsible for immediately notifying the Chief of Police after any officer involved shooting. In a case where the officer involved shooting results in the injury or death of a person, and in any incident in which an officer has been shot, the Chief of Police or on-duty supervisor will notify the G.P.D. Homicide Bureau and request that they respond

and investigate the shooting.

If the location of the shooting is outside of the L.A. County area, the Chief of Police shall evaluate the incident and determine whether an immediate response is necessary.

Except under exigent circumstances, an officer involved shooting scene shall be kept intact and protected until the conclusion of the Homicide Bureau's investigation and/or the Glendale Community College Police Department Investigator's review of the incident. Expended brass, cartridges, magazines, etc., shall be left undisturbed. Fired weapons should be holstered or secured, consistent with standard evidence retrieval and preservation methods. Once secured, weapons shall not be handled or examined, except by G.P.D. Homicide Bureau Investigators or by Glendale Community College Police Department Investigators. Should a weapon be discarded during an incident it shall be left undisturbed if at all possible.

In any situation in which Glendale Community College Police Department Investigators respond and conduct a shooting review the Watch Commander shall cooperate with and assist investigative personnel in conducting the review. The Watch Commander shall be responsible for securing the incident scene and identifying and sequestering witnesses as appropriate. In officer involved shooting incidents G.P.D. Homicide Investigators shall conduct witness interviews. When no hit has occurred, the Glendale Community College Police Department Investigators shall conduct witness interviews.

5-13.25 Officer-Involved Shootings - Person Hit or Injured

In any officer-involved shooting in which a person is hit, the following responsibilities shall be carried out by the following members:

5-13.27 Supervisor's Responsibilities

The first supervisor to arrive at the scene shall ensure that the injured have been cared for, suspects have been apprehended, and the scene has been protected. After obtaining a brief description of the circumstances from the officer(s) involved, the supervisor shall ensure that involved personnel are transported to the station or other suitable location immediately by uninvolved personnel.

The first supervisor at the scene shall ensure that all civilian witnesses have been identified and shall attempt to have the witnesses, except for immediate family members, transported to the station to be interviewed by G.P.D. Homicide Investigators. Immediate family members of the wounded or deceased person, who may be witnesses, shall also be identified. If possible, considering the emotional impact of the situation, brief facts should be obtained to determine the extent of their knowledge of the incident. This information shall be furnished to G.P.D. Homicide Bureau Investigators, who have the responsibility of determining the need for interviewing family members.

Supervisors, both at the scene and at the station, shall ensure that no one questions or interviews involved personnel, except as set forth above, until the arrival of G.P.D. Homicide Investigators and that the witnesses are cared for and kept separated as space permits.

ALTHOUGH OFFICERS INVOLVED IN THE SHOOTING MUST BE SEQUESTERED, THOSE WHO HAVE WOUNDED OR KILLED SOMEONE SHALL HAVE A DEPARTMENT MEMBER REMAIN WITH THEM UNTIL A MEMBER OF THE G.P.D. HOMICIDE BUREAU CAN CONDUCT INTERVIEWS.

The Watch Commander shall assign a department member to provide aid and assistance as needed. That person shall avoid discussing the facts of the incident with personnel involved in the shooting. Numerous interviews of personnel involved in shootings prior to the arrival of G.P.D. Homicide Bureau personnel can negatively affect the ability of some individuals to relate facts accurately to G.P.D. Homicide Investigators.

Officers who have sustained minor injuries, not requiring hospitalization, should remain in their current attire and postpone cleaning up until they have been photographed.

If an officer has been hit, a supervisor or other department member (assigned by the Chief of Police or the Watch Commander) shall respond to the hospital to act in a liaison role between medical personnel and department personnel. The supervisor is responsible for organizing the information flow between the hospital and the department, arranging security details (if appropriate), maintaining order, and communicating with the department.

5-13.29

G.P.D. Homicide Bureau's Responsibilities

The G.P.D. Homicide Bureau is responsible for conducting a thorough investigation into the incident. They are responsible for conducting the investigation of the scene and interviewing all concerned persons. G.P.D. Homicide Bureau Investigators shall respond to the scene to conduct their investigation and then to the station or other designated location to interview the involved officers and other witnesses.

G.P.D. Homicide Investigators shall interview all parties separately, and department members' statements regarding the incident shall be tape-recorded.

The investigation conducted by the G.P.D. Homicide Bureau Investigators shall be submitted to the Chief of Police.

The Homicide Bureau Lieutenant shall interview the involved officers without delay. He or she shall inform the Chief of Police or the Chief's designee of the

results of his preliminary interview and shall keep them informed of the significant developments of the investigation as they occur.

5-13.31 Department Psychologist

Personnel involved in shooting incidents or other life-threatening events often experience significant trauma. Incidents that can result in trauma include:

- A. Wounding or fatally shooting.
- B. Firing or attempting to fire.
- C. Being fired upon
- D. Life threatening events such as struggling with an armed suspect which has a position of advantage.

These circumstances have the potential to affect the performance and health of the employees involved. A debriefing conducted by a department psychologist can assist in reducing potential problems.

The exact impact varies with each individual and is difficult to predict. In some cases, there is no change in the individual. In others, the change may occur immediately, several hours or even days or weeks later.

It is the responsibility of the Chief of Police or the Chief's designee to arrange a debriefing between a department psychologist and all personnel involved in any shooting incident described above as soon as possible following the incident. This is to provide each employee with the opportunity to discuss the incident in a confidential environment. Employees shall be required to attend the debriefing.

There are times when one or a series of shootings may adversely impact entire shifts. A department psychologist is available to conduct group debriefings upon request. When warranted, the psychologist may respond to the scene for an emergency debriefing/assessment.

In addition to the above, department supervisors shall encourage those personnel involved in any event that has the potential to overwhelm their normal coping skills to attend a debriefing. Such events include traumatic traffic collisions, death of an infant or child during a rescue operation, career-threatening injuries, death of a partner or close work mate, and physical confrontation with a suspect which involves substantial danger to the employee.

5-13.33 Confidentiality of Records

The psychologist maintains records of consultations or evaluations with existing legal privileges to strict confidentiality.

The only report given to the District is a form indicating:

- A. The officer attended appointments.
- B. Recommendation for return to full-duty status.
- C. Recommendation for return to limited-duty status.
- D. Recommendation for temporary release from duty status.
- E. Recommendations for further consultation/evaluation.

Police department members not mandated for psychological consultation and evaluation may, on their own, seek psychological consultation and evaluation that will be kept strictly confidential and no report will be forwarded to the District.

5-13.35

Communications and Rumor Control

The G.P.D. Homicide Bureau Lieutenant is responsible for updating the Chief of Police concerning significant developments of any G.P.D. Homicide Bureau investigation. The Chief of Police will be responsible for the release of information to the news media. The G.P.D. Homicide Bureau will prepare a comprehensive memo concerning the facts of the incident. This memo shall be directed to the Chief of Police and the G.P.D. Chief. This memo shall be available at the beginning of the next business day following the shooting.

5-13.37

Officer Involved Shootings - No One Hit

In situations in which an officer fires at another person and no one is hit, the procedures previously outlined for scene preservation shall be adhered to. Involved officers shall be ordered into the station or other suitable location to complete a detailed report of the shooting. The report must make clear the circumstances leading to the encounter, the hazards/threats faced by the officers or others, and the reasons that the decision to use deadly force was made.

After obtaining a brief description of the circumstances from the involved personnel, supervisors at the scene and at the station shall ensure that no one questions or interviews the officer(s) involved until the report is completed.

Watch Commander staff will be assigned by the Chief of Police to conduct a review of all situations in which an officer fires at another person and misses. The supervisors shall complete a detailed report of the incident and deliver it to the Chief of Police.

In situations involving accidental discharges or shooting of animals, involved personnel shall proceed according to the direction of the Watch Commander or on-call supervisor.

5-13.41 Chief of Police Responsibility

The Chief of Police, upon receiving the investigative report, shall review and evaluate it and determine if there have been any violations of Department rules, procedures, or policies. If the Chief of Police determines that there has been any such violations, a personnel complaint shall be conducted. All internal affairs reports are to be treated as confidential.

5-13.43 Review Process in Shooting Cases

- A. The Chief of Police shall review shooting cases where criminal action against a Department member is being considered.
- B. Shooting cases where a personnel complaint is filed for a violation of Department rules, policies, or procedures; the incident shall be reviewed as follows:
 - 1. Review by the Watch Commander to insure completeness of the investigation and correctness of the charges.
 - 2. Review and analysis of the investigation by the Watch Commander assigned at the time of the incident. The Watch Commander shall submit an opinion, based on their analysis and investigation, and classify their opinion utilizing one of the following:
 - a. Proper procedure followed.
 - b. Violation of Department rules, procedures, or policy sustained (indicate specific violations).
 - c. Other finding (poor judgment, etc.), disciplinary or corrective recommendation in sustained cases.
 - 3. Review of the investigation and the recommendations of the Watch Commander by the Chief of Police who shall make a determination as to the further course of action.

5-15.00 Firearms Training

5-15.01 Proficiency Training

All sworn officers shall qualify at least once every three months with the weapon(s) they carry on duty. Members shall not allow more than 119 days to elapse between consecutive proficiency training sessions.

In the event a member fails to demonstrate proficiency with the weapon(s) they carry on duty, permission to carry the weapon(s) shall be automatically revoked until such time that the proficiency standards are met.

5-15.03 Proficiency Training Exemption

Upon written request the Chief of Police may grant exemption to the quarterly firearm proficiency training. No exemptions will be granted until a member is off duty for more than ninety days due to "disability." The only exceptions are as follows:

- A. A pregnant officer, who continues to work, may be exempt from the firearms proficiency training upon written notification of pregnancy by a doctor and a written request for exemption by the officer.
- B. Prior to return to duty, or within thirty days of termination of pregnancy, any officer granted an exemption shall complete a firearms proficiency course.

5-15.05 Firearms Proficiency Course

The prescribed firearms proficiency course shall consist of the pistol course which is approved by the Department Range Master. Scoring will be pass/fail with a minimum score of 75% required to demonstrate proficiency.

5-15.07 Proficiency Points

Shooting medals will be awarded to a member on the basis of scores of all courses of fire. A member shall be awarded the appropriate class medal for at least three (3) scores within a classification shot within a twelve (12) month period.

Master	98 - 100%
Expert	93 - 97%
Sharpshooter	86 - 92%
Marksman	75 - 85%

5-15.09 Ammunition

All sworn personnel who fail to meet the proficiency standards with Department issued range ammunition shall purchase at his/her expense additional ammunition to properly meet proficiency standards.

5-15.11 General Safety Rules

Consider every firearm loaded until you have personally checked the weapon.

5-15.13

Pistol Range Use

- A. Officers wishing to use the pistol range must first demonstrate their knowledge of weapon familiarity and range safety to the Department Range Master. This may be accomplished at a regularly scheduled range qualification or at any other agreed upon time.
- B. Once approved by the Range Master, each officer may receive 45-caliber ammunition every three months. Additional 45-caliber ammunition will be at the officer's expense.
- C. Only Department issued handguns, which officers are currently qualified to carry, are permitted on the range under this policy. Use of other authorized weapons will be in the presence of a range master.
- D. The on-duty Watch Commander must be notified and give permission prior to using the range.
- E. Officers are responsible for following all range safety rules and officers are expected to sweep up the used brass and clean up the range area after use.

5-17.00 **Impact Weapons**

5-17.01 **Baton**

The policy of this Department is to require uniformed officers to carry an approved baton while on duty as a part of the uniform equipment. The police baton may be used whenever an officer is faced with a situation in which reasonable force becomes necessary to effect an arrest prevent escape, or defend against aggression when the officer believes that a less forceful method may not be adequate, and the use of deadly force is not justified. Other types of baton may be carried only with the approval of the Chief of Police.

5-17.03 **Flashlight**

A flashlight is authorized for on-duty use for the primary purpose of supplying illumination to an area that would otherwise be obscured by darkness. A flashlight is not designed for, nor should it generally be used as, a defensive weapon. However, an officer who is faced with a situation where a flashlight is reasonable and necessary to defend the officer against attack shall be allowed to use the flashlight as an impact weapon.

5-17.05 **Saps and Other Related Devices**

The use of saps or similar devices (sap gloves, weighted instruments, etc.) are expressly prohibited for use by all members of this Department.

5-17.07 **Knives and Other Cutting Tools**

A knife or other type of special cutting tool is authorized for on-duty use as a cutting tool. Generally, an officer should not use a knife or other type of special cutting tool as a defensive weapon. However, an officer who is faced with a life-threatening situation may utilize any piece of equipment as a defense.

5-19.00 Handcuffing

5-19.01 Policy

The Departmental policy relating to handcuffing of an arrestee or detainee is predicated on the Department's responsibility to protect the officer, the public, and the person handcuffed. No distinction is made between male and female, adult and juvenile, or class of crime alleged. The primary purpose in handcuffing is to maintain control of the person handcuffed and to minimize the possibility of the situation escalating to a point that would necessitate the additional use of force. Factors involved in the decision whether to handcuff an arrestee or detainee include, but are not limited to:

- A. The possibility of escape.
- B. The possibility of the incident escalating.
- C. Potential danger to the officer or others.
- D. Knowledge of the arrestee's (detainee's) past behavior.

5-19.03 Handcuffs - How Employed

When handcuffing an arrestee or detainee, they shall be handcuffed with their hands behind them. No one shall be handcuffed in front unless they are suffering from a deformity, disability or other injury that makes this practice impossible or impracticable. Handcuffs should be double locked whenever possible.

5-19.05 Handcuffing Mentally Disordered Persons

Handcuffs shall only be used as a temporary restraining device on mentally disordered persons until they are transported to an appropriate treatment facility. The medical facility staff will remove the handcuffs and other appropriate restraints may be used if necessary.

5-23.00 **Neck Restraint**

5-23.01 **Policy**

The Carotid Restraint Hold (Upper Body Control Hold) is the only Departmental approved neck restraint. It may only be employed in a situation when reasonable force is necessary to effect an arrest or to defend against aggression of an individual when it is reasonably believed failure to employ the hold would very likely result in someone sustaining bodily injury. All other forms of neck restraints, including the bar-arm and choke hold, are prohibited for purposes of controlling a subject.

5-23.03 **Definition**

The Carotid Restraint (Upper Body Control Hold) restricts the blood supply to the brain causing incapacitation, while the bar-arm and choke holds exert pressure to the larynx and trachea shutting off the air supply and causing extreme pain. The latter may result in a violent reaction that can cause further injury to the individual and to the officer.

5-23.05 **Uses to Avoid**

The Carotid Restraint Hold (Upper Body Control Hold) shall not be used:

- A. As a routine takedown or simply as a matter of convenience.
- B. Until attempts to gain control and compliance through verbal commands and persuasion or other means have failed or are likely to fail.
- C. Unless it can be reasonably inferred that bodily injury would be sustained in the absence of this hold.
- D. In conjunction with the baton or any other object.

5-23.07 **Reporting**

The use of the Carotid Restraint Hold (Upper Body Control Hold) will generally indicate an unusual occurrence has been encountered, and a report of the incident shall be made. Officers employing the hold shall:

- A. Immediately notify their supervisor (orally) of the details and application of the hold, providing all particulars including the circumstances leading up to the use and specific details of the application.
- B. Provide necessary medical treatment for the individual subdued, and in all incidents when the individual has been rendered unconscious.

- C. Report all particulars, including the circumstances leading to the use of the hold, in the appropriate arrest, crime, or incident report.

5-23.09

Supervisory Responsibility

The supervisor being made aware of the use of the Carotid Restraint Hold (Upper Body Control Hold) shall investigate the circumstances of the incident and document their findings.

5-25.00 Oleoresin Capsicum (OC)

5-25.01 Policy

Department issued Oleoresin Capsicum (Pepper Spray) shall be carried by all sworn officers. The Chief of Police or the Chief's designee shall approve any exceptions.

Officers shall be certified to carry Oleoresin Capsicum by completing a department approved course of instruction. All sworn officers shall be issued Oleoresin Capsicum spray and an approved carrier.

5-25.03 When to use Oleoresin Capsicum

Oleoresin Capsicum (Pepper Spray) may be used when an officer believes they or another person are in immediate danger of physical attack, to overcome resistance to an arrest, or to restrain a violent person in custody.

Oleoresin Capsicum shall never be used to intimidate a person or to retaliate against an individual.

Oleoresin Capsicum shall never be used indiscriminately. It may be used when there is an immediate threat of violence, coupled with the present ability to cause injury to an officer, another person, or to the suspect himself.

As soon as practical, the suspect affected with the Oleoresin Capsicum should be treated with large volumes of water. If necessary, officers should seek medical attention for the affected suspect.

5-25.05 Oleoresin Capsicum Reporting

Each time Oleoresin Capsicum is used, a thorough description of the circumstances surrounding its use will be documented in an incident or arrest Report. The report should also detail the effect of Oleoresin Capsicum Spray on the subject as well as when and where First Aid was rendered. If flushing is not accomplished, the report must state the reason for failing to do so. "OC Use" shall be written at the top of page one of each report. All reports required by the Department of Justice regarding the usage of Oleoresin Capsicum shall be completed by the supervisor on duty and forwarded to the Human Resources and Training Bureau where a separate "OC Use" file will be maintained.

5-27.00 **Reporting Policy**

5-27.01 **Crime Reports**

A crime report is required if the basic elements of a crime exist, the occurrence was within the Glendale Community College District, and the victim desires prosecution.

5-27.03 **Sex Offense Reports**

Penal Code 293 requires that any employee of a law enforcement agency who personally receives a report of a sexual offense from the victim shall inform the victim that his/her name will become a matter of public record unless he/she requests, pursuant to GC 6254, that the name not be a matter of public record. Sex offense reports are subject to the following:

- A. Officers taking written reports of sex offenses must clearly indicate at the end of the narrative that the victim has been informed about GC 6254. Specifically, that the victim has the right to withhold any personal information from public record/view if he/she so desires. Officers will specify whether victim waived or maintained the right in accordance with 293 PC.
- B. Any victim who maintains his/her right to restrict disclosure will have information pertaining to the address and name of such victim withheld.
- C. When Records receive a report of a sex crime, the report shall be ink stamped denoting whether or not information about the offense may be released. If right of nondisclosure is exercised, personal information on press box report shall be blacked out (made illegible).
- D. Penal Code 293 applies to the crimes of: PC 261, 264.1, 286, 288a, and 289.

5-27.05 **Arrest Reports**

Arrest reports document pertinent information concerning the individual arrested and shall be completed for all arrests. A complete narrative shall be required on all arrest reports. If a crime report accompanies an arrest report, the crime report can refer to the arrest report for details.

5-27.07 **Incident Reports**

The incident report shall be used as a method to record or transfer information about an incident or activity not amounting to a crime.

5-27.09 **Writing Instruments and Legibility**

For suitable duplication, members of this Department shall use a black ink ball-point pen or a #2 pencil on all initial reports. A typewriter or computer may be

used. Members shall print legibly on all reports.

5-27.11 **Turning in Reports**

All reports assigned on a shift shall be turned in for approval prior to the end of that shift. Officers receiving a report assignment shall be responsible for notifying the Watch Commander when the report is completed. The officer shall give the report to the Watch Commander after its completion and shall not hold the report until the end of the shift.

5-27.13 **Incomplete Reports**

Members shall not place incomplete reports in the pending tray in the Watch Commander's office without first notifying the Watch Commander and obtaining permission to complete the report on their next scheduled shift. Incomplete reports are subject to the following:

- A. Incomplete reports authorized for later completion by a Watch Commander shall be turned in to the Watch Commander and placed in the incomplete tray.
- B. The Watch Commander shall insure that the incomplete report is appropriately marked and that it contains:
 - 1. The report number.
 - 2. The victim's name.
 - 3. The crime code and definition.
 - 4. The reporting officer's name.
- C. The Watch Commander shall be responsible for monitoring the progress of all reports submitted for later completion and shall insure their timely completion.
- D. In custody reports and serious felonies shall not be placed in the pending tray. They shall be completed before the end of shift or on an overtime basis if necessary.

5-27.15 **Additional Information**

Officers anticipating additional information on a case shall turn in the completed portion with a notation that additional information will follow. As additional information is obtained, the officer shall complete supplemental reports that will be forwarded through the Watch Commander to the Records Bureau and be filed with the original report already on file. Officers shall not hold any report in anticipation of additional information.

5-27.17

Quality Control/Report Review

The Watch Commanders shall have the responsibility of reviewing all police documents for completeness and accuracy prior to forwarding to the Records Bureau. It is the responsibility of the Watch Commander who reviews and signs a report to identify all investigative and/or reporting errors.

- A. Watch Commanders shall require members to make all corrections as soon as possible. Where a member is not available to make corrections, the Watch Commander shall notify the member of the incomplete report as soon as possible specifying the corrections to be made or the work left to be done on the case.
- B. If the member responsible for the incomplete report is off duty and the report must be completed prior to their next scheduled shift, the Watch Commander shall instruct the member to return to the Department to complete the report if he or she deems this action necessary.

5-27.19

Vehicle Impound Inventories

All members of this Department, prior to impounding any vehicle, should do all of the following:

- A. Check, note and/or secure all valuables observed in the vehicle.
- B. Check all unlocked containers that could contain valuables and note and/or secure.
- C. Take all locked containers that may contain valuables into custody (safekeeping).

5-29.00 **Physical Evidence**

5-29.01 **Responsibility**

Every member of this Department shall be responsible for locating, preserving, identifying and protection of physical evidence at a crime scene.

Investigator: It shall be the responsibility of the investigating officer to properly store, inspect and analyze, or have inspected and analyzed, physical evidence.

5-29.03 **Custody of Evidence**

When evidence is located at the scene of a crime, it should not be disturbed more than is necessary to establish the item as evidence. It should be, if appropriate, photographed, charted, or diagrammed prior to removal. Evidence should only be removed at the direction of the investigator or officer in charge of the scene.

5-29.05 **Chain of Custody**

Proof of continuity of 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 handled and transported from the field to the station by the investigator or officer in charge.

Written notations will be kept by the finding officer of the details and to whom the observed evidence was reported to. The investigator or officer in charge receiving notification of observed evidence from another officer shall note the details of such notification and shall make notations pertaining to the disposition of such evidence.

5-29.07 **Marking Evidence**

No uniform marking system is practical because of the limitless number of articles involved. However, every item of physical evidence must be marked by some means that will enable an officer to later make a positive in court identification of the item booked.

Every such identifying mark shall be made so as to not destroy the integrity of the evidence reduce marketable or evidentiary value, interfere with laboratory analysis, or allow easy alteration or removal of the marking.

5-29.09 **Prompt Booking of Evidence**

Evidence shall be transported from the point of discovery to the station and booked as soon as possible after its location. The emergency nature of the incident involved, the seriousness of the incident involved, the types of materials to be transported, and the workload of the transportation officer(s) will dictate when the evidence will be taken to the station for booking. **In no case will an officer hold evidence after securing from duty.**

5-29.11

Booking Procedure

All officers shall adhere to the following procedure in booking evidence:

- A. ***Packaging***: The officer booking evidence shall package evidence using acceptable methods whenever it is necessary to protect evidence from contamination or destruction or when marking evidence for identification is otherwise difficult, undesirable, or impractical.
- B. ***Property Tag***: All property or evidence, packaged or otherwise, shall be tagged with the "hard copy" of the property tag or copy thereof and the tag shall be completely filled in.
- C. ***Booking***: Evidence, properly marked for identification, properly protected, and properly tagged shall be deposited in the property evidence security box or with the Watch Commander when necessary. **No articles or property or evidence shall be left unattended or unbooked.**
- D. A member who recovers money, whether as evidence or found property, shall book it in accordance with established procedures. The Watch Commander or booking officer shall place the money in the evidence security locker.

5-29.13

Misappropriation of Property or Evidence

Property or evidence which has been discovered, gathered, or received in connection with Department responsibilities or actions shall remain in Department custody. Members shall not convert to their own use, conceal, falsify, destroy, remove, tamper with, or withhold any property or other evidence found in connection with an investigation or other police action. Release or destruction of property or other items of evidence shall conform to established departmental procedures or order of the court.

5-29.15

Request for Evidence

All members requiring evidence for subpoenaed court cases shall complete the appropriate "Evidence Control" form and deliver it to the Watch Commander 48 hours prior to the needed date.

5-31 .00 **Press Relations**

5-31 .01 **Policy**

News media representatives are often present at the scene. Since most cases are of such a complex or sensitive nature, news media representatives should be referred to the Chief of Police or Watch Commander. This will ensure that the information released is accurate and complete and will preclude the release of information which would compromise the integrity of an investigation or interfere with the rights of an accused person.

5-31 .15 **Gag Orders**

In a significant number of court proceedings, the judge determines that the release of certain information would compromise the rights of an accused person or would impede the prosecution of the case. In such instances the judge may issue a "gag order" restriction or prohibit the release of information about a case. When such an order has been issued pertaining to a case, the provisions of the order shall guide officers when responding to requests for information from representatives of the news media.

5-33.00 **Assistance to Disabled Motorists Policy**

5-33.01 **Purpose**

To identify the policy on assisting disabled motorists on highways as enacted with California Vehicle Code Section 20018.

5-33.03 **Policy**

The Glendale Community College Police Department shall assist any disabled motorist upon any highway within the Glendale Community College District.

5-33.05 **Responsibility**

Members shall render appropriate assistance to any disabled motorist upon any roadway within the Glendale Community College District when assistance is requested. When a member observes a motorist in need of assistance, the member shall stop and render appropriate assistance. If traffic conditions are such that the member cannot safely come to the immediate aid of an observed disabled motorist, the member should continue on until traffic and conditions allow the safe return.

5-33.07 **Exceptions**

When other duties or assignments preclude the member from rendering direct assistance, (i.e.: responding to a priority call, transporting a prisoner, assigned to plain clothes duty, etc.), that member shall notify communications of the disabled motorist for appropriate response of another unit.

5-35.00 **Use of Push Bumpers**

5-35.01 **Purpose**

To identify appropriate use of push bumpers for clearing disabled vehicles and to reduce potential for unnecessary damage to police vehicles.

5-35.03 **Policy**

Pushing disabled vehicles with police units equipped with push bumpers will only be done in the following instances:

- A. In situations where a disabled vehicle is impeding the normal flow of traffic, constituting an immediate hazard that requires action to assure the public safety.
- B. Vehicles will be pushed only as far as necessary to alleviate the existing hazard.
- C. If the disabled vehicle does not constitute an immediate hazard to other traffic, and a tow truck is en route or can be summoned, the police unit shall not be used to push the vehicle from the roadway.

5-37.00 Traffic Accident Review Board

5-37.01 Purpose

The Traffic Accident Review Board (TARB) reviews all traffic accidents (collisions) which involve an employee of the Department when driving a District vehicle. TARB IS A SUPERVISORY INVESTIGATION AND MAKES RECOMMENDATIONS AS SUCH.

5-37.03 Policy

TARB is composed of a supervisor and one officer. The Chief of Police appoints the members.

- A. The chairman shall schedule all meetings for TARB and make the necessary notifications to the other members of TARB.
- B. TARB shall review the reports in each case and arrive at a determination as to whether the traffic accident (collision) was either:
 - 1. Avoidable.
 - 2. Unavoidable.
- C. After arriving at a determination the chairman shall designate one of the members of TARB to complete the Traffic Accident Review Board Form, indicating the finding of TARB with the reasons supporting the finding.
- D. The TARB shall forward the report to the Chief of Police. If the finding of the TARB is that the accident was AVOIDABLE, the Chief of Police shall initiate an investigation to determine if the accident was as a result of a violation of Department Police, Procedure, Rules or Regulations.
- E. If the determination by the Chief of Police, or the Chief's designee, is that the accident was not the result of a violation of Department Policy, Procedure, Rules or Regulations, the matter shall be concluded.
- F. If the determination by the Chief of Police, or the Chief's designee, is that a violation did occur the Chief of Police shall make a recommendation as to the appropriate disciplinary measure.

AT THIS POINT, THE MATTER SHALL BE TREATED THE SAME AS A "SUSTAINED" FINDING OF AN ADMINISTRATIVE INVESTIGATION.

DEPARTMENT RECORDS

7-00.00 Release of Police Department Records

7-00.01 Policy

The contents of any criminal record filed with the Glendale Community College Police Department shall not be divulged or exhibited to any person other than during the process of an investigation and only to another duly authorized police officer, other legally authorized person, or under due process of the law.

7-00.03 Release of Records - By Whom

The Captain is the criminal records security person with the Glendale Community College Police Department. The Chief of Police, Watch Commander on duty and any person specifically authorized by the Chief of Police, may release criminal-offender record information to authorized persons.

7-00.05 Release of Records - To Whom

Unless otherwise provided by law, criminal history records may be released only to the following:

- A. Law enforcement agencies, for law enforcement purposes.
- B. Agencies authorized by the Department of Justice, for the purpose of executing the responsibilities of their agency in a matter relating to the individual whose record is requested.

7-00.07 Arrest Records

These types of reports are exempt from public disclosure. They may only be disseminated to any authorized representative of a law or criminal justice agency, or other individual or agency authorized by the Chief of Police or the Chief's designee.

7-00.09 Juvenile Records

Juvenile records may be disseminated to another law enforcement or criminal justice agency provided the agency has a legitimate need for the information for purposes of official disposition of the case. When the disposition of the juvenile taken into custody is available it must be included with any information disclosed.

7-00.11 Record Security

No unauthorized persons shall be permitted in the Records Bureau or allowed access to the CLETS terminal. All CLETS and NCIC information shall be disseminated for law enforcement purposes only.

7-00.13 Policy Questions

When any questions arise as to the proper dissemination of criminal-offender

record information, the matter should be referred to the Chief of Police.

7-00.15

Release of Statistical Information

To ensure the accuracy of statistical information released from the department, all requests for such information shall be routed to the Captain. The Captain will have the responsibility to specifically define the type of information necessary to meet the specific needs of the requester. The Captain shall be informed of all statistical information/data released from the department and the purposes for which it is intended along with the identity of the requester.

The requester, consistent with the adopted District policy, shall pay appropriate charges.

INTERNAL COMPLAINT PROCEDURES

9-00.00 Internal Complaint Procedures

9-00.01 Location

The Internal Complaint Procedure is on file in the Office of the Chief of Police and at the front desk. A copy shall be placed in the General Orders of the Glendale Community College Police Department.

9-00.03 Use

All questions regarding citizen complaints against police personnel shall be researched in the Internal Complaint Procedure General Order.

9-00.05 Citizen Complaints Against Police Personnel Policy

A proper relationship between the public and its police, fostered by confidence and trust, is essential to effective law enforcement.

In answering his/her daily assignments, the police officer may not be able to satisfy all of the people with whom contact is made. It is possible that the officer's actions may lead to the reception of a complaint.

The purpose of this order is to provide for responsiveness and sensitivity of District employees to the needs, desires, and standards of the community.

The police officer must be free to exercise his/her best judgment and to initiate action in a reasonable, lawful and impartial manner without fear of reprisal or undue criticism and restraint. At the same time, the officer must be impeccable in recognizing the rights of all people.

It is the policy of the Department to accept and thoroughly investigate all complaints against police services and all complaints of alleged misconduct of personnel which arise from within the Department or from an outside source. If criminal misconduct or any other serious allegation is alleged, the policy will be to investigate the complaint regardless of the means by which it is communicated, be it anonymously or by letter, telephone, in person, or by any other means or device which lends itself to intelligible communication.

Implementation of this order will provide for the proper, effective and reasonable investigation of complaints which will result in corrective action being taken when warranted, but which also has the built-in protective measures to shield an officer from unjust criticism or penalty when he/she has properly discharged their duties.

The purpose of this order is to insure the upholding of the integrity of the Police Department by prompt and thorough investigation of actual or alleged police

misconduct (which shall include the violation of any law or written Department policy, rule, or order, or good judgment).

All internal investigations shall be conducted pursuant to proper procedure, common sense, good judgment, and existing law. Our goals are to:

- A. Maintain a constant check on the efficiency, fairness, and equitableness of our policies and procedures.
- B. Absolve the innocent.
- C. Establish guilt when and where it exists.
- D. Facilitate prompt and just discipline in accordance with applicable Rules and Regulations and Police Manual General Orders.

9-00.07

Procedures

- A. The Watch Commander of any shift shall be responsible for receiving complaints presented by anyone, whether in person or by telephone, which are made during their tour of duty and regardless of which shift such misconduct is alleged to have occurred. The Watch Commander will resolve the complaint immediately, if possible, but if this cannot be accomplished, the Watch Commander shall interview the complainant and ensure that all such complaints are reduced to writing, dated and signed by the complaining party under penalty of perjury. The complainant should be verbally informed that the complaint will be duly investigated. This fact must be noted in writing in the report to the Chief of Police.

EXCEPTION: When complainant lives a great distance away or is seriously incapacitated, he or she should be instructed to write a letter, containing all the details, to the Chief of Police.

Complaint reports are subject to the following:

1. Complaints will be accepted from an adult at any time. Complaints from persons under eighteen (18) years of age will not be accepted unless and/or until a parent or guardian accompanies them. The intent of this provision is to ensure the Department that a responsible person is aware that the complaint has been made and accepted. Complaints from a person under the age of eighteen who has no parent or guardian, or a parent or guardian who is not readily available, will be accepted.

2. When interviewing a complainant, experience has shown that hearing the complainant all the way through without taking sides, or causing interruptions, often helps to mitigate the complaint.
3. The physical condition of the complainant should be noted in the report (i.e.: intoxicated, under the influence of drugs and/or liquor, or apparent mental disorder or defect).
4. The complainant should be afforded a quiet location where they can prepare the complaint without being disturbed. If their handwriting is illegible they should be afforded the opportunity to dictate the report to a Police stenographer if one is available. Any complaint written other than in the handwriting of the complainant shall be read before signing. The original complaint, as written, is to be typed and both copies forwarded as previously outlined. A copy of the complaint shall be given to the complainant showing the date and time of receipt by the Watch Commander.

B. The Watch Commander shall maintain strict confidentiality of such complaints.

C. The Watch Commander shall forward such complaints to the office of the Chief of Police no later than 9:00 a.m. of the next work day.

D. All complaints received by mail shall be forwarded to the office of the Chief of Police. The secretary shall make the necessary duplicates of the complaint form, assuring that a complaint number has been assigned. (If the complaint is in the form of a letter and is not noted on the form provided, the Chief of Police may transfer the pertinent information to the complaint form.)

E. **Procedure for Investigating Complaint**

1. The Captain, depending on the nature of the complaint, may elect to immediately start an investigation. Any action will be documented and attached to the original complaint.
2. The Captain shall coordinate the investigation of all complaints and shall be responsible for the complaint information being forwarded to the appropriate person.

The Captain shall retain one copy of the form for Department files, forward one copy to the employee about whom the complaint is made, and forward the third copy to the Chief of Police.

3. The investigating supervisor assigned to the complaint has the responsibility of contacting the complainant to obtain additional information and to let them know that the Department is conducting an investigation. The investigating supervisor shall document all contacts (or attempts to contact) with the complainant. The investigator shall notify the party under investigation as soon as possible. He/she shall be given the opportunity to assist in the investigation, unless such assistance would hinder or invalidate the investigation.
 4. The investigating supervisor should then continue the investigation by obtaining statements from the officer and/or witnesses.
 5. The Captain will be responsible for reviewing the information and forwarding the completed investigation to the Chief of Police along with a recommendation. The Captain should rely heavily upon the recommendations made by the investigating supervisor before making any final decision. Final approval of the recommendation rests with the Chief of Police. The Chief of Police may modify any findings and/or recommendation if just cause exists.
 6. The investigating supervisor shall make every effort to contact the complainant within 72 hours of the time the original complaint was received and advise them of the disposition or status of the complaint. The Captain will assume this responsibility if the investigating supervisor is unable to make this contact due to a conflict of hours.
- F. When the complaint alleges criminal activity on the part of the police employee and the evidence is such that, if the police employee had been a private person such conduct would have led to their arrest, the investigator shall immediately inform the Chief of Police to determine whether:
1. The accused should be immediately arrested.
 2. An arrest warrant should be sought.

3. Any criminal action should be delayed pending further investigation.
4. Accused should be taken into protective custody pending decision of Chief of Police (employee is physically or mentally unable to care for himself).

G. Arrested Sworn Officers

In the event that a member of the Glendale Community College Police Department is arrested, either by this department or any other jurisdiction, the Chief of Police shall be immediately notified.

An arrest of a sworn officer will be subject to the following:

1. The Chief of Police, Captain, or designee shall proceed to the place of confinement and advise the member that he or she is suspended pending further investigation. The arrested member shall be relieved of all departmental property in his/her immediate possession. If they do not have their badge and ID card in their possession, steps should be taken to obtain these items as quickly as possible. All departmental property is to be turned over to the Chief of Police.
2. The investigator, named by the Chief of Police, shall commence an immediate investigation. The results of this investigation are to be forwarded to the Chief as soon as possible.
3. In the event that the investigation concludes that the arrest was without basis in fact, the member shall be reinstated without loss of pay or benefits.
4. If the investigation discloses that the arrest was based on valid circumstances, the Chief of Police shall immediately initiate Departmental action.

H. Actions Upon completion of Investigation

At the completion of the investigation, a written report will be made to the office of the Chief of Police with one of the following findings:

1. Unfounded - The allegation (complaint) has no basis of fact or has been disproved through the investigation.
2. Exonerated - The alleged act or failure to act is found to be true; however, such act or failure to act is permitted, or

at least not prohibited, by the department and/or was appropriate under the circumstances.

3. Sustained - Investigation disclosed the complaint to be true and in violation of the rules, regulations, policies, procedures, or orders of the department.
4. Not Sustained - Insufficient evidence to support or disprove complaint.
5. Closed - Due to failure of complainant to cooperate after investigation commenced.

I. **Action of Chief of Police at the Conclusion of Investigation**

Upon receipt of the completed investigation, the Chief of Police may:

1. Overrule or alter any of the findings listed in the previous (Section H1 through H5).
2. Order further investigation, if necessary.
3. Determine if a violation of law, Departmental policy, or rules and regulations has occurred.
4. Make a decision regarding possible disciplinary action.
5. Advise the accused member of the results of the investigation and disposition.
6. Order that the results and disposition be made a part of the employee's personnel file.

Note: on any report that is placed in a personnel file, it shall contain the following statement with an area for the employee's signature and date;

"This document will be placed in your personnel file. you have thirty days to respond, either orally or in writing. At your request, a written response will be attached to this document in your personnel file. I have read this document and understand this statement. (Signed and dated)."

If a justifiable complaint involves services or procedures, appropriate action shall be taken by the responsible persons to correct or alleviate the deficiency. In all cases, the complainant will be contacted and

advised that their complaint has been recognized and that corrective action is being taken.

Completed copies of all investigative reports shall be forwarded to the Chief of Police. A copy of the disposition shall be forwarded to the involved employee by the Chief of Police.

The original complaint and investigation will be filed in the confidential file. The Chief's secretary will keep a running log in that file containing complaint number, date, complainant, officer involved, and disposition.

J. **Notification of Complainant**

At the completion of the investigation, the Chief of Police will advise the complainant of the findings of the investigation consistent with law.

9-00.09

Disclosure of Peace Officer Personnel Records

It is the policy of the Glendale College Police Department to maintain the confidentiality of peace officer personnel records, as that term is defined in Penal Code 832.8. No peace officer personnel record, or any information contained in any such record, shall be disclosed without the prior written order of the Chief of Police.

Any request for the disclosure of any particular peace officer personnel record, or for the disclosure of any information contained in any such record, shall be made in writing and shall include the reason why such disclosure is sought, and shall describe any dominating public interest which would require the record or information sought to be revealed

An officer shall be notified of any request for disclosure of confidential records. Further, when disclosure is deemed appropriate, the officer will be notified of such disclosure and the reasons thereof.

MISSING PERSONS

11-00.00 **Missing Persons Policy**

11-00.01 **Purpose**

To identify the policy on missing persons as enacted with Penal Code Section 14200 et al.

11-00.03 **Policy**

The Glendale Community College Police Department shall respond to all calls involving missing persons without unnecessary delay and shall take and/or accept any missing persons report when requested with appropriate sensitivity to the reporting person.

11-01.01 **Responsibility**

Members shall accept any report, including any telephonic report, of a missing person, including runaways, parental abductions, involuntary missing and unknown missing without delay and conduct an appropriate investigation.

11-01.03 **Priority**

Missing persons reports shall take priority over all crimes related to property that are of a non-emergency nature.

11-03.01 **Jurisdiction**

This department may initiate an investigation if the missing person was last seen in the Glendale Community College Community College District irrespective of the jurisdiction of the department taking the initial report. The converse is also true.

11-05.01 **Notification**

This department shall, without delay, notify the department(s) where the missing person resides and was last seen, including the City of Glendale Police Department when the person was last seen at Glendale Community College , and shall forward a copy of the report to the appropriate department(s) without delay. If this missing person is under 12 years of age or the missing person is "at risk," the report shall be sent within 24 hours.

11-05.03 **Broadcast**

A "be on the lookout" (BOL) broadcast shall be made if the missing person is under 12 years of age, "at risk," or there are suspicious circumstances. The broadcast shall be made without delay.

11-07.01 **Reporting**

The following procedures shall be adhered to when reporting missing persons:

- A. This Department shall transmit all reports of missing persons to the Department of Justice in a timely fashion.
- B. If the missing person is under 12 years of age or "at risk," the Department shall transmit a report to the National Crime Information Center Missing Persons System (NCIC) within four (4) hours after accepting the report.
- C. When the missing person is located, this Department shall immediately notify the Department of Justice, NCIC, the reporting person (if appropriate) and any other department(s) involved. All automated system entries shall be canceled. If the missing person is found before Department of Justice has been notified, a missing/found report shall still be made to the Department of Justice.

11-09.01 Dental Records

This Department shall comply with the provisions of Sections 14206(A)(1), 14206(A)(2) and 14206(B) PC.

11-09.03 Release Form

Department of Justice form #SS8567 or equivalent shall be left in person or mailed to the reporting person at the time of the report by the member handling the report.

When the missing person is under the age of 12 years and has been missing for 14 days, the dental records and a recent photo shall be immediately submitted to this Department. This Department shall then confer with the coroner within 24 hours and shall submit the report, records and photo to Department of Justice also within 24 hours.

11-11.00 **Duties**

11-11.01 **Officer**

Members shall complete all missing persons reports in order to comply with Sections 12-07.01 through 12-07.07 of the Glendale Community College Police Department Manual.

11-11.03 **Watch Commanders**

Watch Commanders shall review and manage all reports of missing persons to comply with the provisions in 12-07.01 through 12-07.07 of the Glendale Community College Police Department Manual.

11-11.05 **Records Personnel**

Records/Desk personnel shall enter all missing person reports in the appropriate automated information system to comply with Sections 11-07.01 through 11-07.07 of the Glendale Community College Police Department Manual.

11-11.07 **Follow-up Investigation**

A follow-up investigation shall be made within 30 days after the missing person report is filed. The investigator should consider re-contacting the family/reporting person. If no next of kin is available, the investigator shall comply with 14206(A)(1) PC after 30 days. After 45 days, the investigator shall confer with the coroner for comparison of unidentified deceased persons. The investigator shall submit or facilitate the submission of: the report, dental/medical records, photo (if under 18 years) and the release form (11-09.03) to the Department of Justice within the required time limits (14206(A)(1), 14206(B), 14206(2)(B) and 14209(B) PC.

DOMESTIC VIOLENCE

13-00.00 Domestic Violence Policy

13-00.01 Purpose

To identify the policy on domestic violence as enacted with Penal Code Sections 13519 and 13700, et seq.

13-00.03 Policy

The Glendale Community College Police Department is to respond to all calls involving domestic violence. Domestic violence is criminal conduct that should be investigated accordingly and arrests made when appropriate. Dispute mediation shall not be used as a substitute for appropriate criminal action in domestic violence cases.

13-01.01 Definitions -13700 PC

- A. **"Abuse"**: Means intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable apprehension of imminent serious bodily injury to himself or another.
- B. **"Domestic Violence"**: *Is* abuse committed against an adult or fully emancipated minor who is a spouse, former spouse, cohabitant, former cohabitant, or a person with whom the suspect has had a child or has had a dating or engagement relationship.
- C. **"Officer"**: Means any law enforcement officer employed by a local police department or sheriff's office, consistent with Section 830.1, P.C.
- D. **"Victim"**: Means a person who is a victim of domestic violence.

13-01.03 Enforcement of Laws

It is the intent of the Legislature that the official response to cases of domestic violence shall stress the enforcement of the laws to protect the victim and shall communicate the attitude that violent behavior is criminal behavior and will not be tolerated. The existence of the elements of a crime and/or the willingness of the victim to sign a private person's arrest, when required, shall be the **SOLE** factors that determine the appropriate action. The following factors, for example, should not be used to avoid making an arrest:

- A. The marital status of the suspect and victim.
- B. Whether or not the suspect lives on the premises with the victim.

- C. The existence or lack of Temporary restraining order or Stay Away Order.
- D. The potential financial consequences of arrest.
- E. The complainant's history or prior complaints.
- F. Verbal assurances that the violence will cease.
- G. The complainant's emotional state
- H. Injuries which are not visible.
- I. Location of incident (public or private).
- J. Speculation that the complainant may not follow through with the prosecution, or that the case may not result in a conviction.

13-03.00 **Enforcement of Laws Relating to Domestic Violence**

13-03.01 **Felony Arrest**

In accordance with State law, Police Officers can make an arrest when there is reasonable cause to believe a felony has occurred.

13-03.03 **Misdemeanor Arrest**

In accordance with State law, Police Officers can make an arrest when there is reasonable cause to believe that a misdemeanor (including violations of court orders) has occurred in the officer's presence.

Officers considering releasing a suspect on a citation shall evaluate the likelihood of a continuing offense, which is one of the statutory conditions under which a field release is not appropriate. Any ONE of the following may support the likelihood of a continuing offense:

- A. Whether the suspect has a prior history of arrest or citations involving domestic violence.
- B. Whether the suspect is violating a criminal court issued stay away order.
- C. Whether the suspect has previously violated or is currently violating a valid temporary restraining order.
- D. Whether the suspect has a prior history of other assaultive behavior (i.e.: arrest convictions for battery or aggravated assault).
- E. Statements taken from the victim that the suspect has a history of physical abuse towards the victim.
- F. Statements taken from the victim expressing fear of retaliation or further violence should the suspect be released.

13-03.05 **Private Person's Arrest**

Officers will inform the victim of their right to make a private person's arrest when a crime has been committed outside the officer's presence that does not meet the requirements for a felony arrest. Whenever possible, such discussion shall be held out of the presence of the suspect. Officers shall accept a private person's arrest. Officers should not dissuade victims from making a lawful private person's arrest.

13-03.07 **Tenancy**

- A. Officers shall request a person who is not in lawful possession of the premises to leave when:

1. The complainant is in lawful possession of the premise (as exhibited by rent receipts, lease, deed, verification by apartment manager, etc.), AND:
2. The complainant has requested that the person leave the premises.

The officer should stand by a reasonable amount of time until the suspect removes essential belongings.

- B. If the suspect does not leave upon request, arrest the suspect under Penal Code, Section 602.5.
- C. If the complainant requesting removal of the suspect cannot show proof of lawful possession, the officer should refer the complainant for a temporary restraining order or other appropriate civil remedy.

13-05.00 **Court Protective Orders**

13-05.01 **Restraining Orders**

There are different types of restraining orders issued by a court in domestic violence situations. Penal Code Section 13710 requires law enforcement agencies to maintain a complete, systematic record of all protection orders with respect to domestic violence incidents, Restraining Orders, and proof of service in effect. This Section also requires that the systematic record shall be used to inform officers responding to domestic violence calls of the existence, terms, and effective dates of Protection Orders in effect. (P.C. 13710)

A. **Verification of Restraining Orders**

Whenever a complainant advises of the existence of a restraining order, the officers shall ascertain:

1. Whether the restraining order is on file with the Department.
2. Whether the restraining order is still valid as to duration/time.
3. Whether a proof of service or prior notice exists or that the suspect was in court when the order was made.
4. Whether complainant has a copy of the order, if not on file with your agency.
5. The terms of the restraining order.

B. **Enforcement**

A violation of a restraining order is a misdemeanor under either Penal Code, Section 273.6 or 166.4. Arrest when there is reasonable cause to believe the subject of the restraining order has violated the order in the presence of the officer and any ONE of the following conditions is met:

1. The existence of the order and proof of service on the suspect has been verified by the officer.
2. The complainant produces a valid copy of the order bearing a file stamp of a court and a proof of service on the subject.
3. The officer has verified the existence of the order. No proof of service is required if the order reflects that the suspect was personally present in court when the order

was made.

4. The existence of the order has been verified, and there is proof that an officer has previously admonished the suspect.
 - a. When the officer verifies that a restraining order exists, but cannot verify proof of service or prior knowledge of order by suspect, the officer should:
 - (1) Inform the subject of the terms of the order.
 - (2) Admonish the subject of the order, that the subject is now on notice and that the violation of the order will result in arrest.
 - (3) If suspect complies after admonishment of the terms, the officer shall make a retrievable report, pursuant to Penal Code Section 13730(C), showing the suspect was admonished/advised of the terms of the order, the specific terms of the order and the order the suspect was advised about, the name of admonishing officer, and time and date of admonishment. The Department's copy of the restraining order will be updated to reflect the admonishment information listed above.
 - (4) In the event the suspect has left the scene of the incident, an investigation will be made to determine if a crime has been committed. Penal Code Sections 13730(C) and 13701(i) require that a retrievable report shall be made and complainant shall be advised of the follow-up criminal procedure and report number.

13-05.03**Stay Away Orders**

A stay away order is issued in a criminal case where the probability of victim intimidation exists and violation of such order is a misdemeanor under Penal Code Section 166.4. In domestic violence incidents where a person advises an officer that a stay away order has been issued, the officer should attempt to ascertain if such an order is valid and the terms of the order.

A. Verification of Stay Away Orders

1. Request the victim to show a copy of the order. (Victims are requested to carry the order with them at all times.) Verify that the suspect is under the court's jurisdiction, or
2. Verify through the Department that a stay away order has been issued against the suspect. Ascertain the terms of the order.

B. Enforcement

The Code of Civil Procedures Sections 540, et seq., and 527.6 require that when the order has been verified officers shall effect an arrest if the suspect has violated terms of the order. The report shall note the specific violations of the order and the victim is to be given the police report number for follow up pursuant to Penal Code Section 13701 (I).

1. A violation of the order is a violation of Penal Code Section 166.4. This charge can be added to other charges such as assault or battery.
2. An act of victim intimidation relating to the court proceedings is a violation of Penal Code Section 136, et seq. Examples of intimidation included:
 - a. Attempting to prevent or dissuade a victim from attending or giving testimony at any proceeding is a misdemeanor.
 - b. Using force, expressing or implying a threat, or violence related to the court proceedings is a felony.

13-05.05**When Orders Not Verifiable**

When the victim is not in possession of the restraining or stay away order, and/or in cases of computer error, officers may not be able to confirm the order's validity.

In such cases Penal Code Section 13730(c) requires that officers shall write a report, give the victim the police report number, and direct the victim to contact the appropriate department for follow up.

When an order is not verifiable through the verification procedures, officers shall advise the victim of the right to make a private person's arrest for the appropriate violation.

13-05.07

Reporting

Officers shall write a report in all incidents of domestic violence. Penal Code Section 13730 requires such report shall be identified on its face as a domestic violence incident and be retrievable.

Officers shall identify, in the report, whether or not weapons were involved (P.C. 13730(a)). Officers shall provide the victim with the case number of the report or, if not immediately available, explain to the victim how the number may be obtained.

13-07.00 **Victim Assistance**

13-07.01 **Procedure**

- A. Officers should assist in obtaining appropriate medical attention if a complainant claims injury whether visible or not.
- B. Officers should assist in making arrangements to transport the victim to an alternate shelter if the victim expresses a concern for safety or the officer determines a need exists.
- C. Officers should stand by for a reasonable amount of time when a complainant requests police assistance while removing essential items of personal property.
- D. Officers should explain legal options available to the victim including the private person's arrest process, temporary restraining orders, and stay away orders and in cases of arrest, the follow-up procedures and ensuing criminal proceedings.
- E. Officers should advise the victim of the available State Victim Assistance Program.
- F. Officers shall furnish all victims of domestic violence with the Department-issued information card containing all data required and specified in Penal Code Section 13701(i).

13-09.00 **Officer Safety**

13-09.01 **Policy**

Officers shall exercise reasonable care for the safety of officers and parties involved and no provisions of this policy shall supersede that responsibility.

HATE CRIMES

15-00.00 **Hate Crimes Investigative Procedure (Ralph Civil Rights Act)**

15-00.01 **Purpose**

To establish the procedure for recognizing, responding to, and uniformly reporting incidents motivated by hatred or prejudice directed against identifiable groups or individuals.

15-01.02 **Definitions**

- A. *"Prejudice-based incident and prejudice-based conduct"*: Violence, or intimidation by threat of violence, against the person or property of another when the motive is hatred or when one or more of the personal characteristics of the victims is including, but not limited to, race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, disability, or position in any labor dispute.
- B. The eleven groups listed in the Ralph Civil Rights Act shall be used as examples and not as an all-inclusive list.

15-01.03 **Procedure**

- A. Prejudice-based incidents include, but are not limited to, criminal acts such as threatening telephone calls, physical assaults, destruction of property, bomb threats, and disturbing religious meetings, as well as non-criminal acts such as name calling, news articles prepared with an apparent motive to harass, intimidate, threaten, retaliate, or create conflict between groups having differing personal characteristics.
- B. The motivation associated with the act determines if an incident is prejudice-based. The following criteria may be used to determine if the hatred of, or animosity towards, the personal characteristics of the victims motivated an incident:
 - 1. Words, symbols, or acts that are, or may be, offensive to identifiable groups or individuals were used by the responsible. An example might be a burning cross, painted swastika, or words directed at a particular ethnic or minority group.
 - 2. A history of similar crimes, which were motivated by hatred or animosity, in the same area against the same victim group.

3. A significant portion of the community perceives and responds to the incident as being prejudice-based.
- C. In addition to criminal penalties for conviction of crimes, the Ralph Civil Rights Act attaches civil penalties to crimes that are prejudice-based.
 - D. The Department must support the letter of the Ralph Civil Rights Act and deem it desirable to support the spirit of the legislation that seeks to discourage both criminal and non-criminal incidents motivated by hatred or prejudice.
 - E. When an assigned officer determines any incident is, or may be, prejudice-based, he or she shall:
 1. Notify the Watch Commander without unnecessary delay.
 2. Investigate the incident thoroughly.
 3. Document the incident and, when supporting facts are available, place the words "**PREJUDICE-BASED**" in the title box of the incident report in addition to any other title.
 - a. The facts in support of the title must appear in the narrative portion of the incident report.
 - F. The Watch Commander, upon being notified of a possible prejudice-based incident, shall:
 1. Respond to the scene and evaluate the incident.
 2. In the event it is determined the event is prejudice-based, take steps to ensure the incident does not escalate in magnitude.
 3. Ensure the incident is thoroughly investigated and properly documented.
 4. Ensure a copy of the completed incident report is provided to the Chief of Police.
 - G. Upon receipt of a prejudice-based report, the Chief of Police shall assign the case to an officer to coordinate efforts with allied agencies regarding similar incidents. When appropriate:

1. The assigned officer shall keep the victims of such incidents fully aware of the status of any criminal case which is developed.
2. The assigned officer shall make factual information concerning the incident available to the media.

H. The assigned officer shall:

1. Meet with neighborhood groups, resident of targeted areas and other groups to allay fears, reduce potential for counter-violence, and provide safety and protection information.
2. Conduct public meetings on prejudice-based threats of violence in general and, as it relates to specific incidents as directed by the Watch Commander or Chief of Police.
3. Track all prejudice-based incidents and, on request, provide data on these events to the Chief of Police.