

DETECTIVE 1-001

1-001.0 TITLE: CASE ASSIGNMENT

Effective Date: 12/4/95

1-001.1 SYNOPSIS:

Procedure for assigning cases to Investigators for follow-up investigation.

1-001.2 POLICY/OVERVIEW:

Due to the nature of criminal investigations, it is difficult to standardize every case. Nothing in the procedure shall preclude any case from being assigned for investigation at the discretion of the Investigative Supervisors.

1-001.5 PROCEDURES:

- I. At the beginning of each workday, the Sergeant(s) assigned to the Detective Bureau will review all available Police reports. They will assign those cases to Investigators as necessary.
- II. Arrest Reports
 - A. Sergeants Responsibilities
 - 1. Review and assign every arrest report as soon as possible after it has been received from Records.
 - 2. Ensure that there is an arrest report available for each person on the custody list received from the jail.
 - a. Any arrest reports not yet received in the Detective Bureau will be brought to the immediate attention of the on duty Records Supervisor.
 - b. The Sergeant will make every effort to assign all in custody reports before noon each day.
 - B. Investigators responsibilities
 - 1. Review each assigned case to determine the suitability for presentation to the District Attorney for filing.
 - a. If the report is found complete and suitable for presentation, follow the procedures set forth in Section 2 below.
 - b. If the report is found to need additional investigative follow-up, conduct the follow-up investigation or present the circumstances to the Sergeant for assignment to another Investigator.

DETECTIVE 1-001

- c. If the report is found to be deficient or unsuitable due to grammar, spelling, etc., complete a Notice To Correct Form PPD 263 and present the circumstances to the Supervisor for disposition.
2. Complete all necessary paperwork to present to the District Attorney for filing.
 - a. If a criminal filing is obtained, complete the filing process as required by the court system and notify the Jail facility holding the suspect.
 - b. If the District Attorney rejects the filing, notify the Jail facility to release the suspect and complete a Certificate of Release pursuant to 851.6 P.C.

III. Incident Reports

A. Sergeant's responsibilities

1. Criminal reports will be assigned as soon as practical when any of the following circumstances exist.
 - a. There is a named suspect.
 - b. The suspect can be identified **AND**
 1. there is a license number available or
 2. there is physical evidence (i.e., prints) available that might connect the suspect to the crime, or
 3. there is any other information available that might lead to the identity of the suspect.

B. Investigator's responsibility

1. Review each assigned case as soon as practical and conduct any necessary follow-up to identify the suspect(s).
2. When sufficient information/evidence exists to obtain a criminal complaint, submit the case to the District Attorney's Office for processing.
 - a. Complete a Case Disposition Form and route to the Supervisor.
 - b. Enter the disposition in the LogBook.
3. If, after exhausting all available leads, there is insufficient information to identify the suspect(s) and/or obtain a criminal complaint, complete a

DETECTIVE 1-001

Supplemental Report and a Case Disposition Form and route to the Supervisor.

- a. Enter the disposition in the LogBook.

III. Missing Persons

A. Sergeant's responsibilities

1. Assign all Missing Persons Reports.
2. Ensure that a proper level of follow-up investigation is conducted paying particular attention to critical missing reports.

B. Investigator's responsibility

1. Review all assigned Missing Person Reports.
2. Ensure that all Department of Justice reporting requirements are met.
3. Conduct necessary follow-up investigation of critical missing reports immediately.

DETECTIVE 1-020

1-020.0 DETECTIVE BUREAU TRAINING PROGRAM

Effective Date: 3-27-97 (Author: Sergeant M. Ervin)

1-020.1 SYNOPSIS:

Provides training for newly promoted/ probationary Investigators.

1-020.2 POLICY/OVERVIEW:

It shall be the policy of the Pomona Police Department to provide structured training for employees that are promoted to the rank of Investigator. This program shall be administered by an experienced Investigator and overseen by an Investigation Bureau Sergeant. All training will be documented and maintained within the Investigation Bureau for the probationary period of said employee.

1-020.5 PROCEDURES:

- I. Upon the promotion of an employee to the rank of Investigator, said employee shall be issued a City of Pomona Police Department Investigator Training Manual. Within this manual are stated goals and proper documentation establishing that these goals have been met by the probationary employee.
- II. Once training is completed, the manual will be maintained by the employee's assigned Sergeant in the Investigation Bureau.
- III. Once the Investigator(s) probation is successfully completed, it shall be documented in the probationary evaluation. The completed training manual shall be archived with the Administrative Secretary for the Special Services Division.
- IV. Training
 - A. The training program shall be divided within two phases; #1 - field and #2 - filing. Each phase is scheduled to last four weeks and can be extended up to an additional two to four weeks if necessary. Weekly evaluations will be completed by the Training Investigator and will be reviewed with the employee on the last working day of the week. Once the evaluation is signed by the Training Investigator and the probationary Investigator, it shall be forwarded to the probationary employee's Sergeant. The same procedure shall be followed for the second phase, which is the field phase. Once the probationary Investigator has met all stated goals within the training program, it shall be certified by the Training Investigator and Sergeant that the probationary Investigator is competent in all areas and ready to work in a solo capacity. At that time the probationer will be given an assignment.

DETECTIVE 1-020

V. Evaluations

- A. Evaluations will then be completed by probationer's Sergeant at six, and twelve months. Each of these evaluations will note the Investigator's progress and give him/her an honest and realistic view of their abilities and performance as an Investigator.

VI. Assignments

- A. Once the probationary Investigator has successfully completed training, he/she will be given an assignment within the Detective Bureau. This assignment will continue one year past the end of the probationary period. However, consideration can be given to a specialized assignment within the scope of Investigations.
- B. The Detective Bureau Lieutenant has the discretion to transfer an Investigator to any specialized assignment within the Bureau after he/she has successfully completed the phase training program.

DETECTIVE 1-200

1-200.0 TITLE: DETECTIVE BUREAU CALL-OUT

Effective Date: 10-16-85

Revised Date: 02-23-99 (Author: Sergeant G. Jones)

Prior Revised Date: 12-29-87

Related Procedural Manuals: Pat. 1-509

1-200.1 SYNOPSIS:

Contains Detective Bureau call-out procedures including who to call, when to call, and what information to provide to those being called out.

1-200.2 POLICY/OVERVIEW:

This order is not intended to usurp a Watch Commander's discretion to order/call out any personnel needed when a major incident occurs or for the protection/welfare of the public.

This order is intended to give direction only when the following specified activity has occurred.

1-200.5 PROCEDURES:

- I. When to Activate Detective Bureau Call-Out
 - A. Homicide.
 - B. Industrial deaths.
 - C. Unexplained deaths with possible foul play.
 - D. Overdose death with possible foul play.
 - E. Major assaults with potential of death.
 - F. Child abuse with potential of death.
 - G. Missing person - when foul play is suspected.
 - H. Burglary when extensive property is taken or there is a need for assistance which is beyond the scope of Patrol personnel.
 - I. Robbery when victim receives serious or fatal injury or there is a need for assistance which is beyond the scope of Patrol personnel.
 - J. Narcotics cases involving large quantities of drugs and evidence. (Also includes clandestine drug labs.)

DETECTIVE 1-200

- K. In-custody deaths.
 - L. Vehicular accidents involving police personnel or City vehicles, which due to the circumstances may have a high potential for City liability.
 - M. Vehicular accidents which are near fatal or fatal. An Evidence Investigator or Evidence Technician may assist with scene preservation and scale drawings.
- II. Who to Call
- A. On Evenings, Weekends, and Holidays
 - 1. On-call supervisor to be notified.
 - a On-call investigating Detective and on-call I.D. Detective to be notified at the discretion of the on-call supervisor on evenings, weekends, and holidays.
 - B. On All Other Days:
 - 1. Crimes Against Persons - Crimes Against Persons Sergeant to be notified.
 - a In the event no Crimes Against Persons Sergeant can be reached, the Crimes Against Property Sergeant or Narcotics Sergeant shall be notified.
 - b In the event no Sergeant can be reached, the Detective Bureau Commander shall be called.
 - 2. Crimes Against Property - the same procedure will be followed as is described in Crimes Against Persons with the exception of calling the Crimes Against Property Sergeant first.
 - C. Major Narcotics Violation
 - 1. The Narcotics Sergeant will be notified.
 - a In the event the Narcotics Sergeant can not be located, the Crimes Against Persons or Crimes Against Property Sergeant will be notified.
 - b In the event no Sergeant can be reached, the Detective Bureau Commander will be notified.
 - c The responding supervisor will evaluate the incident and call any needed Detective Bureau personnel.

DETECTIVE 1-200

III. General Policies

A. Caller's Duties

1. Provide called out personnel with available information as to who, what, where, when, and how.
2. Notify Operations Division Captain that Detective Bureau personnel are being called out.

B. Called-out Detective Bureau Supervisor shall complete press release.

C. Called-out personnel will check in with Watch Commander upon arrival for briefing and check out with Watch Commander for debriefing.

D. When responding to a call-out, the minimum standard will be the summer dress code.

DETECTIVE 1-201

1-201.0 TITLE: CASE CLEARANCE/PROPERTY DISPOSITION

Effective Date: 05-07-84

Revised Date: 9-2-99 (Author: PST Shirley Webster)

Prior Revised Date: 12-29-87

Related Procedural Manuals: REC. 1-306

1-201.1 SYNOPSIS:

Procedures for completing Case Disposition Form PPD-18B and Property Disposition.

1-201.2 POLICY/OVERVIEW:

PPD form 18A has been designed to ensure Uniform documentation of case clearances and dispositions and it shall be used by Detectives and the Court Officer.

1-201.5 PROCEDURES:

I. When to complete a disposition form

A. Assigned Cases

1. When a case is cleared per UCR criteria

- a. Arrest
- b. Juvenile
- c. Exceptional
- d. unfounded
- e. inactive

- (1) When a determination has been made that all reasonable leads are exhausted or events beyond the Detectives control stop the investigation process.

B. Unassigned cases with evidence and/or property

1. A Property Technician will initiate an inquiry regarding the status of evidence and/or property.

- a. Review report to determine if property or evidence has been seized.

- (1). Determine if property belonging to victim, subject, etc., can be photographed and released.

- (a) If so, enter directions on pink copy of property report form, PPD 40.

DETECTIVE 1-201

(2). determine proper disposition on all items on the pink property report form PPD 40 and write direction for each item.

(a) on evidence not released, enter "destroy" and the statute of limitations timeframe i.e., 1 year, 3 years etc.

II. How to complete a dispo form

A. Fill in and/or circle, all known details relating to the case. Mark "N/A" in spaces not applicable.

B. "Property Disposition" area

1. Special attention shall be given this area to appropriately dispose of all property held as evidence, according to Department policy and state laws.

2. "After court disposition" area, the evidence will automatically be held for 90 days after sentencing pending any appeal. Indicate action to be taken with evidence after the 90 days.

a. "Destroy or release item #_____ III. Upon Completion of form

A. Forward form to Supervisor

1. Approval determination and forward to Detective Bureau Coordinator.

2. Detective Bureau Coordinator

a. Record disposition of case into computer.

b. Distribute copies appropriately.

(1) yellow - to Records

(2) goldenrod - to property

(3) white - mailed to victim

DETECTIVE 1-205

1-205.0 TITLE: PATROL OVERTIME SIGN-UP

Effective Date: 7/14/94

Revised Date: 04-17-02 (Author: Captain R. Windell)

Prior Revision Date: 12-20-99

Related Procedural Manuals: Pat 1-415

1-205.1 SYNOPSIS:

Outlines procedure for equitable distribution of available overtime for scheduled vacancies in operations.

1-205.5 PROCEDURES:

I. Posting the Vacancy

- A. Vacancies available for sign-up shall be posted on "Overtime Sign-up" sheets with the original kept on a clipboard adjacent to the Watch Commander's office. Copies may be placed on the Blue Log. Vacancies shall be posted by Watch Commanders or Supervisors. A copy of the sign-up shall be sent to the Patrol Services Captain.
- B. The vacancy shall first be available to personnel of the indicated rank. After five (5) calendar days, remaining vacancies shall become available to personnel of another rank (secondary personnel) as specified on the sign-up form in the "Date available for..." box.
- C. All sign-ups shall be done in ink, and personnel shall not remove their names without Watch Commander approval. Once signed for, personnel are responsible to fill the vacancy.
- D. Employees wishing to work the entire shift shall have priority over those volunteering only for a portion of the shift only if the other portion of the shift is still available for sign-up. If two employees have both signed up to split the full shift, then they have priority over the shift.

II. Sign-up

- A. An officer who signs up for more than one overtime shift (10 hours) in any two week pay period may be "bumped" by another employee. An employee who has signed up only for portions of overtime shifts may only be bumped if the portions total more than 10 hours in any two-week pay period.
- B. Bumping may not occur within 72-hours of the available shift.
- C. The substituting employee must verbally notify the bumped employee of the substitution.

DETECTIVE 1-205

- D. The substituting employee will indicate the bump by placing a redline through the initial employee's name, then writing their own name in red ink.
- E. The employee who first signed up has choice of which day to keep. The bumping employee has second choice. In the case of multiple dates, choices alternate.
- F. Bumping employees assume full responsibility for working the shift.

III. Short-Notice Vacancies

- A. Vacancies posted with less than five (5) days notice are not subject to above restrictions - any employee may sign-up for unlimited openings as soon as the vacancy is posted.
- B. The posting supervisor shall write in "Short-Notice" in the space next to "Date Available For" on the sign-up form.

IV. Availability - Secondary Personnel

- A. Unless otherwise approved by the Watch Commander (or administrative Personnel), vacancies shall become available to personnel of another rank as follows after five (5) days:

Lieutenant: Sergeant

Sergeant: Corporal, Detective with Supervisory School Certificate and annual department approval by Patrol Division Commander and Special Services Division Commander.

Corporal: Officer, Detective unless specified for FTO only.

Desk PST: C.R.W.

- B. All Police Officer vacancies are open to Corporals and Detectives upon posting.
- C. Employees on training status are not eligible for overtime sign-up.

DETECTIVE 1-208

1-208.0 TITLE: USE OF THE "NO-SPIT" BAG

Effective Date: 12-13-85

Related Procedural Manual: Patrol 2-105, Jail

1-208.1 SYNOPSIS:

Procedure for the use of the "No-Spit" bag. Procedure described when to use, how to use, documenting the use of, sanitization of used bags, issuance of sanitized bags.

1-208.2 POLICY/OVERVIEW:

It is the policy of this Department that arrestees be treated humanely and every precaution be taken to ensure the safety and welfare of the arrestee as well as the Police Officer. The preventive or controlling measure outlined herein is presented with this policy in mind.

1-208.4 DEFINITIONS:

- A. "No-Spit" Bag - A porous, light blue, cloth bag, approximately 17 inches by 18 inches with an elasticized bottom designed to protect officers from being spat upon by in-custodys.
- B. Sanitization - The cleaning or laundering of a used bag by Jail personnel.
- C. Sanitized Bag - Bag that has been laundered and packaged in a sealed plastic bag for re-issue.

1-208.5 PROCEDURE:

- A. Issuance of "No-Spit" Bags
 - 1. All officers below the rank of Sergeant assigned to the Patrol function, all Reserve Officers, the Warrant Officer and all Phase Trainees will be issued a sanitized bag.
- B. When to Use the Bag
 - 1. The "No-Spit" bag shall be used on any in-custody, that is being transported, who starts to spit upon officers or who has just previously spat upon civilian personnel and in all probability will spit on the transporting officer/s. Obviously, the "No-Spit" bag is only effective if the in-custody is handcuffed and cannot remove the bag with his/her hands.
- C. How to Use the Bag
 - 1. The "No-Spit" bag is to be removed from the sealed plastic bag. The "No-Spit" bag has a closed top and an open, elasticized bottom.

DETECTIVE 1-208

2. The officer should place one end of the elasticized bottom under the chin of the in-custody and then pull the "No-Spit" bag back over the head and down until the bag covers the entire head of the in-custody and the elasticized bottom is loosely fitted around the neck.
3. The cloth, "No-Spit" bag is porous so the in-custody will be able to breathe normally with the bag in place. Under no circumstances should any tape, string, rope or any other object be used to secure the "No-Spit" bag to anyone's head or neck. The "No-Spit" bag shall not be used as a physical means to control the movement or actions of an in-custody wherein the bag is pulled or gathered in the officer's hand to reduce the size of the bottom opening or the space about the neck, face, or head nor is the bag to be pulled on to guide an in-custody. The loose fitting elasticized bottom will prevent a handcuffed person from removing the bag.
4. The "No-Spit" bag, when in place, will allow the in-custody limited vision. Officers shall assist any in-custody who has a "No-Spit" bag in place. Assistance shall consist of guiding the in-custody around any obstacle, through doorways and up and down stairs as the case may be.
5. Removal of a "No-Spit" bag from a spitting in-custody may be done by the transporting officer in the Jail prior to, or immediately after, the booking process depending upon the attitude of the in-custody.

Actual removal of the "No-Spit" bag should be accomplished by grasping the elasticized bottom at the back of the head, pulling the bottom out away from the neck, then lifting the bag over the back of the head, toward the front and then down away from the face.

6. The used or contaminated bag should be placed in a paper sack and given to on-duty Jail personnel. Upon receipt of the contaminated "No-Spit" bag, Jail personnel will issue a sanitized bag to the officer.
7. Documentation of the "No-Spit" bag use shall be made in the police report. If the transporting officer is the arresting officer, the documentation would be included in the officer's first report. If the transporting officer is not the arresting officer, documentation shall be made in a supplementary report.

DETECTIVE 1-210

1-210.0 TITLE: FUELING OF RENTAL VEHICLES

Effective Date: 12-26-84

Related Manual:

1-210.1 SYNOPSIS:

Procedures for servicing and fueling rented vehicles.

1-201.4 DEFINITION:

"Rental Vehicle" is a vehicle which was rented from a auto rental agency loaned to the Police Department from an automotive dealership or borrowed from another agency to be used in official police business.

1-210.5 PROCEDURES:

I. Gas Log

- A. If the operator is required to put gasoline into a rental vehicle from the gas pump located at the Police Department or City Yards, the gas log should indicate "P9999" in place of the vehicle's license number.

II. Fueling and Servicing of Rental Vehicles

- A. Fueling and servicing of rental vehicles out side of the City limit shall be done only in an emergency or when traveling, using Department issued credit cards or previously approved method; i.e., cash reimbursement, etc.

- 1. Add note on credit card receipt that it is a rental car.

DETECTIVE 1-211

1-211.0 TITLE: USE OF GASOLINE CREDIT CARDS BY PERSONNEL ASSIGNED TO NORSAT

Effective Date: 8-4-88

1-211.1 SYNOPSIS:

Establishes procedure for issue and use of City of Pomona gasoline credit cards by personnel assigned to NORSAT.

1-211.3 DEFINITIONS:

NORSAT - North Regional Surveillance and Apprehension Team

1-211.5 PROCEDURE:

- I. Issuance of City of Pomona gasoline credit cards.
 - A. The gasoline credit cards will be obtained by the Support Services Division Lieutenant.
 - B. A City of Pomona gasoline credit card shall be issued to each of the Pomona police personnel assigned to NORSAT.
- II. Use and control of City of Pomona gasoline credit card.
 - A. The gasoline credit card shall be only used by Pomona police personnel assigned to NORSAT.
 - B. The credit card shall be used only in those cases where it is not practical to refuel the City of Pomona vehicle at Pomona Police Department, or other City of Pomona facilities.
 - C. If the card is used to fuel a rental car, make a notation on sales invoice of "20-999" and the word NORSAT.
 - D. If card is used on a city vehicle, note the city ID number and the word NORSAT
 - E. The customer copy of the sales invoice shall be forwarded to the Crimes Against Property Sergeant.
 - F. The Crimes Against Property Sergeant shall then forward the invoice to the Public Works Equipment Maintenance Superintendent.

DETECTIVE 1-211

- G. A lost or stolen credit card shall be reported as soon as possible to credit card company by the person losing possession of the credit card.
- H. The loss of the credit card shall be documented by established procedure.

DETECTIVE 1-300

1-300.0 TITLE: STORAGE AND IMPOUND OF VEHICLES

Effective Date: 5-25-86

Revised Date: 10-02-00 (Author: Corp. D. Leonard)

Previous Revised Date: 3-18-87, 4-1-88, 1-17-90, 2-13-92, 1-3-95, 7-7-97

Related Manuals: DESK 3-202, PAT 8-301, TRAF 6-020

1-300.1 SYNOPSIS:

Procedures and instructions regarding the storage and impound of vehicles by officers of the Pomona Police Department.

1-300.3 STATUTORY REFERENCES:

22650 VC Prohibition of Removal
22651 VC (a thru r) Authority to Remove
22651.7 VC Vehicle Abandoned after Pursuit
10751 VC Altered V.I.N.
22655 VC Impound Hit and Run
22652 VC Removal From Handicapped Parking
22653 VC Recover Stolen/Embezzled Vehicle
22655.5 VC Impound for Evidence
22656 VC Removal of Vehicle On Railroad Track
22520 VC Driver Arrested On The Freeway
32-13.12 PCC Overparked Vehicles
14602.6(a) V.C. Driver license Suspended; Revoked; or Unlicensed driver
23109(a) V.C. Speed Contest
22651.6 V.C. Authority To Act
23109(a) V.C. Authority to Arrest and Impound for 30 Days
23109(D) (1-3) V.C. Liability for Fees

1-300.4 DEFINITIONS:

Storage: The removal of a vehicle for safekeeping, when considered an obstruction/hazard, incidental to an arrest, or when in violation of a local ordinance, as authorized by the California Vehicle Code.

Impound: The seizure of a vehicle as evidence in a particular investigation pursuant to 22655.5 C.V.C., when used in the commission of a crime, or under the other provisions set forth by the California Vehicle Code. Note: California Constitution, Art. 1, Sect. 13. Should not be used any longer as impound authority.

23109(a) V.C. - Definition of Speed Contest

22651.6 V.C. - Authority to Act in the Removal of Vehicle used in a Speed Contest as per 23109(a) V.C., if Driver Arrested and Taken into Custody.

DETECTIVE 1-300

23109.2(a) V.C. - Authority to Immediately Arrest and Take into Custody a Person in Violation of 23109(a) V.C. and Cause Removal and Seizure of the Motor Vehicle used in that Contest for not more than 30 Days.

23109(D)(1-2) V.C. - If Prior to Conclusion of Impoundment Period Charges are not Filed or they are Dismissed, the Vehicle Shall be Released Only if The R/O or His or Her Agent Presents a Valid Drivers License and Current Registration.

23109(D)(3) V.C. - If the Vehicle is Released Per 23109(D)(1-2), Neither Driver nor the R/O is Liable for Costs Associated with the Towing and Storage nor Shall the Vehicle be Subject to a Lien Sale to Satisfy Charges.

Refer to above Statutory References and/or CHP Bulletin No. 67 for further information.

1-300.5 PROCEDURES:

I. Storage:

A. From A Highway:

1. If a vehicle is located in a manner as to constitute a hazard to traffic, or illegally parked, and it is impractical to move or unable to be moved to a location of safety, it shall be stored in accordance with, and as authorized by the California Vehicle Code [SECTION 22651 (a) (b) (d) (e)].
2. A vehicle may be stored, in accordance with section 22652 CVC, authorizing its removal from marked handicapped parking stalls or spaces.
3. Overparked vehicles in violation of Section 32-13.12 Pomona City Code shall be stored by an officer after:
 - a. The vehicle has been marked with chalk on the tires, showing date and time
 - b. The mileage noted
 - c. A copy of Notice placed on vehicle
 - d. The officer returns after 72 hours
 - e. A storage form has been completed
4. If the conditions of Section 22651(g) CVC are present (incapacitated), the officer shall fully describe the nature of the incapacitation in the police report.
5. 22651(h) CVC authorizes storage of vehicle if the driver is arrested. However, the vehicle should be left at the location if legally parked, and at the vehicle owner's request. If the officer believes the vehicles should be stored due to unusual circumstances, the vehicle may be stored after

DETECTIVE 1-300

supervisor approval. If stored, the facts upon which he based his decision shall be articulated in the storage report.

- a. Vehicles on the highway in which the driver is arrested for driving under the influence of drugs/alcohol (23152/23153 VC) shall be stored pursuant to 22651(h) unless:
 - 1) The driver's spouse, legal guardian or co-owner, is present, and;
 - 2) Presents a valid driver's license, and;
 - 3) Agrees to take possession of the vehicle and accept responsibility for it's safekeeping.
 - b. Other passengers in a vehicle stored pursuant to this section shall be handled in accordance with Patrol Procedure 7-403.
 - c. The disposition of the vehicle and any occupants shall be documented in the police report.
6. In accordance with Section 32-16 P.C.C., a commercial vehicle in excess of 3 tons, parked off a truck route, with the approval of a field supervisor. Reasonable effort should be made to contact the R/O prior to storage, to move the vehicle if the R/O is within the City limits.

B. From Private Property:

The officer shall store a vehicle upon the request of the owner of said private property, when the driver of the vehicle is arrested, as authorized in Section 22653 CVC.

In accordance with Section 22652 CVC, authorizing removal from property marked handicapped parking stalls or spaces, an officer may store the vehicle.

C. Additional Circumstances In Which An Officer May Store A Vehicle Are:

1. In accordance with Section 22651.5 CVC authorizing removal from private, public property or highway, if all the following conditions are met:
 - a. Vehicle parked in residential district
 - b. Alarm devices sounded
 - c. Officer is unable to locate owner within 45 minutes
 - d. Alarm device still sounding after the 45 minutes or intermittently sounding on a timing device for a period of 45 minutes and the alarm cannot be deactivated.

DETECTIVE 1-300

2. In accordance with Section 22656 CVC authorizing removal of a vehicle parked on or within 7 1/2 feet of a railroad track, the vehicle shall be stored.
3. In accordance with Section 22669 CVC, when an officer has reasonable grounds to believe a vehicle is abandoned either upon a highway, or public or private property, the officer may store the vehicle.
4. In accordance with Section 22651(h) CVC, when an officer arrests any person driving or in control of a vehicle for an alleged offense and the officer is by this code or other law, required or permitted to take and does take the person into custody.
5. 22651 (c) CVC, when the vehicle has been reported stolen/embezzled.

II. Impound:

A. From A Highway Is Permitted Under The Following Circumstances:~~1. —In accordance with section 22651(P) when the driver of a vehicle is cited for 12500 V.C., 14601 to 14601.5, 14604 V.C. even through a licensed passenger is present or if the vehicle has been driven onto private property after having been seen on a highway or public lands.~~

12. 22651 (j) CVC, when the vehicle is illegally parked, having no evidence of registration.

23. 22651 (o) CVC, when the vehicle has been found upon a highway with a registration expiration date in excess of six (6) months. In lieu of impound, the officer may issue a promise to appear to the owner or person in control of the vehicle. An officer shall not impound the vehicle and issue a promise to appear.

3. 10751 CVC, when a vehicle has altered, defaced, or removed VIN numbers.

B. From a Highway is Mandatory Under the Following Circumstances:

14. 14602.6(a) C.V.C. may impound a vehicle driven by a person who is driving while his/her license is suspended or revoked or never licensed, the officer shall impound a vehicle when the driver of a vehicle is cited for 12500 VC, 14601 to 14601.5, 14604 VC, even though a licensed passenger is present or if the vehicle has been driven onto private property after having been seen on a highway or public lands.

- a. In the “Remarks” section of the Impound Report, the officer shall indicate the driver’s name and date of birth, the reason the vehicle was stopped, and the license violation section that the driver was cited for.

DETECTIVE 1-300

b. The officer shall issue the driver or vehicle owner if present, PPD Form 373, "Vehicles Impounded For 30 Days."

c. The officer shall document the issuance of PPD Form 373 and who it was issued to (driver or owner) in the "Remarks" section of the Impound Report.

2. 22651(P) VC, an officer shall impound a vehicle when a driver is unlicensed or driving on a suspended license and 14602.6(a) VC does not apply.

C.B. From Private Property:

1. 22653 CVC, Recovery of a vehicle reported stolen/embezzled.
2. 22655 CVC, Seizure of a vehicle in violation 20002 CVC if property is open to the public.
3. In accordance with Section 22651.3 CVC authorizing removal and impoundment of a vehicle from off street public parking if:
 - a. Vehicle not currently registered in California and;
 - b. Is known to have been issued five or more notices of parking violation in a period of five or more days.

III. Reporting:

- A. Any officer of this Department, removing a vehicle from a highway or private property shall fill out and complete a CHP 180 and submit the form without delay to the Department. The original and the two attached half pages (pages 2 and 3) shall be submitted to Log Steno for processing.
- B. All spaces are to be completed or noted DNA. Numbers are to be printed, letters are to be capital script alpha characters. A ball-point pen shall be used to assure that all four pages are legible. The yellow copy (page 4 / full length) will be given to the towing agency. An "Additional Page" may be used if there is insufficient room on the narrative portion of the CHP 180.
- C. A CHP 180 form is not needed if an owner or agent of the owner requests a tow truck.

IV. Towing Of Vehicle/When In Possession Of Tow Company:

- A. When an officer of the Pomona Police Department locates a vehicle which presents itself as a hazard or obstruction to traffic, and a tow truck is requested, the tow truck will be deemed to be in possession of the vehicle after he has

DETECTIVE 1-300

completed connection of the vehicle to his tow truck, as outlined in 3068.1 California Civil Practice code.

- B. If the owner or agent of the owner arrives prior to the tow truck hooking up and prior to the beginning of vehicle transit, and the vehicle is not being impounded for sections 14602.6(a), 22651(P), or 14607.6 C.V.C., officers shall stop the tow truck from connecting with the vehicle until it is ascertained if the owner/agent will be able to move the vehicle himself. If the tow company does not complete the tow, the requesting officer shall notify Communications to replace that company at the top of the rotating call list.

V. Recovered GTA Inspections:

- A. If a recovered GTA is to be released to the owner or his authorized designee in the field, the Police Department employee shall have the owner open the trunk of the vehicle and inspect the trunk for contraband and/or stolen items. The inspection will also allow the owner, or his designee, to assure that no items are missing.
- B. If the recovered GTA is to be stored or impounded, and the trunk of the vehicle cannot be inspected due to lack of keys or trunk release button, the Police Department employee shall direct the tow company operator to have the trunk inspected, on their premises, prior to releasing the vehicle. (The tow companies have agreed to assist the Department with this request).

Note: This policy does not authorize forcible entry unless existing probable cause has been established.

Pomona Police Department Form #PPD 373, effective/revision date, 07-08-97, is associated with this procedure.

DETECTIVE 1-302

1-302.0 TITLE: TRANSPORTATION OF PERSON IN POLICE VEHICLES

Effective Date: 5-7-84

Related Procedural Manual: PAT. 7-403

1-302.1 SYNOPSIS:

Guidelines for civilian and prisoner transportation, transportation of prisoners in caged and non-caged vehicles and PCP prisoner transportation.

1-302.5 PROCEDURE:

I. Civilian Transportation

- A. All civilians, off duty Police Officers, on duty Police Officers from other agencies, transported for the purpose of a Ride-Along, shall have the approval of the on-duty Watch Commander prior to being transported in a Police vehicle.
- B. Civilians being transported to and from Court as witnesses for the prosecution, for the purpose of a formal line-up, or any other Court procedure or District Attorney's investigation, shall have prior approval of either the on-duty Watch Commander or the Detective Bureau Commander.
- C. Civilians who are stranded, lost, deprived of their transportation through accident or as victims of a crime, may be transported from their location to another location within the City, with the approval of the Field Supervisor or the on-duty Watch Commander. Prior to the transportation, officers shall advise Communications of the nature of the transportation, their starting location, and probable destination. If the person to be transported is a female, the officer shall give his starting and ending mileage to Communications.
- D. In case of an emergency situation where the officer is unable to advise Communications, such as a power failure, civil disorder or disaster, the officer shall use discretion based on the totality of the existing conditions. The name, address and date of birth of the person transported, time and date, location to and from and reason for the transportation shall be recorded. This information will be supplied to the Communications Department and the on-duty Watch Commander as soon as practical, or at the end of that assigned shift.

II. Prisoner Transportation

- A. All prisoners being transported in a Police vehicle shall be given a field search by the transporting officer prior to the transportation. Female prisoners shall have any items which have potential of being weapons removed from their person; high-heeled shoes, purses, combs and jackets or coats.

DETECTIVE 1-302

- B. All adult prisoners shall be handcuffed with handcuffs double locked, hands behind back and secured in their seats with the vehicle seat belts.
 - 1) The handcuffing of extremely young juveniles, elderly adults or prisoners with physical abnormalities may be left with the discretion of the transporting officer. However, they shall be secured with a seat belt, allowing for any physical abnormalities. Prisoner custody and security is the responsibility of the arresting/ transporting officer.

III Female Prisoner Transportation

- A. Female prisoners shall be transported in the same manner and seating arrangement as male prisoners.
- B. Male officers transporting female prisoners shall give starting mileage and ending mileage to Communications.
- C. Officers transporting female prisoners out of the City shall record their ending mileage and report same to Communications upon their return to the City.
- D. It shall be left to the discretion of the Watch Commander as to transportation arrangements of female prisoners out of the City.

IV. Non-Caged Vehicles

- A. One officer and one prisoner with the prisoner in the right front seat.
- B. Two officers and one prisoner with the prisoner seated in the right rear seat and the second officer seated in the left rear seat.
- C. Two officers and two prisoners with a prisoner in the right front seat and right rear seat with second officer in the left rear seat.
- D. Two officers with three prisoners, second officer in the left rear seat, first prisoner in the right rear seat, second prisoner in the right front seat and third prisoner in middle rear seat.

V. Caged Vehicles

- A. It is extremely important that the transporting officer with a caged unit personally conducts a field search of all prisoners he/ she transports.
- B. If a prisoner is of the opposite sex, the transporting officer shall make every effort within legal confines to ensure the prisoner may be safely transported.

DETECTIVE 1-302

- C. The standard procedure for transportation of prisoners in a caged vehicle is the officer/ officers in the front and the prisoners in the rear seat, handcuffed with hands behind their backs, and secured with seat belts.
- D. A single transporting officer shall transport no more than two prisoners without the authorization of a Field Supervisor.
 - 1) A Field Supervisor has the discretion to authorize more than two prisoners to be transported by a single transporting officer based on age, physical size, nature of offense and demeanor of prisoners to be transported.

VI. PCP Prisoner Transportation

- A. The single greatest hazard to Police Officers in the transportation of PCP intoxicated subjects other than their obvious violent nature is the possibility of ether intoxication. To prevent the possibility of ether intoxication, the following procedure shall be adhered to when transporting PCP intoxicated prisoners:
 - 1) All PCP intoxicated prisoners who are unconscious, semi-conscious, severely injured or in the arresting officer's opinion, too violent to be placed in the confines of a Police vehicle, shall be transported to the hospital by ambulance. The arresting officer or the Field Supervisor at the scene shall ensure that adequate Police personnel are assigned to accompany the prisoner in the ambulance.
 - 2) All PCP intoxicated prisoners who are capable of being transported by Police vehicle shall be, when possible, secured by a seat belt and at all times shall have their feet secured with a PCP rope.
 - 3) Prior to leaving the scene or the hospital, the transporting officers shall ensure that all four windows of the Police vehicle are rolled down at least four inches and the blower, vent or air conditioning unit is engaged and blowing air into the interior of the transporting vehicle. Forced ventilation is required to prevent ether intoxication of the transporting officer/officers.

POLICE DEPARTMENT

M E M O R A N D U M

July 31, 2012

TO: ALL PERSONNEL

FROM: PAUL CAPRARO, ASSISTANT POLICE CHIEF

**SUBJECT: DIRECTIVE #12-04, DISSEMINATION OF CONFIDENTIAL
INFORMATION OVER THE TELEPHONE**

This directive sets policy regarding the dissemination of confidential information over the telephone.

It is the responsibility of the caller to identify themselves when placing a telephone request for warrant/registration information or other restricted and confidential information. This shall additionally include telephone numbers, addresses, other identifying information of City employees and elected officials.

If the caller is in an on-duty capacity he/she shall provide the call taker with their assigned call sign. The call taker shall not proceed with the request unless the call sign is given by the caller. If at any time the call taker feels that further investigation into the identity of the caller is necessary they should forward the call to the Watch Commander prior to releasing the requested information.

If the caller is in an off-duty capacity he/she shall be required to call the on-duty Watch Commander for approval of the request. If the request is approved, the Watch Commander shall forward the call to the proper unit and inform the call taker that the request is approved.

PAUL CAPRARO
Assistant Chief of Police

PATROL 1-415

1-415.0 TITLE: PATROL OVERTIME

Effective Date: 7/14/94

Revised Date: 08/01/13 Captain Olivieri

Prior Revision Date: 04/17/02

1-415.1 SYNOPSIS:

Outlines procedure for equitable distribution of available overtime for short-notice or short-term unanticipated vacancies in operations. The Overtime Hotline should be used for Long-term or continuous patrol vacancies.

1-415.5 PROCEDURES:

I. Announcing the Vacancy

- A. Supervisors shall announce overtime after obtaining approval from the Watch Commander.
- B. Supervisors shall announce the available overtime via department email to the appropriate work group(s). The appropriate email distribution list(s) shall be used (i.e. Sworn-Officers, PD-Corporals, PD-Sergeants and/or PD-Lieutenants).
- C. The vacancy shall first be available to personnel of the indicated rank. After Three (3) calendar days, remaining vacancies shall become available to personnel of another rank (secondary personnel). Except where otherwise noted, supervisors shall use the first-come, first-serve method of issuing shifts.
- D. When the vacancy has been filled, the supervisor shall send out a subsequent email to the same email distribution lists/group(s) indicating that the vacancy has been filled, including the name of the employee(s) who filled it.
- E. Employees wishing to work the entire shift shall have priority over those volunteering only for a portion of the shift only if the other portion of the shift is still available for sign-up. If two employees have both signed up to split the full shift, then they have priority over the shift.
- F. Employees who are actively “on-call” for Homicide or MAIT, may not work a patrol squad overtime vacancy. If an employee finds him or herself in that predicament, either the “on-call” or the overtime shift will be given up immediately.

II. Sign-up

- A. An employee who signs up for more than one overtime shift (10 hours) in any two week pay period may be “bumped” by another employee. An employee who has

PATROL 1-415

signed up only for portions of overtime shifts may only be bumped if the portions total more than 10 hours in any two week pay period.

- B. Bumping may not occur within 72-hours of the available shift.
- C. The substituting employee must verbally notify the bumped employee and the issuing supervisor immediately of the substitution by email.
- D. The employee who first signed up has choice of which day to keep. The bumping employee has second choice. In the case of multiple dates, choices alternate.
- E. Bumping employees assume full responsibility for working the shift.

III. Short-Notice Vacancies

- A. Vacancies with less than three (3) days notice are not subject to the above restrictions of bumping or secondary rank delay- any employee may commit to unlimited openings as soon as the vacancy is announced.
- B. Short notice vacancies will be handled via the email system as outlined in Section I above.

IV. Availability - Secondary Personnel

- A. Unless otherwise approved by the Watch Commander (or administrative Personnel), vacancies shall become available to personnel of another rank as follows after three (3) days:

Lieutenant: Sergeant

Sergeant: Corporal, Detective with Supervisory School Certificate and annual department approval by Operations Division Commander and Investigative Services Division Commander.

Corporal: Officer, Detective unless specified for FTO only.

- B. All Police Officer vacancies are open to Corporals and Detectives upon posting.
- C. Employees on training or light-duty status are not eligible for overtime sign-up.

DETECTIVE 1-307

1-307.0 TITLE: REGISTRATION REQUIREMENTS FOR AMMUNITION SALES

Effective Date: 8-13-97 (Author: Captain J. Harding)

Revised Date: 5-4-00 (Author: Sgt. J. Wright)

1-307.1 SYNOPSIS:

Defines procedures for administering City of Pomona Ordinance #3842, which requires ammunition sales registration.

1-307.2 POLICY/OVERVIEW:

It is the intent of the City Council of Pomona to reduce the incidents of violent crime in the City of Pomona, and to facilitate the apprehension and conviction of perpetrators of such crimes through required registration of ammunition sales.

1-307.3 STATUTORY REFERENCES:

16-50.1 Definitions, Ammunition, Vendor

16-50.2 Record Of Ammunition Sales

16-50.3 Violation/Penalty

1-307.4 DEFINITIONS:

Ammunition as used in this chapter shall mean projectiles expelled by force of an explosion, for use in pistols and revolvers, as defined in California Penal Code 12001, notwithstanding that the ammunition may also be used in rifles.

Vendor shall mean any individual, gunstore, retail or department store, gun show participant, firm, or corporation engaged in the sale of ammunition.

1-307.5 PROCEDURES:

I. Registration

A. Organization/Coordination

1. It shall be the responsibility of the Special Services Crimes Against Property Sergeant to meet with all individuals, gunstores, retail or department stores, gun show participants, firms or corporations annually and explain the City's ammunition registration requirements.
2. The Special Services Crimes Against Property Sergeant shall ensure all individuals, gunstores, retail or department stores, gun show participants, firms or corporations are supplied with Pomona Police Department Form # 374, for ammunition registration; and understand how and when to complete them.

DETECTIVE 1-307

B. Collection/Filing/And Distribution of Ammunition Registration Information Contained On PPD Form # 374.

1. It shall be the responsibility of the Special Services Crimes Against Property Sergeant to ensure that the Police Department copy of PPD Form # 374 is collected weekly.
2. The Special Services Crimes Against Property Sergeant will supervise the storage of information contained on collected PPD Form # 374.
3. The Special Services Crimes Against Property Sergeant will supervise and coordinate the investigative uses of the ammunition registration information.

II. Enforcement

A. Investigative Action

1. The Special Services Crimes Against Property Sergeant will periodically plan and supervise undercover operations to ascertain if violations of Section 16-50.3 are occurring.
2. The Special Services Crimes Against Property Sergeant will maintain a log of all such undercover inspections.

B. Enforcement Action

1. The assigned undercover operative will cite any licensed vendor or person engaged in the retail sale of ammunition knowingly making a false entry in, or failing to make appropriate entry, or failing to properly maintain, any such record.

DETECTIVE 1-310

1-310.0 TITLE: LOCKSMITH SERVICES

Effective Date: 5-18-84

Related Procedural Manual: PAT. 8-009

1-310.1 SYNOPSIS:

Establishes procedures to follow in those cases where the services of a locksmith are required to enter the passenger or trunk area of a vehicle.

1-310.5 PROCEDURES:

I. General Procedures

- A. If in the process of a criminal investigation, the services of a locksmith are required to enter the passenger or trunk area of a vehicle, the following vendors are to be utilized:
 - 1. Curley's Key Shop, 306 E. Monterey Ave., 622-6716 or 622-8082.
 - 2. Pomona Lock and Key Service, 840 E. Second St., 629-0200.
- B. The officer or detective in charge of the investigation shall get the approval of his or her immediate supervisor before contacting an authorized locksmith.
- C. The officer or detective requesting the service shall submit a brief memo explaining the need for the locksmith, along with the receipt from the locksmith.
 - 1. The DR number on the incident shall be placed on the receipt.
 - 2. The memo and receipt shall be forwarded through the chain of command to Support Services for processing of payment.

DETECTIVE 1-316

1-316.0 TITLE: INVESTIGATIVE TRAVEL POLICY

Effective Date 8-1-95

1-316.1 SYNOPSIS:

Procedure to obtain authorization and funds to travel beyond 100 miles for purpose of investigative follow-up.

1-316.2 POLICY/OVERVIEW:

An Investigator requesting to travel beyond 100 mile radius shall submit a completed travel request form to his/her supervisor who will approve or deny the request. If approved, the travel request form will be forwarded to the Investigative Lieutenant. The Investigative Lieutenant will, in turn, approve or deny the request and notify the requesting investigator's supervisor.

1-316.5 PROCEDURES:

I. Travel Approval

- A. The responsibility for approving travel beyond a 100 mile radius shall rest with the Investigative Lieutenant. The Investigative Lieutenant will insure that the travel is
 - 1. Necessary
 - 2. Reasonably economical
 - 3. In the furtherance of a criminal investigation
 - 4. Per diem limits conform to existing city policy

II. Obtaining funds

- A. Normally, travel costs for investigative follow-up will be funded out of the Investigative Services Program budget. Once approval for travel is granted, the requesting Investigator will obtain specific instructions from the Investigative Lieutenant. The Investigative Lieutenant will authorize the travel, lodging and per diem costs to be obtained via, Department issued credit card, purchase order, open purchase order, special issue check or a combination of those means.

III. Expense reporting

- A. Upon return, the Investigator will submit a completed Investigative travel expense report to his supervisor. The form will list all official expenses incurred during the travel and receipts for each expense will be attached to the completed form. Additionally the Investigator will return the balance of any money advanced or submit a reimbursement request for additional money due.

DETECTIVE 1-316

- B. The Investigative Lieutenant will maintain a file of completed travel requests and expense reports

DETECTIVE 1-320

1-320.0 TITLE: INVESTIGATION OF OTHER LAW ENFORCEMENT AGENCY OFFICER-INVOLVED INCIDENTS WITHIN THE JURISDICTION OF POMONA

Effective Date: 7-24-87

Related Procedural Manuals: PAT. 4-400, POMONA POLICE DEPARTMENT RULES AND REGULATIONS MANUAL SECTION 3.28, RECORDS - RESTRICTED USE OF

1-320.1 SYNOPSIS:

This procedure is to establish policy for conducting investigations of incidents which occur within our jurisdiction and involve other law enforcement personnel.

1-320.2 POLICY/OVERVIEW:

It is the policy of this Department to conduct thorough, professional investigations of all incidents that occur within our jurisdictional boundaries which involve the commission of a crime, death, serious injury likely to result in death, or as a result of a request from an agency whose officer/s are involved in any incident that does not involve Pomona Police Department employees.

1-320.3 STATUTORY REFERENCES:

Government Code Section 6254, Public Information Act

1-320.4 DEFINITIONS:

Other Agency Involved Incident:

For the purpose of this procedure, other agency involved incident shall be defined as: any occurrence within the jurisdiction of the City of Pomona involving on or off-duty law enforcement personnel from a law enforcement agency that does not have, by statute, a law enforcement responsibility within the jurisdiction of the City of Pomona. Agencies which have reciprocal agreements with the Pomona Police Department are not considered to have statutory responsibility for law enforcement within this jurisdiction.

1-320.5 PROCEDURES:

A. Police Officer

1. The officer shall immediately notify the field supervisor of any incident involving law enforcement personnel of another law enforcement agency who are on or off duty, which:
 - a. Results in death or injury

DETECTIVE 1-320

- b. Involves the use of deadly force
- c. Involves the commission of a crime by law enforcement personnel
- d. Involves conduct which presents a serious liability to the involved law enforcement agency

B. Supervisor

- 1. The on-duty supervisor shall provide the Watch Commander with all available information and cause appropriate safeguards to protect the scene and prevent the loss or destruction of evidence.

C. Watch Commander

- 1. Upon receiving the information as to the circumstances surrounding the incident, the Watch Commander shall determine which agency is to conduct the appropriate investigation.
 - a. If the involved other agency is the Los Angeles County Sheriff's Department and the incident occurred while the employee was on duty, the investigation will be handled by that agency since they have statutory jurisdiction within the County of Los Angeles.
 - b. If the involved other agency is within Los Angeles County and the incident occurred while the employee was on duty, that agency may request that we defer the investigation to the Los Angeles County Sheriff's Department.
 - c. If the incident involves a traffic collision which does not constitute lawful intervention on a freeway, the California Highway Patrol will handle the incident.
 - d. If the incident involves a traffic collision within the jurisdiction of Pomona on all other streets and roadways, the incident will be handled by Pomona Police Department.
- 2. Contact the affected law enforcement agency.
 - a. If a Los Angeles County agency is affected and requests the Los Angeles County Sheriff's Department to investigate an on-duty incident, or if the incident involves an on-duty law enforcement officer of the Los Angeles County Sheriff's Department, the Watch Commander shall provide continued security of the scene of the incident and other assistance as requested.

DETECTIVE 1-320

3. Notify the Chief of Police or Duty Chief.
 4. Notify the Operations Division Commander.
 5. If the investigation is to be handled by Pomona Police Department, arrange for the necessary resources to conduct a thorough, professional investigation. Necessary resources include, but are not limited to the following:
 - a. On-call Detective Sergeant
 - b. Identifications Detective
 6. If the affected agency is within the County of Los Angeles and the Pomona Police Department is conducting the investigation of an on-duty incident, and the incident involves death, serious injury likely to result in death, or a use or deadly force, ascertain if it is their policy to utilize the Special Investigation Division of the Los Angeles County District Attorney's Office. If the affected agency requests a response, the Watch Commander will notify SID of the circumstances and request their response.
 7. If the affected agency is within Los Angeles County and the investigation is to be done by the Pomona Police Department, the Crimes Against Peace Officers Section of the Los Angeles County District Attorney's Office will be notified via the Command Post if any of the following apply:
 - a. There has been an assault on an on-duty Peace Officer.
 - b. There has been an assault on a Peace Officer who was off duty as a retaliation.
 - c. An off-duty Peace Officer was assaulted while engaged in a law enforcement act.
 8. Coordinate a press release with the affected law enforcement agency.
- D. Request For Copies of Investigation
1. Request for copies of police reports shall be referred to the Records Supervisor who shall refer to Pomona Police Department Rules and Regulations Manual Section 3.28, Records - Restricted Use of, and also Government Code Section 6254, Public Information Act.

DETECTIVE BUREAU PROCEDURE 1-340

1-340.0 TITLE: CASE DISPOSITION SHEET ROUTING

Date: 11/26/93

Related Procedural Manuals: PAT 3-020

1-340.1 SYNOPSIS:

Described procedure for routing of Case Disposition Sheets from Detective Bureau to Records.

1-340.2 POLICY:

To provide Patrol Supervisors information regarding the filing disposition of arrests, Case Disposition Sheets will be made available to Patrol after being forwarded from the Detective Bureau.

1-340.4 DEFINITIONS:

Case Disposition Sheet is PPD Form 18B.

1-340.5 PROCEDURES:

1. Case Disposition Sheets are completed by assigned Detective Bureau personnel.
2. The assigned employee then forwards the yellow copy of the form to the Front Desk in the bin marked "Case Disposition Sheets."
3. The Swing Shift Desk Officer shall daily make one copy of each Disposition Sheet.
4. The Desk Officer will then forward the copy to the supervisor of the Officer named on the Disposition Sheet. This will be done by placing the copy in the supervisor's personal mail slot.
5. The Desk Officer will then forward the yellow copy of the Disposition Sheet to Records. The copies are to be placed in the wire basket marked "lab receipts and paperwork from Detective Bureau" which is on top of the 3 x 5 card file.

DETECTIVE 1-401

1-401.0 TITLE: APPREHENSION REQUESTS (836.3 PC)

Revised Date: 10-24-18 (Author: Jaime Martinez, Sergeant)

Prior Revision Dates: 11-28-89, 7-5-95, 2-5-96, 7-7-03

Related Procedural Manuals: PAT 3-005, REC 7-701

Xref: REC 3-000 Prioritizing Transcription of Reports

1-401.1 SYNOPSIS:

Procedures for the use and distribution of Apprehension Request.

1-401.5 PROCEDURES:

I. Circumstances for Issuance

- A. Apprehension Requests are to be issued only where there is sufficient evidence for an arrest under Section 836.3 P.C.
- B. Prior to the issuance of an Apprehension Request, an Officer must have established probable cause to believe that a felony has been committed and that the person from whom the Apprehension Request was issued, committed the felony.

II. Instructions for Use

- A. Complete the Apprehension Request Form (PPD 217) in its entirety.
 - 1. Advise your supervisor (Sergeant or Watch Commander) of the circumstances and have the supervisor review the completed form for accuracy.
 - 2. The supervisor will then approve the Apprehension Request by signing and dating the "Approved" portion of the form.
- B. The investigating officer shall utilize PSSI to complete the report and submit the Apprehension Request via Records.
 - 1. Sign the report and indicate in WorkFlow notes Apprehension Request submitted.
 - a. Records will make a copy of the original and place it on the blue log with the original photograph, if available. (Make a copy of the photograph to stay with the original report.) Indicate on the bottom of the original Apprehension Request, "XC – Blue Log, initial and date."
 - b. The yellow copy will be taken down to Dispatch to be broadcast.
 - c. The two remaining copies will stay with the original report and when processed, will be attached to the Detective Bureau copy of the report.

DETECTIVE 1-401

III. Cancellation

A. By Arrest Based on the Apprehension Request

1. The Arresting Officer will advise the Log Steno to print a copy of the original Apprehension Request.
2. The Arresting Officer will obtain the copy from the Log Steno and write "Canceled by Arrest" across the face of this document and sign his/her name.
3. The Arresting Officer will then return this document to the Log Steno for scanning.

B. Other Than by Arrest

1. When circumstances have developed wherein an Apprehension Request needs to be canceled, the following procedures will be followed:
 - a. This cancellation will be accomplished after approval by a supervisor (Sergeant or Watch Commander), or the assigned Detective.
 - b. The Officer/Detective will obtain a copy of the original Apprehension Request from the Log Steno.
 - c. The Officer/Detective will then write the reason for cancellation on the face of this copy.
 - d. The Officer/Detective will then return this document to the Log Steno for scanning, as soon as possible after the cancellation.

Note: The Log Steno will make notification for the blue log, Detective Bureau and Communications of the cancellation.

C. Expiration of Time

Cancellation

1. A thirty (30) day period (including weekends and holidays) will be utilized as a timeframe which would allow for Detectives to either obtain a filing or disposition for the case. When Apprehension Requests are signed/approved, a cancellation date will also be given (i.e., 03-01-03 1200 - 03-31-03 1200). This type of cancellation would be in lieu of the actual arrest of the suspect or upon cancellation by the assigned Detective.

DETECTIVE 1-500

1-500.0 TITLE: WEEKEND/HOLIDAY STANDBY POLICY

Effective Date: October 3, 1985

Related Procedural Manual: NONE

1-500.1 SYNOPSIS:

Procedure for Investigative personnel assigned to on-call status during weekends and holidays.

1-500.4 DEFINITIONS:

I. DURATION OF "ON-CALL" STATUS

- A. WEEKENDS - From Friday 1700 hours until Monday 0800 hours.
- B. HOLIDAYS - From 1700 hours of last work day until 0800 hours of first day back to work.

1-500.5 PROCEDURES:

I. PERSONNEL ASSIGNED TO AN ON-CALL STATUS FOR THE SPECIFIED TIME SHALL:

- A. Obtain a pager from the on-call Detective Sergeant.
- B. Respond within forty-five (45) minutes from the time of call and contact the on-duty Watch Commander.
- C. When responding to on-call - The summer dress code shall be worn; i.e. clean shirt and pants (no shorts) coat and tie is optional.
- D. After responding to on-call - Demeanor and conduct shall be governed by the Police Department's Rules and Regulations Manual, same as during normal duty hours.

II. COMPENSATION

- A. Compensation for on-call status will be per existing Memorandum of Understanding between the City of Pomona and the Pomona Officers Association.

DETECTIVE 1-502

1-502.0 TITLE: DICTATING POLICE REPORTS

Effective Date: 09-7-18 (Author: A. Bostrom, Sergeant / D. Herring, Rec. Mgr.)

Revised Date: 8-12-14

Prior Revised Dates: 1-25-91, 8-31-98, 6-22-99, 9-24-02

Related Procedural Manuals: PAT 3-006, REC 1-305

1-502.1 SYNOPSIS:

Procedures for dictating reports and setting criteria for those types of reports that can be dictated.

1-502.2 POLICY/OVERVIEW:

The Police Department hand-held digital audio recorders will be issued to individual officers to allow them to dictate various types of Police Reports. This procedure will greatly reduce officer report writing time and allow quicker response times to calls for service.

1-502.5 PROCEDURES:

I. Criteria for Dictating

- A. All Arrest Reports may be dictated by Field Officers
- B. Any Child Abuse, neglect and Sexually related incident involving children may be dictated due to the involved nature of the investigation.
- C. All Felony incidents may be dictated, with priority given to Homicides, Rapes, Robberies, and Felonious Assaults.
- D. Misdemeanor incident cases shall be typed by the officer unless prior approval is obtained from the on-duty Watch Commander to dictate. The on-duty Watch Commander shall contact the Records Bureau Supervisor on duty, to ascertain the volume of reports that require transcription in order that the dictation of Misdemeanor reports will not cause a backlog in the system.

II. Officer's Responsibility

- A. Officers dictating Police reports shall only record one report per digital file. The officer shall upload the digital file into the 'PatrolReports' folder on the Desktop of any workstation computer.
- B. An Officer choosing to have his/her audio transcribed by Records Personnel, shall label the 'Document History' line of their audio file to alert Records Personnel whether this file for Workflow or not. A uniform method for labeling has been developed.
 - i. For Workflow (PSSI), the 'Document History' must have:

DETECTIVE 1-502

1. DR Number,
2. 'WF' (Workflow),
3. Officer/Author ID Number, and
4. Indicate the type of report by using one of the following:
 - A – Arrest
 - I – Incident
 - SA – Supplemental to an Arrest
 - SI – Supplemental to an Incident

Example: 1805747-WF-40668-I

- ii. For non-Workflow dictation, the Officer simply needs to leave out the 'WF.' For example: 18057747-440668-I

If an officer is submitting more than one audio file of the same type, he/she will number the file. For example: 18057747-WF-40668-I(2), 18057747-WF-40668-I(3), etc.

- C. The Author of a Workflow transcription should be aware that he/she is authorizing Records Personnel to log on to their PSSI account to add the narrative to the respective offense. Records will not email the Officer the narrative for review or submission. Records will forward the report for approval after transcription is complete.
- D. Requests to Hold for Review – an Officer wishing to review a report after it has been transcribed must add in the dictation that he/she wishes to review the report and which Police Supervisor approved the request.
 1. Workflow reports will be dictated and sent back to the Officer in “draft” status for review and submission for approval.
 2. Non-Workflow transcriptions will be placed in the Sergeant Office in the tray designated for officer review.
- E. Records will note who transcribed the report by placing initials and a date at the bottom of the type narrative. Officers shall not delete or alter this information in any way.

III. Records Responsibility

- A. When a tape cannot be transcribed because of sound quality (voice breaking up, fading, etc.), the transcriber is to:
 1. Indicate on the manila tape envelope the City of Pomona number of the transcriber/s used to attempt transcription.

DETECTIVE 1-502

2. Forward the tape and envelope to the dictating officer's squad supervisor with the appropriate explanation and request that the recorder used to record the tape be checked for serviceability.
- B. When a tape cannot be transcribed because of slurred or unclear enunciation on the part of the officer or because of interference by background noise, **DO NOT ERASE** the tape.
1. Either complete as much of the transcription as possible and leave space for the word or phrase you cannot understand, or
 2. Explain to the squad supervisor that none of the tape could be transcribed.
 3. Inform the Log Steno of the status of the transcription on the particular report.
- C. Upon completion of transcription of an arrest tape, the Records Bureau employee who transcribed it, shall notify Dispatch to advise the reporting officer the report is ready for review.
1. The Records Bureau employee shall document this notification on the "In Custody" form as such: Date/time, Dispatcher (Name) advised, initials.
 2. The report will then be placed on the log desk counter, pending the officer's review.
- D. If the reporting officer is off-duty when the report is completed, the arrest report is to be left for the officer's review in the officer's review basket in the Records area.

DETECTIVE 1-503

1-503.0 TITLE: REPORT WRITING - USE OF CORRECTION FLUID/TAPE, ERASURES, AND/OR STRIKE OVERS

Effective Date: 12/4/96 (Author: Acting Records Supervisor J. Julian)

Related Procedure: Pat. 3-016

1-503.1 SYNOPSIS:

Implementation of a procedure to ensure altered writing may be authenticated.

1-503.2 POLICY/OVERVIEW:

All police reports/documents have the potential for becoming items of evidence in either criminal or civil court. As such, the Custodian of Records must be able to certify copies as true and accurate. It is impossible to know when strike overs, obvious erasures, or white out corrections were made or who was responsible for the correction unless the measures provided for in this procedure are followed..

Section 1401 of the Evidence code states, in part: "Authentication of a writing is required before it may be received in evidence".

Section 1402 of the Evidence Code states, in part: "The party producing a writing as genuine which has been altered, or appears to have been altered after its execution, in a part material to the question in dispute, must account for the alteration or appearance thereof".

1-503.3 STATUTORY REFERENCES:

Sections 1401 and 1402 of the Evidence Code.

1-503.5 PROCEDURES:

- I. The following procedure shall be followed when making strike overs, obvious erasures, or white out corrections to reports **which have not yet been approved.**
 - A. Each strike over, obvious erasure, or white out shall indicate the correcting officer's initials and date of correction next to the correction.
 - B. Every effort is to be made to keep these types of corrections to a minimum.

NOTE: *Approved reports are considered "Official Documents" and, as such, may only be complimented or corrected by supplementary report.*

PATROL 1-402

1-402.0 TITLE: INTERNAL AFFAIRS CALL-OUT PROCEDURE

Effective Date: 05-31-18 (Author: Capt. Christian Hsu)

Related Procedures: Internal Affairs 1-108

1-402.1 SYNOPSIS:

Procedures for calling-out Internal Affairs Investigators.

1-402.5 PROCEDURES:

I. Internal Affairs Investigators are assigned to the Professional Standards Unit and reports to the Office of the Chief of Police. They may be activated to respond to an event at the direction of the Executive Command Staff, Professional Standards Lieutenant or on-duty Watch Commander.

II. Types of Events Warranting a Call-Out

- a. Officer Involved Shooting; on-duty or off-duty,
- b. Any on-duty event (i.e. use-of-force, traffic collision, pursuit, etc.) that results in anyone; including the officer or professional staff receiving a significant injury or requiring admittance to a medical facility
- c. In-custody death.
- d. Criminal arrest or allegation of criminal behavior against Police Department staff.
- e. Any other event the Executive Command Staff, Professional Standards Lieutenant or on-duty Watch Commander concludes requires an Internal Affairs response.

III. Call-Out Procedures

- a. Executive Command Staff or on-duty Watch Commander will contact the Professional Standards Lieutenant and provide a briefing.
- b. Professional Standards Lieutenant will coordinate the Internal Affairs response.
 - i. Internal Affairs Investigators' response will be based on their availability if the request is made when they are in an off-duty status.
 - ii. If Internal Affairs Investigators are not available to respond, the Professional Standards Lieutenant will coordinate an alternative option.

DETECTIVE 1-506

1-506.0 TITLE: REPORTS HELD FOR LATER COMPLETION

Effective Date: October 15, 1985

Related Procedural Manual: PAT 3-013, REC 1-308; CODE 3-040

1-506.0 SYNOPSIS:

To allow police reports, that are not immediately needed for follow-up, to be held until the following day.

1-506.5 PROCEDURE:

I. Approval For Holding Of Reports/Examples

- A. The responsibility for approving which reports may be held for later completion shall rest with the on-duty Watch Commander. The criteria for such approval shall be that the report is not needed for immediate follow-up by the Detective Bureau, Records, Patrol, or other agency (e.g., Probation, Coroners Office, Juvenile Hall, etc.).
- B. The following reports should be completed prior to the end of shift:
 - 1. Juvenile Custody Cases
 - a. Arrests.
 - b. Protective custody (MacLaren Hall, etc.).
 - c. Cases involving DPSS.
 - d. Any other case which may require immediate follow-up.
 - 2. Homicides
 - 3. G.T.A. (needed for computer entry)
 - 4. Arrest reports taken Sundays through Thursdays. (Exception: Certain of the above reports may be held over on Fridays and Saturdays with the assurance that they will be available for appropriate distribution by 0800 on Mondays).
 - 5. Cases where suspect information is sufficient for issuance of Apprehension Request or 836 PC is an option.
 - 6. Other Dead Body reports.
 - 7. Serious newsworthy reports that would result in numerous inquiries.

DETECTIVE 1-506

II. Officer's Duties

- A. Reporting officers shall complete the face sheet of the police report and include the following information:
 - 1. Date of occurrence/reporting date.
 - 2. Incident number.
 - 3. Report classification.
 - 4. Names of all victims, suspects and witnesses.
- B. Form PPD 263, NOTICE TO CORRECT REPORT shall be completed and disseminated as follows:
 - 1. Enter date, incident number, to: (reporting officer's name), report classification, and victim's name.
 - 2. Under comments: Enter approval for hold by: (On duty Watch Commander's name who authorized the report to be held).
 - 3. Sign the report on reporting officer's signature line.
 - 4. Attach the white-Watch Commander's copy to the front of the face sheet of the report to be held along with all other applicable paperwork and turn in to the Watch Commander.
 - 5. Hand the yellow-officer's copy to the Log Steno.
 - 6. Place the pink-Detective's copy in the Detective's Departmental mail slot near the Log Steno's desk.
 - 7. Upon return to duty, contact the Supervisor or Watch Commander for retrieval of the held report.
 - 8. Complete the report and turn in to the report correction box, or hand to the Log Steno if taped, with the white-Watch Commander's copy of PPD 263 attached.

III. Duties Of The Shift Supervisor

- A. Upon report approval, the Supervisor may destroy the PPD 263 Form or may retain it for his file.

DETECTIVE 1-506

- B. The squad Sergeant shall monitor the report file on a daily basis and advise the on duty Watch Commander of any discrepancies or unusual circumstances involving the completion of any report.

DETECTIVE 1-507

1-507.0 TITLE: MAJOR INCIDENT LOG

Effective Date: August 14, 1986

Related Procedural Manuals: PATROL 3-015

1-507.1 SYNOPSIS:

This policy establishes procedures concerning the documentation of persons entering certain crime scenes.

1-507.2 POLICY:

The "Major Incident Log" (PPD 306) shall be used to document all persons entering a homicide or major crime scene. This form is available through regular channels and shall be used by patrol officers investigating homicides or major incidents where the detectives are called out.

NOTE: The purpose of this procedure is to be able to identify persons entering homicide/major crime scenes where latent fingerprints are obtained and is necessary to eliminate their prints from those which might be used to identify a suspect.

1-507.5 PROCEDURES:

- A. The first officer arriving at the scene of a homicide or major crime scene where the Detectives will be called out shall initiate a "Major Incident Log".
- B. Only persons authorized by the first officer at the scene shall be permitted to enter a scene of containment.
- C. All persons entering the scene or persons known to have been at the scene prior to containment regardless of their rank or reason for entering shall be identified on the log.
- D. This log shall be maintained until all personnel have left the scene and containment ends.
- E. The "Major Incident Log" shall be attached to the First Report and remain a permanent part of that file.

NOTE: At the direction of a supervisor, a Major Incident Log can be used for other scene containment, such as hazardous material spills, bomb threats, etc.

DETECTIVE 1-515

1-515.0 TITLE: DEPT. OF CHILDREN AND FAMILY SERVICES/DEPT. OF SOCIAL SERVICES CROSS-REPORT INVESTIGATION

Effective Date: 12-1-12 (Author: Jaime Martinez, Sergeant)

Revised Date: 09-24-02 (Author: Joann Crabb, Sergeant)

Prior Revised Dates: 1-25-91, 8-31-98, 6-22-99, 11-1-00

Related Procedural Manuals: DISP 2-125, REC 4-042, PAT 3-120

1-515.1 SYNOPSIS:

To establish a policy for the investigation of Department of Children and Family Services (DCFS) and Adult Protective Services (APS) reports.

1-515.2 POLICY/OVERVIEW:

Due to the need for investigation of reports of child abuse, sexual assaults, child neglect, and elder abuse reported by the Child Abuse Hotline and Department of Children and Family Services and Adult Protective Services, a procedure is necessary to ensure an expeditious investigation of all cross reports. The Pomona Police Department is responsible for conducting preliminary and follow-up investigations on all suspected child abuse reports and all elder abuse reports within its jurisdiction received from DCFS and/or the Department of Social Services.

1-515.3 STATUTORY REFERENCES:

11166 (a) P.C.

1116.3 (a) P.C.

15630 W.I.C.

1-515.4 DEFINITIONS:

SCAR: Suspected Child Abuse Report

DCFS: Department of Children and Family Services

DSS: Department of Social Services

APS: Adult Protective Services

SCAR/APS Reports: SCAR/APS Reports are written reports of suspected child abuse or elder abuse from any protective agency or mandated reporter, to another child protective agency or mandated reporter.

1-515.5 PROCEDURES:

I. Records Bureau Responsibilities

- A. All SCAR/APS reports of suspected child abuse will be faxed from Child Abuse Hotline personnel to the Pomona Police Department Records Bureau fax line at (909) 620-2146. If an emergency exists, a phone call shall be made by the Hotline personnel directly to Pomona Police Department Dispatch at (909) 622-1241 and

DETECTIVE 1-515

a call for service will be placed. Cross reports received by mail shall be handled in the same manner.

- B. Records Bureau personnel will check local addresses listed on the SCAR/APS Report to determine if the Pomona Police Department has already handled the specific SCAR/APS report. If similar incidents are located, list the DR# on the SCAR (Suspected Child Abuse Report). If there are no previous incidents, Records shall indicate "No DR# located" on the SCAR/APS Report.
- C. Records Bureau personnel will immediately forward the information to the attention of the on-duty Watch Commander (refer to Watch Commander responsibilities). The Watch Commander will determine the routing of the Cross Report and Records personnel shall proceed accordingly.
- D. If the incident was already investigated, the SCAR or APS form shall be attached to the police report on file. The completed package will be filed as required.
- E. If the Watch Commander determines that a police investigation is required, Records Bureau personnel shall scan the SCAR/APS into the SCAR/APS electronic network folder. The address of the location in Pomona shall be used as the file name, which will assist with officer retrieval from the unit MDC. The original SCAR/APS will then immediately be taken to dispatch.
- F. When the original SCAR/APS paperwork is returned to the Records Bureau from Dispatch, Records Bureau personnel shall match the paperwork with the original PPD Cross Report Disposition Form. All necessary indexing and processing shall be done at this point and paperwork routed to be scanned.
- G. Data entry personnel shall include the tracker codes "EA" for Elder Abuse or "CA" for Child Abuse when completing data entry of the PPD Cross Report Disposition Form.
- H. Records Bureau personnel shall route one copy to the Detective Bureau of any DCFS report which results in a Pomona Police Department crime report being generated. Those SCAR/APS reports which do not result in a crime report are not to be routed to the Detective Bureau. They will be maintained by the Records Bureau to be destroyed according to the PPD destruction ordinance.

II. Watch Commander's Responsibilities

- A. Once forwarded by Records Bureau personnel, the Watch Commander will review the Cross Report information and first determine, based upon the contents, if it, in fact, occurred in the City of Pomona. If no crime is alleged or the response is outside the City limits, the Watch Commander shall determine if a police response is warranted.
- B. If the facts indicate the incident did not occur in our city, the Watch Commander shall write on the face of the Cross Report (not obscuring any other writing) "Not

DETECTIVE 1-515

City of Pomona Jurisdiction,” sign his/her name, and write the date below the comment. The Watch Commander shall return the report to the Records Bureau Supervisor, who will then fax it back to where it originated.

- C. If the facts indicate the alleged incident **did** occur in our city, the Watch Commander shall indicate an officer is to respond, along with either a signature or initials. The SCAR/APS will then be routed back to the Records Bureau Supervisor, who will assure it is routed to Dispatch.

III. Dispatch Responsibilities

When a SCAR or APS report is received from the Records Bureau, the dispatcher receiving the information shall:

- A. Enter the information as a call-for-service, including appropriate Social Service report number, if any.
- B. Dispatch the call in order of priority.
- C. If the responding units are unable to contact the victim or informant, the call will remain pending until the call has been cleared. This shall continue until the victim is contacted, or it can be reasonably determined that the victim will not be located. At this point, a PPD Cross Report is to be completed indicating parties involved are unable to be located.
- D. When the call is cleared, a printout of the call-for-service shall be attached to the Cross Report and routed to the Records Bureau Supervisors’ office. Every SCAR/APS must be cleared with a PPD Cross Report Disposition form, even if it has been determined a crime has occurred and a first report is being completed.

When the call is cleared, a printout of the call-for-service shall be attached to the Cross Report and routed to the Records Bureau Supervisors’ office. Every SCAR/APS must be documented on PSSI by creating an incident and listing the involved parties. If it has been determined a crime has occurred and a first report is being completed on PSSI, the officer shall document the cross report number in the narrative of the first report and this will satisfy as the Cross Report Disposition form.

IV. Officer’s Responsibilities

- A. If the officer’s investigation determines that no crime occurred, he/she shall include a brief summation in the “remarks” disposition section of the call, and complete a PPD Cross Report Form, listing his/her findings and final disposition. The officer shall attach the PPD Cross Report form to the Hotline form, complete the report log, and put the completed report in the report approval basket.

If the officer’s investigation determines that no crime occurred, he/she shall include a brief summation in the “remarks” disposition section of the call, and generate an

DETECTIVE 1-515

incident on PSSSI, listing his/her findings and final disposition. Prior to submitting the report for approval,, the officer shall add “Cross Report” in the workflow notes section.

- B. If the officer’s investigation determines that a crime did occur, he/she shall conduct an investigation on a First Report (PPD 16). The officer shall include the appropriate “Trackable Offense” of “CA” (Child Abuse) or “EA” (Elder Abuse). The officer shall attach the Hotline form to the First Report, complete the Records report log, and put the completed report in the report approval basket. In addition, a PPD Cross Report Disposition form will be completed.
- C. If the officer’s investigation determines that a crime did occur, he/she shall conduct an investigation on a First Report (PSSI). The officer shall include the appropriate “Trackable Offense” of “CA” (Child Abuse) or “EA” (Elder Abuse). The officer shall fill in the “SCAR/APS#” and the “Founded” boxes located in the offense module (PSSI). The officer shall then submit the report for approval.
- D. NOTE: If an officer is dispatched to a Child Abuse or Elder Abuse investigation that is not prompted by a Hotline form, and he/she determines that a crime did or did not occur, he/she shall indicate same in the “remarks” disposition section of the call and complete a First Report listing the final disposition. The officer shall complete the officer’s report log and put the completed report in the report approval basket. In addition, a PPD Cross Report Disposition form will be completed.

If the officer is dispatched to a Child Abuse or Elder Abuse investigation that is not prompted by a Hotline form, and he/she determines that a crime did or did not occur, he/she shall indicate same in the “remarks” disposition section of the call and complete a First Report (PSSI) listing the final disposition. The officer shall fill in the “SCAR/APS#” and the “Founded” boxes located in the offense module (PSSI). The officer shall then submit the report for approval.

V. Detective Bureau Responsibilities

When a SCAR or APS report is received from the Records Bureau, the dispatcher receiving the information shall:

- A. Once copies of the police report and/or PPD Cross Report Disposition Report has been received in the Detective Bureau Sergeant shall review and assign to the appropriate Detective.
- B. Once assigned to a Detective, the case should be brought forward to the District Attorney’s Office for possible filing purposes or, if unfounded, the incident shall be given the proper disposition and update case management with the final disposition. From the time the Detectives receive the case, they will, within 36 hours, contact the Department of Children and Family Services and notify them of the investigation.

DETECTIVE 1-520

1-520.0 TITLE: DISPOSABLE PARTICLE MASK FOR USE WITH FINGERPRINT POWDER

Effective Date: 10/5/92

Related Procedures: Jail 4-910; Pat. 6-210

1-520.1 SYNOPSIS:

Procedure for use and supply of the disposable nose and mouth particle mask for fingerprinting with fingerprinting powder. California State Police Officer Standards and Training (P.O.S.T.) has indicated that fingerprint powder has a level of toxicity and the user should be protected via a mask.

1-520.5 PROCEDURE:

Each officer assigned to Patrol and each Civilian Report Writer assigned to field report duties shall be issued a disposable nose/mouth particle mask(s).

The mask shall be worn when the respective officer or C.R.W. is exposed to fingerprint powder during the application of "dusting" for latent prints.

Even though the mask is disposable, it may be utilized for more than one "dusting" application. The life of the mask shall be determined by the user.

Resupply of the disposable mask will be made via the jail staff. Mask will be issued to all personnel who use fingerprint powder.

DETECTIVE 1-600

1-600.0 TITLE: USE OF THE COUNTYWIDE WARRANT SYSTEM (CWS) BY FIELD OFFICERS.

Effective Date: 11/05/85

Revised Date: 5-10-00 (Author: Judy Ramsey, Sr. Records Supervisor)

Related Procedural Manuals: Pat 5-002; Jail 2-401, Dispatch 2-291

1-600.1 SYNOPSIS:

To establish a standardized format for requesting warrant information through "CWS" (Countywide Warrant System). Also, to establish procedure for providing subjects with documentation who have been so arrested and later found to be other than the person for whom the warrant was issued.

1-600.2 POLICY/OVERVIEW:

In "CWS" it is imperative that all reasonable efforts be made to insure that the subject specified in the CWS Warrant Information Sheet is, in fact, the subject detained or being investigated.

1-600.3 STATUTORY REFERENCES:

816 PC, 850 PC

1-600.4 DEFINITIONS:

A. CWS-Countywide Warrant System. The system is operated by the Los Angeles County Sheriff's Department. All warrants issued within Los Angeles County are entered into this system by the issuing court.

The Pomona Police Department provides and operates a terminal that allows inquiry access as to the existence of a warrant(s).

B. Patronymic Name - The surname of an individual derived from their father's surname.

C. Matronymic Name - The surname used by an individual derived from the mother's surname.

D. WIS – Warrant Information Sheet. The Warrant Information Sheet (WIS) is utilized to provide a paper-to-person comparison with the subject of the warrant and the information contained within the CWS. This WIS is intended to prevent the arrest of the wrong subject on a warrant.

E. WPS – Wanted Persons System. The Wanted Persons System is operated by the California Department of Justice and contains warrants issued by all California Law Enforcement agencies based on individual criteria established by the issuing agencies.

DETECTIVE 1-600

Agencies entering warrants into WPS must be willing to transport the subject from any location within California.

NOTE: All warrants issued within Los Angeles County **MUST** appear in CWS in order to be considered "valid" warrants. If a Want9 reveals a warrant issued in Los Angeles County is in WPS, but not in CWS, contact **MUST** be made with CWS staff to determine why the warrant is not in CWS. In most instances when this occurs, the warrant has previously been recalled by the court but for unknown reasons was not removed from WPS.

1-600.5 PROCEDURES:

- A. When a police officer wishes to inquire whether a subject he/she has detained has a warrant in CWS, the following procedure shall apply.
 - 1. The officer shall advise Dispatch of his/her request for a "CWS check" (this will be automatically included in a "want-9" check as currently performed). The officer shall respond to the channel (i.e., radio frequency) designated by the Dispatcher and advise the following identifying information:
 - a. Subject's Name
 - b. Subject's Address
 - c. Subject's Height
 - d. Subject's Weight
 - e. Subject's Hair Color
 - f. Subject's Eye Color
 - g. Subject's Sex
 - h. Subject's Date of Birth (if unavailable, age estimate may be substituted)
 - i. Subject's Descent
 - 2. If the subject refuses to state his/her name, address or full date of birth, the query may be initiated without the withheld information. When full date of birth is withheld, an age estimate shall be used in its place.
 - 3. If a subject is Spanish surnamed, the officer shall ask for both the patronymic and matronymic portion of the name and shall submit both segments, with the matronymic surname last and the patronymic surname as a middle name, unless the subject states that he/she uses only one segment.
 - a. The officer may also request the order of these names be interchanged for the warrant search.
 - 4. Inquiries into CWS for investigative purposes on a subject who is not in the immediate presence of the officer may be made with all or some of the above data elements.

DETECTIVE 1-600

5. The Dispatcher shall enter the information and advise the officer of any "hits" (presence of warrant) within the system.
- B. When the requesting officer is advised of a "hit", the following procedure shall apply:
1. While a CWS "hit" response may constitute cause to detain briefly for further investigation it does not, in itself, constitute probable cause for arrest or to believe that the suspect is the wanted person.
 2. The arrest, transportation, or booking of any subject based solely on the basis of a CWS "hit" response is prohibited. The decision to arrest, transport or book a subject in response to an CWS "hit" must be based on an officer's comparison of the subject with the descriptive information contained on the Warrant Information Sheet.
 3. An officer seeking to detain further or to arrest, transport, book or in any other way intrude on a subject's personal liberty, privacy or property -- other than the initial stop -- must:
 - a. Be informed of and review all of the following, to the extent that it is contained in the Warrant Information Sheet:
 - (1) Wanted Person's Name
 - (2) Wanted Person's Address
 - (3) Wanted Person's Height
 - (4) Wanted Person's Weight
 - (5) Wanted Person's Hair Color
 - (6) Wanted Person's Eye Color
 - (7) Wanted Person's Sex
 - (8) Wanted Person's Date of Birth
 - (9) Wanted Person's Descent
 - (10) Wanted Person's Operator's License or DMV Identification Card Number
 - b. Compare such information to the subject;
 - c. Independently determine on the basis of that comparison that probable cause exists to believe that the subject is the wanted person prior to arrest and transport of the subject to Pomona Jail.
 - (1) If the officer determines the subject detained is not the same as described in the warrant, the subject can be released in the field with no documentation required. The officer will so advise the Dispatcher as soon as practical.

DETECTIVE 1-600

- d. Once the officer reasonably determines the wanted subject to be the same as the one he/she has detained, the officer shall instruct the Dispatcher to abstract (retrieve) the warrant from the system
 - (1) Once the officer arrives at Pomona Jail with the suspect, it shall be the officer's responsibility to contact the Records Bureau for the abstract printout and book the suspect pursuant to law and current departmental procedure.
- C. Whenever a suspect has been detained and transported by an officer pursuant to a CWS "hit" but is released prior to booking because he/she is deemed not to be the wanted person or whenever a suspect has been booked and is later released because he/she is deemed not to be the wanted person, the following shall apply:
 - 1. The officer will complete and issue to such subject - prior to their release - PPD Form 302, (Clearance Document"), located in the jail that contains the following:
 - a. Identifies the bearer, including his/her physical description;
 - b. Specifies the date and time of issuance;
 - c. Lists the warrants(s), by number, that caused the detention and transportation;
 - d. States that the person to whom the form was issued is not the wanted person on the designated warrants.
 - e. Signature of the subject.
- D. Clearance Document (PPD Form 302)

Whenever any person presents PPD documentation described in this paragraph, or similar documentation from another Los Angeles County law enforcement agency, that person shall be presumed not to be the wanted person on any CWS warrant(s) which are specifically enumerated on such document, or on any CWS warrant with an issue date more than 30 days earlier than the issuance date of the clearance document. Officers shall be prohibited from transporting, arresting, or booking any such subject pursuant to any such CWS warrant unless the arresting officer records specific, concrete facts that constitute probable cause to believe that the person presenting the documentation is not the person named thereon or that the documentation is not authentic.

- 1. An example of this document is attached.

DETECTIVE 1-602

1-602.0 TITLE: OUT OF COUNTY WARRANT ARRESTS

Effective Date: 09-16-18 (Author: Jaime Martinez, Sergeant)

Revision Date: 07-29-85

Prior Revision Date: 11-14-86

Related Procedural Manuals: PAT 5-001

1-602.1 SYNOPSIS:

Instructions and procedures that comply to the mandates of Section 821 and 822 of the Penal Code. Persons arrested in one county on another county's warrant have a right to be taken before a magistrate in the county of arrest for purposes of being admitted to bail.

1-602.2 POLICY/OVERVIEW:

It is the responsibility of the Pomona Police Department to comply with Section 821 and 822 of the Penal Code and to ensure that defendants arrested under these sections are handled in an expeditious manner.

1-602.3 STATUTORY REFERENCES:

Section 821, California Penal Code

Section 822, California Penal Code

1-602.5 PROCEDURE:

When a subject is arrested for a warrant in a county other than that which issued the warrant, the following procedures shall be followed:

1. The arresting office must, without unnecessary delay, inform the defendant in writing of his/her right to be taken before a magistrate in the county of arrest.
2. The arresting officer will complete PPD Form #309 and have arrested sign the original indicating that arrested has been so informed of his right P.C. 821-822. The signed form will be attached to the white booking form and a copy attached to the warrant. The arresting officer will complete and submit the arrest utilizing PSSI.
3. Upon being required by the defendant, the arresting officer must take him before a magistrate in the arresting county when court is in session. If court is not in session the defendant shall be taken to court by Jail personnel at regular court run.
4. If the defendant does not demand to be taken before a magistrate in the county of arrest, or is not able to post bail, the arresting agency shall notify the agency which issued the warrant, that such defendant is in custody.
5. After notification, the issuing agency shall take custody of the defendant within five (5) days or five (5) court days for felonies, if the issuing agency is more than 400 miles from the arresting county and five (5) days in case of misdemeanors.

DETECTIVE 1-602

6. If the defendant is held in jail in the county of arrest and is waiting to appear before a magistrate for a misdemeanor warrant, upon which amount of bail is endorsed, the officer in charge of the jail:
 - a. Shall have the authority to approve and accept bail from the defendant in the amount endorsed on the warrant.
 - b. Shall sign an order for the release of the defendant, and upon posting of such bail, shall discharge the defendant from custody.

NOTE: It is the policy of this Department not to arrange an infield transfer of an arrestee in custody in another county, on a warrant issued by this Department.

DETECTIVE 1-603

1-603.0 TITLE: TRANSPORTATION OF PERSONS ARRESTED BY OTHER AGENCIES ON POMONA WARRANTS

Effective Date: 9-12-88

Related Procedural Manuals: Jail 191, Patrol 5-003, Records 7-702

1-603.1 SYNOPSIS

Transportation of persons arrested by other agencies on Pomona warrants

1-603.2 POLICY/OVERVIEW

The Pomona Police Department will pick up persons arrested by other agencies on Pomona Police Department arrest warrants, when requested by the arresting agency, if the arrested person is within Los Angeles County or within fifty miles from Pomona in other counties. Outside of this limit, the request for prisoner pick up will be evaluated and acted upon by the Detective Bureau Sergeants.

1-603.3 STATUTORY REFERENCES

P.C. 821

P.C. 822

P.C. 827.1

1-603.5 PROCEDURES

I. Request To Pick Up Prisoner

A. Records Personnel, Desk Officers, Jailers, or Watch Commander, receiving a request, either by phone or Teletype, shall forward the request as soon as possible to the on-duty Senior Jailer.

B. On-duty Senior Jailer.

1. Determines if the request to pick up is for a person arrested on felony or misdemeanor, and if the arrested person is within, or outside of, Los Angeles County/50 mile limit set forth in this policy.

a. If the arrest is for a misdemeanor, and is within the limits of Los Angeles County/50 miles, the Senior Jailer shall phone the arresting agency and request that the prisoner be cited as authorized by Sec. 827.1 P.C.

If the prisoner is not cited, the Senior Jailer shall provide the Jail Transportation Crew with the information and request a pick up per Sec. 822 P.C.

DETECTIVE 1-603

- b. If the arrest is for a felony, and is within the limits of Los Angeles County/50 miles, the Senior Jailer shall provide the Jail Transportation Crew with the information and request a pick up per Sec. 821 P.C.
- c. If the requesting agency is outside of the limits of Los Angeles County/50 miles, the Senior Jailer shall forward the information to the Detective Bureau for disposition.

C. Detective Bureau Sergeants

- 1. Upon notification of an in-custody, outside of the limits (Los Angeles County/50 miles), the Detective Bureau Sergeant shall determine if the Department is interested in returning the prisoner for prosecution.
- 2. If not interested in prosecution, the Detective Bureau Sergeant shall phone the arresting agency and advise them to cite per Sec. 827.1 P.C. (misdemeanors) or release (felony) the prisoner.
- 3. If interested in prosecution, the Detective Bureau Sergeant shall phone Los Angeles Sheriff Department's Statewide Prisoner Transportation Unit at phone # 213-974-4565, 0630 - 1500 hours Monday through Friday. Request pick up of prisoner and provide the necessary warrant information.

NOTE: 1. Los Angeles Sheriff Department's Statewide Transportation Unit will pick up male adults only, provided that they are going to a location within the five day time limit, and there's room for the prisoner on the bus.

- 2. Los Angeles Sheriff Department's Statewide Transportation Unit will not pick up north of San Francisco and Sacramento area, and in Imperial County.
- 3. Los Angeles Sheriff Department's Statewide Transportation Unit will pick up from County Jails only.
- 5. If the arrested person is a female or juvenile, or if Statewide Transportation is not able to pick up an adult, the Detective Bureau Sergeant shall arrange other transportation as needed.

DETECTIVE 1-603

NOTE: If transportation can be accomplished within an eight hour shift, the Detective Bureau Sergeant may negotiate with the on-duty swing shift Watch Commander to have the Jail Transportation Crew make the pick up, provided, of course, that the Watch Commander has sufficient Patrol personnel to take care of Jail transportation needs during the Jail Transportation Crews absence.

DETECTIVE 1-700

1-700.0 TITLE: BODY WORN VIDEO SYSTEMS

Effective Date: 05-30-18 (Author: Capt. Christian Hsu)

Related Procedures: Patrol 1-300

1-700.1 SYNOPSIS:

The Pomona Police Department will utilize body worn cameras to assist the department in efforts to enhance police professionalism, improve transparency, and preserve recordings of officers' interaction with the public. Body worn cameras have the potential to improve community relations, strengthen public trust in law enforcement, reduce the number of complaints, resolve allegations of officer misconduct, increase department accountability, and improve officer training and evaluation.

1-700.3 DEFINITIONS:

Body Worn Cameras (BWC): A recording device that is capable of recording video and audio; which is worn by a Pomona Police staff member. Pomona Police staff will only utilize a BWC system that has been approved by the Chief of Police.

1-700.5 PROCEDURES:

- A. Work units or staff that will be required to utilize a BWC will be selected by the Chief of Police, or designee.
- B. Unauthorized use, duplication, and/or distribution of BWC files are prohibited. Personnel shall not make copies of any BWC file for their personal use and are prohibited from using a recording device such as a phone camera or secondary video camera to record BWC files.
- C. All recorded media, images and audio from the BWC are property of the Pomona Police Department and shall not be copied, released, or disseminated in any form or manner outside the parameters of this policy without the expressed written consent of the of the Chief of Police.
- D. The BWC shall not be intentionally used to record non-work related activity and shall not be activated in places where a reasonable expectation of privacy exists, such as locker rooms, dressing rooms or restrooms.
- E. Officers should be aware of circumstances when operating the BWC that may not be appropriate such as:
 - 1. In a hospital emergency room where privacy of patients including patients not part of the officer's call, should be considered.
 - 2. Anytime a person's private health information is being discussed.
 - 3. Ambulance responses to accidents and illnesses when victims are not involved in any criminal activity.
 - 4. When the use of the BWC causes emotional distress to a victim of a crime, such as a rape victim.
- F. Officers should be aware of other privacy issues relating to a person's place of residence and or other areas where there could be an expectation of privacy.
 - 1. Upon initial contact with private persons at a private residence, officers shall make a reasonable effort to notify them that the BWC is present before

DETECTIVE 1-700

entering the residence unless the officer enters the residence because of a warrant or exigent circumstances.

2. If a private person objects to the use of BWC inside a private residence, the officer may turn off the device in accordance with this policy.
- G. Personnel will use only the BWC system issued and approved by the Department for official police duties. The wearing of any other video recorder for the same purpose is not authorized without permission from the Chief of Police.
- H. Personnel shall not remove, dismantle or tamper with any hardware and/or software component or part of the BWC.
- I. There are many situations where the use of the BWC is appropriate. This procedure is not intended to describe every possible circumstance. In addition to the required conditions, officers should activate the system any time they feel its use would be appropriate and/or valuable to document an incident.
- J. Unless it is unsafe or impractical to do so, or mechanical issues that impede the use of the device are present, officers shall activate their BWC prior to making contact in any of the following situations.
1. Enforcement encounters where there is reasonable suspicion that the person is involved in criminal activity or a violation of law. This includes, but is not limited to dispatched calls, self initiated activities, traffic stops, pedestrian checks or any other investigative or enforcement encounters.
 2. Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require taping.
 3. Officers may activate the BWC before or during any other incident at their discretion.
 4. An officer has the latitude to terminate the recording when there is no likelihood of force being used or anything else of evidentiary value occurring. It is a violation of this policy for an officer to fail to activate the BWC or intentionally terminate a recording in order to commit a violation of law or department policy.
 5. Officers will not intentionally use the BWC recording functions to record any personal conversation of or between another department member or employee without the recorded member's/employee's knowledge or permission.
- K. Officers are not required to obtain consent from a private person when:
1. In a public place.
 2. In a location where there is no reasonable expectation of privacy (e.g., inside a building or dwelling where the officer is lawfully present and engage in the performance of official duties.)
 3. Officers are encouraged to advise private persons they are recording if the advisement may gain compliance, assist in the investigation, and does not interfere with the investigation or officer safety.

1-700.6 RESPONSIBILITIES:

- A. System Administrator – The System Administrator(s) is designated by the Chief of Police and has oversight responsibilities to include, but not limited to, the following:
1. Operation and user administration of the system.
 2. System evaluation.

DETECTIVE 1-700

3. Training.
 4. Policy and procedure review and evaluation.
 5. Coordination with IT regarding system related issues.
 6. Ensure BWC files or evidentiary value are secured and retained per this policy.
 7. Ensure BWC files are reviewed and released in accordance with federal, state, local statutes and City of Pomona/Pomona Police Department retention policy.
- B. Supervisor
1. Supervisors will ensure officers utilize the BWC according to policy guidelines.
 2. Supervisors are to review recordings only as directed by the Chief of Police and/or his designee.
 3. Supervisors shall ensure videos related to critical incidents are uploaded to BWC system evidence library.
 4. Supervisors may have the ability to immediately resolve citizen complaints by reviewing video captured by the BWC.
 5. Supervisors will periodically review BWC footage to ensure proper system and equipment performance, policy compliance, monitoring professional conduct and identifying training needs. Supervisors are not to utilize BWC footage to target, discriminate or harass members of the Pomona Police Department.
- C. Personnel utilizing the BWC are responsible for the following:
1. Ensuring the battery on the controller/DVR is fully charged daily and operating properly.
 2. Immediately reporting unresolved equipment malfunctions and/or problems to their supervisor.
 3. Monitoring system effectiveness and making recommendations for operational improvement.
 4. Documenting the use of the BWC on one of the following:
 - a. On the police report/computer entry.
 - b. As a notation on a citation.
 - c. On a Field Interview card.
 5. Once video of evidentiary value is captured, officers shall identify the BWC files(s) by:
 - a. Noting the Pomona Police Department case number.
 - b. Entering a title. The title should include sufficient information to identify the file, such as crime code, suspect name, location, event, etc.
 - c. Selecting the appropriate category/disposition.
 - d. The information may be entered via hand held device or installed console in the vehicle.
 6. The controller/DVR is docked in the transfer station at the end of the staff member's shift in order to upload recorded video and charge the controller/DVR's battery.
 - a. The controller/DVR will always be stored in the transfer station unless the work unit or staff receives direction otherwise from the Chief of Police or designee.

DETECTIVE 1-700

1-700.7 OPERATION:

- A. Officers are to test BWC equipment prior to going into service and ensure the unit is properly operating and charged.
- B. Officers will position the camera on their uniform shirt to facilitate optimum recording field-of-view.
- C. The WatchGuard Vista BWC system works in conjunction with the WatchGuard 4RE in-car video system. Officers will ensure that the WatchGuard Vista and the WatchGuard 4RE are properly synchronized and operational.
- D. Any BWC captured event will be uploaded via a transfer station before the end of the staff member's shift.

1-700.8 REVIEW OF FILES:

- A. Although the data captured by the BWC is not considered Criminal Offender Record Information (CORI), it will be treated in the same manner as CORI data. All access to the system is logged and subject to audit at any time. Access to the data from the system is permitted on a right-to-know, need-to-know basis. Employees authorized under this policy may review video according to the provisions of this policy.
- B. Once BWC video is uploaded, personnel may view their own audio/video data.
- C. An employee may review BWC files as it relates to:
 - 1. Their involvement in an incident for the purposes of completing a criminal investigation and preparing official reports.
 - 2. Prior to courtroom testimony or for courtroom presentation.
 - 3. Providing a statement pursuant to an administrative inquiry, including officer involved shooting investigations.
- D. BWC video database shall only be accessed from Pomona Police Department authorized computer(s).
 - 1. Exception: Administrative users may access the video database from a computer or device outside the Pomona Police Department for the purpose of completing administrative tasks and only after receiving the approval of the Chief of Police or their designee.

1-700.9 BWC VIDEO/FILE REQUEST:

- A. Departmental Requests – Any request for BWC video or file will only be completed by the System Administrator or Department Custodian of Records.
- B. Non-Departmental Requests
 - 1. All other request for a BWC file will be processed in accordance with federal, state, local statutes and Departmental policy (Public Records Act, etc.) as set forth in Public Information Release guidelines.
 - 2. Media inquiries and/or requests shall be received and processed in accordance with Pomona Police Department media relations guidelines.
- C. Request for Deletion of BWC Video/File
 - 1. In the event of an accidental activation of the BWC where the resulting recording is of no investigative or evidentiary value, the recording employee may request that the BWC file be deleted by submitting a request with

DETECTIVE 1-700

sufficient information to locate the BWC file to their Division Commander or designee who shall review the file, approve or deny the request, and forward to the System Administrator for action.

D. Copying Procedures

1. A copy of the BWC file may be made upon request to the System Administrator or the Department's Custodian of Records for discoveries, subpoena requests, investigations and matters authorized by the Chief of Police.
2. If the video is in fact evidence of a case, the assigned investigator will request a copy of the BWC file from the Custodian of Records, and the investigator shall store the copy as evidence.
3. Other than as provided in this procedure, no member of this Department will download any video from the video database onto any computer, device, drive, CD, DVD or any other format without the express consent of the Chief of Police.

E. Investigators Conducting Criminal or Internal Investigations shall:

1. Advise the System Administrator to restrict access/public disclosure of the BWC file in criminal or internal investigations, when necessary.
2. Document the reason for restricting access by entering the related DR or IA Case number on the "BWC NOTES" field prior to viewing.
3. Review the file to determine whether the BWC file is of evidentiary value and process in accordance with established procedures.
4. Investigators will notify the System Administrator to remove the access restriction when the investigation is closed.
5. The Chief of Police will authorize certain Police Department staff permission to electronically share a link to a BWC file with another law enforcement agency or prosecuting body (i.e. District Attorney's Office).

F. A BWC file may be shown for training purposes. If an involved officer objects to showing a recording, his/her objection will be submitted to the Command Staff to determine if the training value outweighs the officer's objection.

1-700.10 DISPOSITION:

A. Staff utilizing a BWC will conclude each recorded event by providing a disposition/category to close out the recording.

1. Test – BWC file is categorized as "Test" if the recording is for purposes of determining if the BWC equipment is functioning properly.
2. Prosecution – BWC file is categorized as "Prosecution" if the recording documents an event that may lead to criminal prosecution or the issuance of a citation.
3. General – BWC file is categorized as "General" if the recording documents an event that does not fall within the categories/disposition of "Test" or "Prosecution."

DETECTIVE 1-700

1-700.11 REPAIR:

- A. Personnel must immediately report any recognized problems with the BWC to their immediate supervisor.
- B. Upon notification, the supervisor will contact the System Administrator or designee to report the problem or malfunction.

DETECTIVE 1-701

1-701.0 TITLE: REQUESTS FOR FILM AND FILM PROCESSING

Effective Date: 5-7-84

Related Procedural Manual: Pat. 8-201

1-701.1 SYNOPSIS:

To establish policy and procedures employees of this Department shall follow when requesting film and film processing.

1-701.5 PROCEDURES:

I. Film Type

- A. Color negative film shall be used for routine Departmental picture taking, i.e., traffic accident cases, child abuse cases, etc.
 - 1. For instamatic cameras, Kodacolor II C126-12 film will be provided. This film will result in 12 negatives which may be processed into prints.
 - 2. For 35 MM cameras, 135 color film will be provided by the Department for Sergeant's cameras and Detective Bureau use.
- B. Kodacolor film requests shall be approved by a Sergeant or higher ranking person by signing the form in the space provided.
- C. Personnel are encouraged to shoot the entire roll or cartridge of film so that the best pictures may be selected.

II. Requests for Film

- A. Whenever personnel request film supplies, a "Film and Lab Work Request" form shall be completed and presented to the Jailer. A supply of these forms will be maintained in the Jail.
 - 1. Two rolls/cartridges of film may be issued on one request form, if justified by the Sergeant.
 - 2. Request for all color film shall be approved by a Sergeant or higher ranking person signing the request in the space provided, except on a direct exchange basis (used film for a new roll).

DETECTIVE 1-701

III. Requests for Processing Exposed Film

- A. A "Request for Processing" form shall be completed (by the person exposing the film) for each roll/cartridge of film to be processed. (See copy of form on page following.) A supply of forms will be maintained in the Jail.

*NOTE: The DR number shall be included in the space provided.

- B. The exposed film, along with the completed form, shall be taken to the Jail and given to the Jailer personally.

- 1. Personnel are reminded that exposed film is evidence and evidence shall not be left in bins, mail boxes, etc.

DETECTIVE 1-703

1-703.0 TITLE: ITEMS TO BE FINGERPRINTED BY EVIDENCE DETECTIVE

Effective Date: 5-9-84

Related Procedural Manuals: PAT. 8-202

1-703.1 SYNOPSIS:

Establishes procedures for tagging, storing, and processing items of evidence which are to be fingerprinted by the Evidence Detective.

1-703.2 OVERVIEW:

It is the policy of this Department that all items of evidence which have possible suspect fingerprints must be fingerprinted by the handling officer in the field or another appropriate setting.

Only those items of evidence that do not have the capability of being fingerprinted by the handling officer will be tagged and stored for the Evidence Detective to fingerprint, i.e., items that are moist or wet and must dry out before fingerprinting, and various types of paper items that field officers do not have the capability to fingerprint.

1-703.5 PROCEDURES:

- I. Items Of Evidence Small Enough To Be Placed Into Evidence Locker
 - A. Officers who take evidence small enough to place into an evidence locker into custody, and desire that the item be fingerprinted by the Evidence Detective, shall do the following:
 1. Fill out and complete Property Report (PPD-40) per existing policy and procedures.
 2. Mark and tag the item of evidence with an evidence tag, per existing policy and procedure.
 3. Fill out and complete Section #1 of the Latent Print Report (PPD-60)
 - (a) Place the pink copy of the Latent Print Report in the Detective Box just outside the Watch Commanders Office.
 - (b) Staple the white and yellow copies of the Latent Print Report to the Property Report (PPD-40).
 4. Place the Property Report and attached Latent Print Report through the slot in the Evidence Door, B-2.

DETECTIVE 1-703

5. Place a "Hold for Prints" form, PPD ____, into the Evidence Locker along with the item to be fingerprinted. Lock the item into the locker and deposit the key per existing policy and procedures.

II. Items Of Evidence Too Large To Place Into Evidence Locker

- A. Officers who take evidence into custody which is too large to fit inside an Evidence Locker, and desire that the item be fingerprinted by the Evidence Detective, shall do the following:
 1. Fill out and complete Property Report (PPD-40) per existing policy and procedure.
 2. Mark and tag the item of evidence with an evidence tag per existing policy and procedure.
 3. Fill out and complete Section #1 of the Latent Print Report (PPD-60).
 - (a) Place the pink copy of the Latent Print Report in the Detective Box just outside the Watch Commander's Office.
 - (b) Staple the white and yellow copies of the Latent Print Report to the Property Report (PPD-40).
 4. Obtain a key to the bike shed from the Watch Commander's Office, and sign the key out in the Evidence Log.
 5. Place the item to be fingerprinted into the bike shed, and attach a "Hold for Prints" Form PPD #_____, to the article to be printed.
 6. After locking the item of evidence into the bike shed, return the key to the Watch Commander's Office per existing policy and procedure.
 7. Place the Property Report and attached Latent Print Report through the slot in the evidence door, #B-2.

DETECTIVE 1-705

1-705.0 TITLE: GENERAL PROPERTY PROCEDURE

Effective Date: 10-01-85

Revised Date: 2-08-18 (Author: Richelle Baptista, Civ. Division Commander)

Prior Revised Dates: 8-23-95, 8-1-97, 6-7-99, 4/17-02

Related Procedures: Patrol 8-210, Property 2-000; Code 4-090

1-705.1 SYNOPSIS:

This section establishes policy and procedures for the storage/packaging and sealing of all evidence and/or property taken into custody by members of this Department.

1-705.2 POLICY/OVERVIEW:

The following procedures have been established in order to ensure the proper storage/packaging and sealing of property, as well as to ensure the consistent flow of the handling of all property booked into the property and evidence department. The concept of packaging is to maintain the evidentiary value while protecting Department personnel from potential injury.

1-705.5 PROCEDURES:

Bags, barcodes, envelopes, tags, evidence tape and string are provided at the property booking area. Personnel booking property or evidence shall package items in envelopes, bags or other designated containers using the smallest container available which will hold the item(s). All containers shall be sealed with evidence tape. All seals shall be initialed overlapping the seal and the bag/envelope by the booking officer. All containers shall then be placed in an evidence intake locker, the evidence mail slot, the refrigerator, or in the bulk storage area.

I. Property Management System and Field Property Receipts

- A. All property and evidence shall be entered into the Property Management System. Each item shall be listed separately and all information for that item must be completed in the designated fields. The officer will enter the owner/finder information for each item. This is the person to whom the property will be returned after disposition of the case. Each item will be assigned a barcode in the Property Management System. The officer will print the barcode and affix it to the property package or tag.
- B. **A Field Property Receipt (FORM PPD 89)** shall be issued to all persons from whom the property and/or evidence has been taken. The purpose of the receipt is to inform the citizen of their legal rights and/or responsibilities to obtain the release of held property; to provide the citizen with a receipt and listing of property held; and to meet the legal requirements of notice prior to disposal of items.
 - 1. The receipt shall include all items taken. Additional receipts are to be completed if necessary.

DETECTIVE 1-705

2. The Field Property Receipt number shall be entered in the Property Management System.
3. The signature of finder: The finder must sign the Field Property Receipt. This is required for a finders claim. This receipt will serve as a finders claim. NOTE: Found weapons will not be returned to the finder.
4. The signature of person receiving Field Property Receipt: The person receiving the Field Property Receipt must sign. If they refuse to sign, indicate “refused to sign, copy given” followed by your initials and I.D. number. Always leave the ORIGINAL COPY with the person from whom the property was taken.
5. Distribution: Original copy must be left with the citizen from whom the property was taken. The pink copy shall be placed in the locker along with the property. The yellow copy shall be forwarded to Records.
6. A property receipt is not necessary in the following circumstance:
 - a. The item(s) taken are, illegal for any person to possess, i.e., narcotics, illegal weapons, paraphernalia, etc. NOTE: If any person could legally and practically possess the item(s), a property receipt must be issued.

II. Packaging

- A. By law, a Police Department is responsible for maintaining the property: property that is seized, property that is found and property that is surrendered. Our goal is to return the property back to the rightful owner, as soon as possible, in the same condition as it was received. When return of property is not feasible, our goal is to dispose of the property as soon as legally permissible.
 1. All items shall be packaged in the smallest acceptable container. All property should be packaged as neatly as possible in anticipation of having it presented as evidence in court.
 2. Acceptable containers for submission of evidence shall be in a 6”x9” or 9”x12” envelope, evidence bags, currency envelopes, latent print envelopes or other appropriate containers, i.e., urine bottles, GSR kits, sexual assault kits, BA kits, syringe containers, biohazard tubes, etc.

Example: Powder substances or small items shall be placed in a baggie inside the evidence envelope.
 3. Print a barcode and securely affix it to the property tag or property package. Each item shall be listed on the barcode. There should be only one barcode per package. The booking officer shall provide complete and accurate information in all fields of the Property Management System, so the information prints on each barcode.

DETECTIVE 1-705

4. All property must be **sealed** with evidence tape. Initials must be overlapping the seal and the envelope/bag by the booking officer. Once the property is packaged and sealed, the contents will remain sealed until the officer goes to court or the property is released to the owner, or the investigator handling the case unseals it.
5. Any item needed to be held for prints by CSI must be packaged, sealed and initialed by the booking officer. Check the "Hold for Prints" box in the Property Management System. Place a "Hold for Prints" notice on the item, and complete a Service Request Form. Place the Service Request Form in the locker with the item to be printed. Property Technicians will forward the request to CSI.

B. **Exceptions:**

1. All weapons must be tagged only. Do not seal weapons in a bag/envelope. Each weapon must have its own property tag attached to the weapon. Magazines, ammunition, etc. can be placed in a sealed bag or 6"x9" envelope. (Weapons shall include rifles, shotgun, handguns, pellet and BB guns.)
2. Large items such as TVs, Bikes, VCRs, Tires, etc. shall be tagged only. Place the barcode on the appropriate tag (Red for Evidence, Green for Found and Yellow for Bulk property) and affix the tag to the item.
3. Latent Print Cards. Do not seal latent print envelope.
4. Urine, bloods and sexual assault kits should have already been sealed and initialed. Do not place them in bags.
5. All narcotics shall be packaged separately in a 6"x9" envelope or bag and SEALED and initialed. Attach a blank lab receipt to the envelope and enter the lab receipt number into the Property Management System. Do not place narcotics in sealed bags with other property or paraphernalia. Small quantities of PCP shall be sealed in K-PAC. Contents from a syringe must be transferred to a tightly capped vial for submission. Place the vial in a regular evidence envelope, seal and initial and attach a blank lab receipt to the envelope. All narcotics are sent to the lab except found contraband.

III. Property Storage and Locations

- A. **Property Storage:** Property must be stored in such a manner to ensure the individual items are secure from theft, loss or contamination. Also, proper storage of property is essential for the safety of all personnel.
 1. Small items, i.e. fingerprint cards, etc., should be deposited in the evidence mail slot.

DETECTIVE 1-705

2. Bulk items, anything too large to fit in a locker, should be stored in the bulk storage caged area.
 3. All other items should be stored in a locker. Obtain a key for the locker from the key box, secure the item(s) in the locker, and then deposit the key in the mail slot area.
 4. The Property receipt (pink copy) shall be placed with the property in the locker.
 5. **AT NO TIME SHALL CHEMICALS OBTAINED FROM A DRUG LAB BE BOOKED INTO THE PROPERTY FACILITY.** If these type of chemicals are encountered, contact shall be made with the appropriate law enforcement agency to determine its evidentiary value.
- B. **Property Storage Locations:** There are two (2) locations in which property in the custody of the Pomona Police Department may be left for intake into the property system.
1. **Property and Evidence Packaging Area** – Located at 910 West Fourth St. Storage through evidence intake lockers and the evidence mail slot.
 - a. Most items may be stored at this location except those required to be submitted at locations below.
 2. **Bulk Storage Area** – Located in the gated area at the property facility at 910 West Fourth St; access by station key. Officers must store items in the evidence intake lockers or place large items on the floor in the bulk storage caged area.
 - a. All bicycles and any items too large to be stored through the evidence intake lockers may be submitted at this location.

NOTE: Large quantities of Liquid PCP should not be transported to the property facility. Contact the Watch Commander so that arrangements can be made with the fire department (hazmat) for pick-up.
 - b. All bloody clothing shall be hung in the drying lockers, located in the evidence/property processing area. Exhaust fan shall be turned on to facilitate drying.
 - c. After the clothing air dries, it will be the responsibility of the officer booking the evidence to package and seal the evidence and place it into an intake locker. Contact the Property & Evidence Technician to obtain the locker key in order to package the evidence.

DETECTIVE 1-705

3. **Evidence Refrigerator** – Located in the evidence/property processing area at 910 West Fourth St.

- a. Items requiring refrigeration will be placed in the evidence refrigerator. Items such as urine, bloods, sexual assault kits, baby formula samples, and any other evidence that the investigator deems necessary must be placed in the small refrigerator located in the Officer's processing area. Do not place these items in the evidence lockers.

NOTE: Large quantities of Liquid PCP should not be transported to the property facility. Contact the Watch Commander so that arrangements can be made with the fire department (hazmat) for pick-up.

- b. All items which require lab analysis must have the officer's initials on the seal overlapping the container. Officers must indicate exactly for which drugs blood samples should be tested. Do not write "all drugs" on the blood sample envelope, as the lab will not accept it unless specific drugs are listed.
- C. The Watch Commander should be contacted to determine if items of unusual value will be at risk in the temporary storage lockers. If so determined, the property technician should be called out to place the item directly into the safe or evidence room.
 - D. Explosive devices, including hand grenades, artillery shells, bombs of any kind or any device suspected of being a bomb or explosive device of any kind **shall not** be handled, transported, moved or stored by any Pomona Police Department personnel. Contact the Watch Commander so he can make arrangements with the Los Angeles County Sheriff Bomb Squad for investigation and disposition. Los Angeles County Fire should be on scene to ensure safety containment of the area.
 - E. Fireworks shall be taken to a Los Angeles County Fire Station for disposal. Fireworks needed for evidentiary purposes shall be photographed and taken to a Los Angeles County Fire Station for disposal. The photograph will be placed into DIMS.
 - F. Perishable items will not be accepted. These items can be photographed and released. If no victim is present or located, these items shall be destroyed. Food items with ants or other insects shall be disposed of off the premises.

DETECTIVE 1-706

1-706.0 TITLE: STORAGE OF FOUND PROPERTY

Effective Date: 10-01-85

Revision Date: 02-08-18 (Author: Civilian Division Commander Baptista)

Revision Date: 06-07-99 (Author: S. Webster)

Revision Date: 08-23-95; 08-01-97

Related Procedural Manuals: Property 2-001, Patrol 8-211

1-706.1 SYNOPSIS:

This section establishes policy and procedures for the storage/packaging and of all found property taken by members of this Department.

1-706.2 POLICY/OVERVIEW:

The following procedures have been established in order to ensure the proper storage/packaging, as well as to ensure the consistent flow of the handling of all property booked into the property and evidence department. City Code Section 2-1068 Disposal of unclaimed property and Section 2080.4 of the California Civil Code and succeeding subsections govern the storage of found property. **Items which have been intentionally abandoned by their owners do not fall within the Civil Code definition of found property, and the following procedures therefore do not apply to recovered abandoned property. Abandoned Property should be disposed of.**

1-706.5 PROCEDURES:

Bags, pre-printed envelopes, tags, evidence tape and string are provided at evidence/property processing area. Personnel processing property or evidence shall package items in envelopes, bags or other designated containers using the smallest container available which will hold the item(s). All containers shall be sealed with evidence tape. All seals shall be initialed overlapping the seal and the bag/envelope by the officer. All containers shall then be placed in an evidence intake locker, the evidence mail slot or in the bulk storage area.

I. Procedures for Storage of Found Bicycles or Bicycles Taken for Safekeeping

- A. After an officer has determined that a bicycle has not been stolen, the officer shall do the following:
 - 1. The officer shall obtain a DR number from dispatch and enter the information into the Property Management System with as much information as possible.
 - 2. When a bicycle is stored for Safekeeping, the officer shall make sure the full name, address and phone number of the owner is entered into the Property Management System and issue a property receipt.
- B. The officer shall affix a barcode to a green property tag and then tie the tag to the handle bars or to the crossbar of the bicycle with string.

DETECTIVE 1-706

II. Procedures for Storage of Found Contraband

- A. Whenever an officer receives or finds an item that is illegal to possess (i.e., narcotics, nunchakus, etc.), the officer shall process the item as follows.
 - 1. If the items are narcotics, they shall be placed into a 6"x9" envelope. All information shall be entered into the Property Management System and a barcode placed on the envelope. NOTE: If the items are too large for an envelope, the same procedure will be followed with an appropriate sized paper bag, or box. The barcode will be placed on a green found property tag and attached to the bag/box/item. Marijuana plants shall be removed from the pot and placed in paper bags. The dirt and pot shall be discarded.
 - 2. Any other items shall be processed as regular found property, however if the officer would like the property destroyed right away, he/she must note that in the Property Management System, "To Be Destroyed Immediately."
- B. The officer shall write a brief narrative in the Property Management System as to how the property/contraband was obtained and whether or not the owner had been contacted.

III. Found Firearms

- A. Whenever an officer receives a firearm as found property, he/she shall do the following:
 - 1. The officer shall have Records or Dispatch run the serial number of the firearm to ascertain if it has been reported lost or stolen.
 - 2. The officer shall give a Field Property Receipt (FORM PPD 89) to the finder and indicate on the receipt that the weapon will be destroyed if the owner is not located.
 - 3. The officer shall direct Dispatch or Records to print the teletype response and hold it for the officer.
 - 4. The officer shall place the teletype in the locker with the found firearm.
 - 5. The officer shall thoroughly inspect the firearm and unload the firearm. NOTE: Unloaded firearm is defined as removing all ammunition from the firing chambers/s, cylinder, magazine, tubular magazine, or any other type of ammunition receptacles attached to the firearm. Detachable magazines must be removed, listed and barcoded separately in the Property Management System.
 - 6. The ammunition and magazine shall be placed into a separate envelope or bag.

DETECTIVE 1-706

7. The officer shall attach a plastic firearm tie through the chamber of the firearm so that the chamber cannot close or a magazine cannot be inserted. The officer shall affix a green found property tag and barcode to the attached firearm tie. Do not seal firearms in a bag or envelope.
8. If an officer, for any reason, is unable to inspect and/or unload a firearm prior to storing it, the officer shall place a "LOADED FIREARM" sign inside the locker on the Property intake side that is immediately visible to Property personnel opening the locker. The officer shall note such facts in the Property Management System and conspicuously on the firearm. NOTE: Do not place any signs on the outside of the evidence intake lockers. Property personnel shall NOT remove loaded firearms from the intake lockers. The property officer shall notify the Rangemaster who will respond to unload the firearm.
9. The officer shall describe in full the type of firearm in the Property Management System (i.e., make, model, S/N, description).
10. The officer shall write a brief narrative in the Property Management System regarding the circumstances surrounding the found firearm.
11. The officer shall then place the firearm, ammunition, and teletype in an evidence locker. The key shall then be placed into the evidence mail slot in the evidence/property process area.

IV. Found Fireworks

- A. All Fireworks will be taken to Fire Station 187 at 3325 Temple Ave. for destruction with the exception of the fireworks enforcement period (June and July) where the fireworks will be placed in a bin located to the rear of the police department.
- B. Large quantities of Fireworks
 1. Contact the Watch Commander so that they can make arrangements with the fire department for pick up.

V. All Other Found Property

- A. When an officer receives found property from an individual, the officer shall issue the individual a Field Property Receipt (FORM PPD 89), ensuring that all information is completed. Citizens are required by Civil Code Section 2080.1 to turn in found property worth more than \$100.00 to a police or sheriff's department, and to make a declaration stating where and how they found the property, whether they know the owner and whether they are submitting everything they found.
 1. The officer shall check the serial number of the item to find out if it has been stolen.

DETECTIVE 1-706

2. The officer shall have the finder sign the Field Property Receipt and record the finder's information.
3. The officer shall advise the finder that the property will be held for 90 days from the date of receipt and if they wish to claim the property (unless the owner claims it first); they are to contact the Property and Evidence department prior to the 90 day expiration date. Finders should be advised to follow the instructions on the back of the Field Property receipt including calling ahead for an appointment to expedite the release. Found weapons or firearms will not be released to the finder.
4. The officer shall barcode and package the item and enter the information into the Property Management System. NOTE: If the officer can locate the owner's name, the officer shall include the owner's information in the Property Management System.
5. If an owner's name, address, and/or phone number, is available to the officer, the officer shall make every effort to notify the owner of the recovered property. The officer shall then note this notification in the Property Management System.
6. The officer shall then barcode and store the property in the appropriate manner.
7. The officer shall write a brief narrative in the Property Management System listing the circumstances of the recovered property.
6. The officer shall then barcode and store the property in the appropriate manner.

DETECTIVE 1-707

1-707.0 TITLE: EVIDENCE STORAGE PROCEDURES

Effective Date: 10-1-85

Revision Date: 6-28-18 (Author: Richelle Baptista, Civ. Division Commander)

Prior Revision Dates: 8-23-95; 8-1-97; 6-7-99

Related Procedures: Patrol 8-212, Property 2-002, Code 4-092

1-707.1 SYNOPSIS:

This section establishes policy and procedures for the storage/packaging and sealing of all evidence taken into custody by members of this Department.

1-707.2 POLICY/OVERVIEW:

The following procedures have been established in order to ensure the proper storage/packaging and sealing of evidence, as well as to ensure the consistent flow of the handling of all property booked into the property and evidence department. The concept of packaging is to maintain the evidentiary value while protecting Department personnel from potential injury.

1-707.5 PROCEDURES:

Bags, envelopes, tags, evidence tape and string are provided at the property booking area. Personnel booking property or evidence shall package items in envelopes, bags or other designated containers using the smallest container available which will hold the item(s). **All evidence containers shall be sealed with evidence tape.** All seals shall be initialed overlapping the seal and the bag/envelope by the booking officer. All containers shall then be placed in an evidence intake locker, the property evidence mail slot or in the bulk storage area.

I. Procedures for Storage of Latent Prints

- A. Whenever an officer has dusted for latent prints and has lifted prints, the officer shall adhere to the following procedure.
 - 1. The officer shall place the latent print cards inside the latent print envelope. Do not place other items inside the envelope with the latent print cards.
 - 2. The officer shall enter all information into the Property Management System, making sure that all pertinent information is entered.
 - 3. The officer shall print the barcode label and attach it to the latent print envelope. Do not seal the latent print envelope.

II. Procedures for Storage of Biological Evidence

- A. Officers shall observe the following procedures when storing blood and/or urine samples:

DETECTIVE 1-707

1. The officer shall be responsible for all information listed on the blood sample envelope and/or on the outside of the urine sample storage container. He/she shall ensure that the DR number is clearly marked and that the officer's initials are placed on the seal overlapping onto the blood sample envelope and/or the urine sample container. The blood sample envelope and/or urine sample container shall be marked as to what the evidence is to be tested for by the lab.
 - a. Indicate on the blood sample envelope specifically for which drug(s) the blood sample should be tested. Do not write "all drugs" on the blood sample envelope.
 2. The officer shall enter all information into the Property Management System, print the barcode label and attach it to the blood sample envelope and/or plastic bag containing the urine sample container.
 3. All blood and/or urine samples shall be stored in the refrigerator located in the officers processing room at 4th & White.
- B. Officers shall observe the following procedures for the storage of sexual assault evidence:
1. All sexual assault evidence shall be placed into either a Sexual Assault Evidence Kit or in a clothing bag furnished by the Los Angeles County Sheriff's Department. The officer shall place his/her initials on the seal overlapping onto the kit/bag.
 2. All information shall be filled out on both the Sexual Assault Evidence Kit and clothing bag(s).
 3. All clothing shall be packaged separately from the SART kit. Package shall be sealed with evidence tape and initialed by the booking officer.
 4. All items shall be entered into the Property Management System and each package shall be barcoded.
 5. The clothing shall be stored in an evidence locker.

III. Storage of Money

If money is seized requiring special handling, for example: has collector value, or type of packaging constitutes evidence, specific serial numbers or other markings, a notation shall be made on the currency envelope indicating "THIS MONEY IS TO BE HELD AS BEST EVIDENCE."

- A. All U.S. Currency and coins shall be booked as follows:

DETECTIVE 1-707

1. All money shall be separated from other property and placed in a currency envelope.
2. The money shall be listed in the Property Management System by denominations. The currency total will automatically calculate upon saving the record in the Property Management System.
3. After the money is counted, seal the envelope with evidence tape and initial. Attach both the barcode label and currency denomination label to the currency envelope.
4. Barcode the currency envelope and place in a locker/mail slot.

IV. Procedures for Storage of Firearms

- A. Whenever an officer receives a firearm for evidence, the officer shall be responsible for the following:
 1. The gun must be individually tagged with a gun tie placed through the chamber.
 2. The gun shall always be submitted in an unloaded condition. The officer shall thoroughly inspect the firearm. Unloaded is defined as removing all cartridges from the firing chamber(s), cylinder, magazine, tubular magazine, or any other type ammunition receptacle attached to the firearm. Detachable clips and/or magazines must be detached, packaged and tagged separately.
 3. All firearms shall be submitted with chamber open, clip removed, and the safety on. Revolvers shall have cylinder open and blocked by a gun tie preventing accidental closure during handling and storage.
 4. If it is necessary due to the peculiarity of the weapon or circumstances surrounding the investigation, that a firearm must be submitted for storage in a loaded condition, the following will apply:
 - a. Loaded Gun signage must be placed inside the locker on top of the weapon warning of its loaded condition.
 - b. There are only two reasons a loaded gun should be booked into property:
 - (1) The officer and supervisor cannot unload the weapon, whereby the Rangemaster must unload the weapon.
 - (2) The weapon is held for prints and circumstances surrounding the investigation require the gun to remain loaded.
 5. All firearms are to be individually tagged. Do not place firearms together with any other property. Remove any live ammo from the magazine and

DETECTIVE 1-707

package both separately. Do not seal firearms in a bag/envelope. If a firearm and gun case are booked together, the officer may place the firearm inside the gun case with a separate tag and barcode attached to the gun case.

6. Any firearm that appears to be fully automatic should be marked as such. The Rangemaster will be contacted for proper determination of the weapons potential before the gun can be released.
7. All firearms booked into property shall be checked for a possible stolen through Dispatch or Records prior to booking into property. The officer shall direct Dispatch/Records to print the response and have it held for him/her. That teletype shall be placed in the locker with the weapon.
8. The officer shall fully describe the firearm in the Property Management System. Make, Model, Caliber, Serial number, barrel length, and any other characteristics shall be included.
9. The officer shall swab the firearm for DNA per the procedure for the collection of DNA located in the Officer's Processing Room at 4th & White. NOTE: If any blood or other biological material is observed, book the firearm without swabbing and follow up with the handling detective to request forensics to conduct the procedure.
10. If there is any blood on the gun, the gun shall be placed in a paper bag and tagged noting that there is **"blood on the weapon."** Do not seal the bag. Write on the "blood on weapon."
11. The officer shall then barcode the tag and place the firearm in a locker.

V. Procedures for Storage of Narcotics

Narcotics such as heroin, methamphetamine, cocaine, PCP must be packaged with care and caution. The Pomona Police Department requires all narcotics to be placed in a 6"x9" evidence envelope and PCP to be placed in a heat sealed bag and then placed in a 6"x9" evidence envelope. All narcotics are sent to the lab for analysis unless otherwise noted. All paraphernalia must be packaged separately from the narcotics. All narcotics should be weighed. The weight shall be entered in the field provided in the Property Management System. Narcotics booked as evidence for felony charges shall be NIK tested by CSI personnel upon request of the handling detective. **All narcotics shall be entered into the Property Management System. A barcode label shall be attached to the envelope. The envelope shall be sealed** with evidence tape and initialed prior to booking into evidence.

A. Narcotics other than phencyclidine (PCP)

1. All narcotics shall be separated from other property/paraphernalia. The narcotic shall be placed in a 6"x9" evidence envelope, barcoded, sealed and initialed. The lab will not accept narcotics containing any paraphernalia or

DETECTIVE 1-707

any other items within the evidence envelope. EXCEPTION: When narcotics are enclosed in a money bindle, you shall leave the money bindle with the narcotics.

2. If the amount of narcotics or the bulkiness of the narcotics precludes the use of the 6"x9" evidence envelope, the officer shall use a paper bag to store the evidence, fill out an evidence/found tag and barcode the tag. The bag shall be sealed and initialed. For example: Large plants shall be cultivated and placed in paper bags or evidence boxes. Kilos of cocaine can be boxed or placed in paper bags. All the above must be tagged, barcoded, sealed and initialed. See section 3 for excessive quantities.
3. When booking narcotics into property and evidence, proper handling is essential. All substances shall be placed in a ziplock baggie to ensure that the narcotics does not spill or dissolve. The quantity can be lost when stored improperly.
4. Officer shall extract liquids from syringes and place the liquid in the small glass vial container designated for that use. The syringe and glass vial container shall be packaged **separately** in a syringe tube and 6"x9" evidence envelope, barcoded, sealed and initialed.
5. The Pomona Police Department and the Los Angeles County Sheriff's Department will not receive into their property/evidence offices narcotics that have been removed from a body cavity without it being identified and labeled as bio hazardous. It shall be marked as having come from a body cavity. Be specific as to which body cavity the narcotic was removed. These conditions must be clearly marked on the package. There are no exceptions to this process. The personnel assigned to Property and Evidence section have been advised not to book into their custody any narcotic that does not meet this criteria.
6. Found narcotics will be weighed by the booking officer. Found narcotics will not go to the lab and will be destroyed unless otherwise noted.
7. When placing bindles of narcotics into property, each and every bindle must be checked for narcotics for accountability.
8. If baggies/packaging is held for prints, the officer's seal will be broken by CSI/detective printing the case and re-sealed by same. If possible, please print your own packaging as waiting for the detective will delay the lab analysis for approximately one week.

NOTE: All items held for prints shall have a "Service Request Form" completed and immediately forwarded to the Forensics Unit.

DETECTIVE 1-707

9. Do not put green or “wet” marijuana in plastic. Plastic causes the marijuana to mildew and become a toxic liquid. Use paper bags or cardboard boxes.

B. Phencyclidine (PCP)

In an effort to prevent accidental spills and contain hazardous fumes emitted from PCP, the following processing and packaging shall be followed. Officers are cautioned that exposure to PCP should be kept to an absolute minimum. After handling PCP, officers shall immediately wash their hands with soap and water. The mouth, nose or eye areas should not be touched nor should the officer smoke prior to the hands being washed. Large quantities of PCP must be treated as a hazardous material and shall be placed with a hazmat facility.

1. All PCP SHALL be processed at the property facility at 4th & White and stored in the lockers.
2. If the officer has a small amount of liquid PCP (under 6 ounces), the officer shall place the PCP in a KAPAK plastic bag and heat seal it. The officer shall then place this container in a 6”x9” evidence envelope or bag and tag it. Fill out the tag envelope and place the barcode on the tag/envelope. DO NOT USE ANY OTHER TYPE OF PLASTIC BAG. Do not overfill the KAPAK plastic bag, as it may hamper the heat seal.
3. Heat seal the KAPAK plastic bag carefully and thoroughly. Two seals are recommended approximately ¼ inch apart. The heat sealer shall be set on heat range 5, and shall be held down for approximately five seconds.
4. Visually inspect the seal to ensure that it is complete.
5. Do not staple through the KAPAK plastic bag, as this destroys the seal.
6. Place the evidence in an evidence locker.
7. When the locker has been locked, place the locker key in the evidence drop slot located in the evidence booking area.

C. Excessive quantities of narcotics

1. Sections 11479, 11479.1 and 11479.2 of the Health and Safety Code specify the sample requirements necessary for large quantities of drugs. These sections allow the property unit to summarily destroy all quantities in excess of that amount provided by the sections as being necessary for court presentation. It is the investigating officer’s duty to obtain the required photographs, random samples and sufficient quantity of the drug as specified by the sections for presentation as evidence in court. These sections are subject to changes and additions by the courts and the legislature. It is each officer’s responsibility to prepare his/her evidence appropriately.

DETECTIVE 1-707

2. The requirements of the aforementioned sections are based upon the flammable and hazardous nature of the items seized in drug cases. Officers should take great care in complying with these sections not only for purposes of their own credibility in court, but for the protection of other employee's health.
3. Large boxes can be obtained through the property officer. If no property officer is available, use paper bags and a property officer will place the bags in a large box the next business day.
4. The officer shall contact the on-duty Watch Commander to determine if the property officer shall be called out to store large amounts of narcotics.

VI. Procedures for Storage of Evidence Containing Toluene

- A. Whenever an officer has evidence containing toluene, the officer shall do the following:
 1. The evidence shall be packaged in a KAPAK bag and sealed with the poly heat sealer located in the evidence/property processing area.
 2. The officer shall then place the evidence inside an evidence envelope or a paper bag. When placing the evidence in a bag you must place an evidence or found tag on the bag and place a barcode on the tag, seal and initial the package.
 3. The officer shall then place the evidence in the bulk storage area. NOTE: At no time shall the evidence be put in a property locker unsealed.

VII. Perishables

- A. Perishables shall not be taken into evidence. It shall be the responsibility of the investigating officer to:
 1. Photograph items recovered.
 2. Contact owner for pick-up of items. Any food, beverage (alcohol or non-alcohol) prescription or non-prescription medicine, medications and other similar items susceptible to contamination which have been out of the possession and control of the owner for any period of time shall not be returned. These items shall be destroyed.
 3. No food items will be accepted into property and food items with ants or other insects should never be brought into the station or on the premises.
 4. Place the photos from the above property in a 6"x9" evidence envelope. Deposit same in the evidence mail slot.

DETECTIVE 1-707

VIII. Storage of Gasoline, Car Batteries, and Other Dangerous or Corrosive Materials

- A. No property that has an explosive ability will be accepted into the property warehouse or processing area (i.e. gasoline). The officer will contact the Watch Commander and advise him of the situation. The Watch Commander will consider calling Hazmat. Consideration should be given to the legal disposal of this form of hazard substances.

IX. Fireworks (Evidence)

- A. Photograph items and place photo in DIMS or in a 6"x9" evidence envelope.
- B. Place fireworks in the designated firework destruction receptacle at the station.
- C. Large quantities of Fireworks – Contact the Watch Commander so that he can make arrangements with the fire department for pick-up or delivery. Be sure and photograph items and place photo into DIMS or in a 6"x9" evidence envelope.

X. Storage of Large Quantities of Evidence or Bulky Evidence

- A. Whenever an officer has evidence that is too large to fit in an evidence locker or has large amounts of evidence from one case, the officer shall have the responsibility of doing the following:
 - 1. The officer shall tag and barcode each item separately and mark the tag with the item number.
 - 2. The officer shall seal all property that can be placed in bags or envelopes. Each bag will need one tag only, listing all items in the bag. Large items do not have to be sealed. The officer must tag all items.
 - 3. The officer shall itemize and ensure that all items which contain a model and serial numbers have these numbers listed in the Property Management System.
 - 4. Any items fitting into the above category will be stored in the bulk storage area...
 - 5. If an officer needs to book a large volume of evidence and it is after hours, and it would not be feasible to store in the bulk storage area, the officer shall do the following:
 - a. Notify his/her supervisor and determine if the property can be photographed and then released to the owner.
 - b. If the property cannot be released to the owner, the Watch Commander shall be notified. The Watch Commander will call the Property and

DETECTIVE 1-707

Evidence Technician to open the main warehouse and store the evidence.

XI. Storage of Liquor Sample Bottles

- A. Whenever an officer has liquor taken as evidence in infractions, misdemeanor Vehicle Code sections, and misdemeanor Pomona City code violations, the officer shall save only a sample of the liquor in a sample bottle. This does not apply to felony Vehicle Code violations, and where the container is used for other types of crime (i.e. 242 PC, 211 PC, 459 PC).
 - 1. Pour a sample of liquor into the sample bottle and seal it with a cap.
NOTE: Do not seal the bottle by taping it; just screw the cap down tightly.
 - 2. Place the bottle in a 6"x9" evidence envelope, barcode the envelope. Seal and initial the evidence envelope.
 - 3. Place the sample bottle in an evidence locker. Do not place the evidence in the Evidence mail slot.

XII. Storage of Blood Soaked and/or Wet Clothing

- A. All blood soaked and/or wet clothing whether evidence, found property or prisoner bulk property shall be hung to dry in the drying lockers in the evidence/property booking area. Exhaust fan shall be turned on to facilitate drying.
- B. Section 1 of this procedure shall be followed regarding blood soaked and/or wet found property, prisoner bulk property and/or evidence.

XIII. Storage of Needles and/or Syringes

- A. Needles and/or syringes taken as evidence shall be placed in the provided syringe tubes prior to being placed into the evidence envelope. The needle and/or syringe point shall be placed away from the cap when inserted into the syringe tube.
- B. Needles and/or syringes taken as found property shall be placed in the sharps container for immediate destruction.

DETECTIVE 1-708

1-708.0 TITLE: PROCEDURES FOR RELEASING AND/OR VIEWING PROPERTY

Effective Date: 10-01-85

Revised Date: 3-08-18 (Authors: Richelle Baptista, Civ. Division Commander)

Prior Revised Dates: 8-23-95, 8-1-97, 6-7-99

Related Procedures: Patrol 8-214, Property 3-000

1-708.1 SYNOPSIS:

This section establishes policy and procedures for the release and viewing of property and evidence taken into custody by members of this Department.

1-708.2 POLICY/OVERVIEW:

The following procedures have been established in order to ensure the proper procedure for releasing and viewing of property. It is the Property and Evidence Technician's responsibility to keep a record of the chain of custody of all property booked into the Police Department. All property retained under the control or custody of the department will be placed into and processed through the Property Management System. The Property Technician will account for each item and systematically detail the movement and the disposition of each item.

1-708.5 PROCEDURES:

All property with the exception of Found and Bulk property requires a case disposition from the Detective Bureau authorizing the release of Property. The person to whom property is delivered shall read and acknowledge, under penalty of perjury, a declaration of ownership before signing on the electronic signature pad. The signature shall be retained in the Property Management System. For temporary releases or viewing property, the person accepting or viewing the property shall sign the electronic signature pad whereby the chain of custody will be updated in the Property Management System.

I. Desk Officer Procedure

- A. Whenever a person comes to the front desk for the release of property, the Desk Officer shall give that person directions and information regarding the location of the Property Facility and the procedure for the release of property.

II. Release of Property by Patrol Officers/Detective Bureau

- A. Occasionally found property and/or evidence is released by the Patrol Officer/Detective in the field or at the Police Station when the property contains ownership information, proof of ownership and/or the property is too bulky to be transported to the station. The purpose of this is to release, at the earliest possible time, all recovered property of evidentiary value, where the ownership of which is not in dispute.

B. Exception:

This release procedure shall not apply to money, explosives, hazardous or illegal substances, narcotics, property confiscated by Search Warrant, firearms or weapons

DETECTIVE 1-708

used in the commission of a crime, property requiring laboratory analysis, or any property that is illegal to possess under municipal, state or federal laws. Items held for investigation of a capital offense shall not be photo released (i.e., 187 PC, 207 PC, etc.). Items held in crimes with a Statute of Limitations in excess of 6 years shall not be released.

- C. Application: This procedure shall apply to all property (except as noted above) which is being held as evidence in connection with an investigation and/or prosecution of either felony or misdemeanor offenses involving adults or juveniles.
- D. Suspect in Custody
 - 1. Anytime property is taken from a suspect, the property may be released if:
 - a. The property definitely belongs to the suspect and they request it to be released to a person at the location.
 - b. The property is determined to belong to another party, qualifies to be released and is not a restricted item disqualifying it from release.
- E. If the property does not qualify to be released, the Officer/Detective shall proceed as follows:
 - 1. Complete and issue a Field Property Receipt (PPD 89) to the person the property is being taken from.
 - 2. Inform the person who signed the PPD 89 that they will need to contact the Detective Bureau regarding the disposition of the property.
 - 3. If the arresting/investigating officer determines that the property should not be released pending final adjudication, that information should be entered into the Property Management System.
- F. Release by Property Technician.
 - 1. Stolen or Embezzled Property (1413 PC)
 - a. After 15 days from the date of delivery of the Field Property Receipt, and no claim of ownership has been made by the suspect, the Property Technician shall advise the owner to contact the Detective assigned to the case for release of property.
 - b. If a claim of ownership has been made within 15 days by the suspect in writing, the Property Technician shall forward the written request to the Detective assigned to the case for final disposition instruction.

DETECTIVE 1-708

G. Release of Property after Photographed:

1. If property is to be retained in Property and Evidence the Officer/Detective will follow the procedures to store the property and all items must be listed in the Property Management System and barcoded.
2. Complete the Property Lost/Stolen report from (PPD 269) ensuring the proper Property Category is used.
3. The officer or detective shall photograph all items that will be returned. Content of the photograph should include labels, identifiable marks and serial numbers, if available.
4. All photographs shall be taken in a digital format and uploaded into DIMS.
5. The person the property is released to shall sign PPD 269 to indicate receipt. They will then be given a copy of PPD 269.
6. Property that is held but qualifies for immediate release; this status shall be entered on the case disposition or in the Property Management System. The Property Technician will be responsible for all property released.
7. All serialized item(s) that are subject to release must first be cleared by the California Department of Justice, Automated Property/Firearms Systems. This applies to all serialized property releases (refer to section 11108 PC)
8. Forward the first page of PPD 269 to Records.

III. Authorization for Release of Property by the Detective Bureau.

- A. The assigned Detective shall be responsible for the disposition and authorizing release of stored property with the exception of found and prisoner bulk property.
 1. Upon determination that property should be released, the Detective shall identify the property and disposition the release through the Property Management System.
 2. Release of property will be made by appointment only with a Property Technician.
 3. The Detective will make the decision for final disposition of property on cases assigned to them.

IV. Releasing of Property for Court

- A. Whenever an officer has property that is needed for court, the officer shall do the following:

DETECTIVE 1-708

1. The officer shall notify the Property Technician of the DR number and items needed for court. This can be done in advance via email.
2. The Property Technician shall pull the property and have the officer electronically sign for the release of property in the Property Management System.
3. The officer having custody of the property shall maintain the chain of custody and if the property is held by the court, the officer shall be responsible for notifying the Property Division by submitting the Court Retained Evidence Form to the Property unit. A copy of the court retained paperwork will be given to the Property Technician who will scan the information into the Property Management System under the case number. NOTE: If the Property office is closed, the officer shall place the court retained paperwork in the evidence mail slot.
4. If the property is not held, the officer shall return it to the Property Division on the same day as checked out and sign it back in. NOTE: If the Property office is closed, the officer shall place the property in an evidence locker/evidence mail slot.

V. Temporary Release of Property

A. Property may be released temporarily for the following reasons:

1. Officer is taking property to court.
2. Officer/Detective is taking property for investigation.
 - a. Viewing by victim/Attorney.
 - b. Viewing by another agency.
3. Property is being sent to the Crime Lab.
4. All other requests for the inspection, evaluations, or testing will be limited to those requests that are in writing and approved by a Division Commander, Deputy Chief, or the Chief of Police. If the request is made by a staff officer, and there is a question as to the reason for the request, the Watch Commander shall be contacted for approval before the release of property.

DETECTIVE 1-711

1-711.0 TITLE: ARRESTEE IN POSSESSION OF LEGAL AMOUNT OF MARIJUANA

Effective Date: 4-03-18 (Author: Lt. Christian Hsu)

Related Procedural Manuals: Patrol 8-215; Property 4-000

1-711.1 SYNOPSIS:

The Adult Use of Marijuana Act (AUMA), passed on November 8, 2016 legalized the personal possession of marijuana up to 28.5 grams (one ounce) or 8 grams of concentrated marijuana, by individuals 21 years and older. The AUMA prohibits any seizure of legally possessed marijuana under California State Law.

1-711.5 PROCEDURES:

- I. Possession of marijuana over 28.5 grams or more than 8 grams concentrated remains a violation of California State Law and will be booked as evidence in accordance with all current procedures.
- II. When a person is arrested and prior to being transported to the Pomona Police Jail, they are found to be in possession of a legal amount of marijuana, the officer generally will:
 - a. Leave the marijuana secured at their residence.
 - b. Secured in a lockable area of the arrestee's vehicle.
 - c. Give it to a third-party that is at least 21 years of age, with the arrestee's consent.
 - d. If there is no feasible manner to secure the marijuana, the officer will store the marijuana as "Bulk/Safekeeping" at the Police Department Property Facility in a suitable property envelope. The officer will complete the entry in the Property Management System and place a barcode on the envelope. Exception: Food items containing marijuana will be discarded consistent with current procedures for discarding food items.
 - i. The officer will tell the arrestee that the marijuana is not being seized or held as evidence. It is being held as "Bulk/Safekeeping."
 - ii. The officer will complete and issue the arrestee a Field Property Receipt (PPD 89).
 - iii. The arrestee will be told that the marijuana will be destroyed after 60 days if not retrieved from the Police Department Property Facility.

DETECTIVE 1-711

III. Property Technicians Responsibilities

- a. Marijuana that is being held for “Bulk/Safekeeping” shall be returned to the owner upon request. Items must be claimed within 60 days by the owner. After 60 days, items will be disposed of without further notice.
- b. Upon receiving marijuana for safekeeping, the Property and Evidence Technician shall do the following:
 - 1) Store marijuana in the narcotic area as Prisoner Bulk/Safekeeping.
 - 2) Send a letter to the owner to retrieve the item within 60 days.
 - 3) Prisoner Bulk/Safekeeping marijuana not claimed within 60 days is to be considered abandoned by the owner and disposed of per department procedure.
 - 4) Release to the owner:
 - (a) The owner must present a photo I.D. or other satisfactory proof of identification.
 - (b) The owner must sign the electronic signature pad indicating the release of marijuana in the Property Management System.
 - (c) The owner must complete and sign the Hold Harmless Affidavit form when requesting the return of marijuana.
 - (d) The signed Hold Harmless Affidavit will be scanned into the Property Module under the DR number.

DETECTIVE 1-800

1-800.0 TITLE: FELONY ARREST, FOURTH TIME DUI SUSPECTS

Effective Date: July 5, 1990

Related Procedural Manuals: PAT. 7-600, REC. 3-410, JAIL

1-800.1 SYNOPSIS:

Felony arrest and booking procedures for fourth time DUI suspects who have three (3) prior DUI convictions in last seven (7) years.

1-800.2 POLICY OVERVIEW:

Effective January 1, 1989, Driving Under The Influence With Three (3) Prior Convictions Within Seven (7) Years may be charged as a felony, pursuant to Vehicle Code Section 23175. The Los Angeles County District Attorney's Office has established the policy of filing these cases as felonies.

The District Attorney's Office has mandated that these cases be booked as felonies so a bail requirement must be satisfied, prior to release, to insure a court appearance. O.R. releases of these suspects have shown an extremely high rate of bench warrants issued and prosecution.

1-800.3 STATUTORY REFERENCE:

23152 V.C.	Driving Under The Influence
23153 V.C.	Driving Under The Influence/Bodily Injury
23175 V.C.	Punishment For Multiple Offense of Driving Under The Influence, Three (3) Or More Prior Offenses

1-800.5 PROCEDURES:

After completion of a DUI investigation, and just prior to the booking process, the arresting Officer will have a DMV driving history check made, with a printout, either by the Jail staff or Records Bureau personnel. If the DMV driving history printout shows three (3) prior DUI convictions in a 7-year period, the suspect **shall** be booked; 23152/23175 V.C., and the presumptive bail of \$5,000. set.

In aggravated cases, consideration should also be given to requesting a bail deviation at time of arrest. These cases may include a blood alcohol of .20 or higher, more than three (3) prior convictions, driving on a suspended license, or currently the cause of an injury accident.

The DMV driving history printout **shall** be attached to the First Report regardless of whether the DUI suspect is booked and processed as a felony.

DETECTIVE 1-801

1-801.0 TITLE: MEDICAL TREATMENT OF PRISONERS

Effective Date: 5-7-84

Revised Date: 2-19-87

Related Procedural Manuals: JAIL. 3-200, PAT. 7-404,; TRAFFIC 5-005

1-801.1 SYNOPSIS

Procedures to be followed in providing medical treatment to sick or injured persons taken or being taken into custody by this Department.

1-801.2 POLICY OVERVIEW:

The Los Angeles County Department of Health Services is responsible of reimbursing hospitals and physicians for emergency medical care rendered to persons in custody prior to booking.

To receive treatment at Pomona Valley Community Hospital for an arrestee prior to booking at the Pomona City Jail, a form has been supplied by the Department of Health Services. The form number is 7614726-85. The form is composed of four parts and will be provided to the officer by the Emergency Room Clerk at Pomona Valley Community Hospital.

To qualify for payment, the following conditions must be met:

1. Person must be in custody for violation of a county, state, or federal law.
2. The severity of the medical emergency must be such that a prudent person would consider it necessary to obtain care from the nearest hospital. (All other cases must be taken to the nearest county facility for care.)

1-801.5 PROCEDURES

I. Officers Responsibilities Prior To Booking

- A. When applicable, transport the arrestee directly to Pomona Valley Community Hospital Emergency Room for the necessary medical treatment.
- B. Inform the Emergency Room Clerk that the arrestee is in need of medical attention.
- C. The officer shall complete form #7614726-85 provided by the Emergency Room Clerk. The hospital will retain three copies and provide the officer with one copy. The copy of the form that is provided to the officer shall be attached to the police report when submitting the report for approval.

NOTE: On Form 7614726-85 provide all requested information.

DETECTIVE 1-801

- D. There will be situations where officers obtain the booking number and destination after leaving the hospital; the transporting officer shall call PVCH and advise the admitting clerk of the booking number and destination.

The transporting officer shall indicate in his report, or supplemental report, the name of the clerk who received the information.

- E. If applicable, make certain that the arrestee signs the hospital's Informed Consent Form at PVCH. (This form is printed on the medical chart.)
- F. After obtaining medical release, complete the remaining steps involved in the booking procedure.

II. Medical Treatment For Prisoners AFTER BOOKING

A. Transporting Officers Responsibilities During Life Threatening Medical Needs

- 1. Transport prisoner from Jail to PVCH Emergency Room, using an ambulance when necessary.
- 2. Observe admitting procedures.

NOTE: Form #7614726-85 is not necessary on prisoners that have already been booked at the Pomona City Jail and require subsequent medical treatment. All after booking medical expenses are the responsibility of the City, therefore the form is not needed.

- 3. Have arrestee sign hospital's Informed Consent Form.
- 4. Transport prisoner back to Jail - if medically cleared, to house in Pomona Jail facility.
- 5. If not medically cleared to house in Pomona Jail, transport to Los Angeles County Medical Center, 1200 N. State Street, Los Angeles, CA. 90033.
- 6. Prepare and submit a Supplementary Report (PPD-18) regarding the incident.

B. Transportation Officer's Responsibilities During Non-Life threatening Medical Needs.

- 1. Receive booking package, transfer record and prisoner's property from Jailer.

DETECTIVE 1-801

2. Transport prisoner to L.C. Jail facility.
3. Prepare and submit a Supplementary Report (PPD-18) regarding the incident.

DETECTIVE 1-802

1-802.0 TITLE: CERTIFICATE OF DETENTION AND RELEASE

Effective Date: 5-7-84

Revised Date: 12-22-09 (Author: Sergeant Iain Miller)

Related Procedural Manual: PAT 7-201

1-802.1 SYNOPSIS:

A procedure for issuing Detention and Release Certificates to persons who are taken into custody by members of this Department.

1-802.3 STATUTORY REFERENCES:

849 P.C. - Detention, not an arrest.

849.5 P.C. - Record of release.

851.6 P.C. - Release Certificate signed by the officer.

1-802.5 PROCEDURES:

I. General Policy

- A. In any case in which a person is arrested and released pursuant to paragraph (1) or (3) of subdivision (b) of California Penal Code Section 849, the person shall be issued a certificate (PPD Form-48) signed by the releasing officer or his superior officer, describing the action as a detention.
- B. In any case in which a person is arrested and released and no accusatory pleading is filed charging him with an offense, the person shall be issued a certificate (PPD Form-48) by the releasing officer describing the action as a detention.
- C. Prior to anyone being released from the Pomona City Jail pursuant to 849 b (1) the Watch Commander should be notified and advised of the facts surrounding the arrest and proposed release. The Watch Commander will make the decision whether or not to release the person. The name of the Watch Commander authorizing the release should be included in the appropriate report. Personnel releasing subjects as a result of the District Attorney's Office not filing the case are exempt from this procedure.

In any case in which a person is arrested and released and no accusatory pleading is filed charging him with an offense, the person shall be issued a certificate (PPD Form-48) by the releasing officer describing the action as a detention.

DETECTIVE 1-803

1-803.0 TITLE: RESPONSIBILITY FOR DETERMINING BAIL

Effective Date: 5-9-84

Related Procedural Manual: PAT. 7-407

1-803.1 SYNOPSIS:

Criteria for raising bail in specific cases with extenuating circumstances.

1-803.2 POLICY/OVERVIEW:

The attending Jailer shall have responsibility for determining the appropriate amount of bail for persons arrested on an open charge, in accordance with the approved bail schedule.

1-803.5 PROCEDURE:

A determining factor for raising a suspects bail may include a prior arrest of the same or similar offenses, statements threatening to do bodily harm upon release, intents to leave the area after posting bail, etc.

Any questions regarding the amount of bail set will be reviewed by the Watch Commander. After evaluating all pertinent data, the Watch Commander shall advise the officer on what action to take.

DETECTIVE 1-804

1-804.0 TITLE: LINE-UP OF ARRESTEE FOR IDENTIFICATION PURPOSES

Effective Date: 5-9-84

Related Procedural Manuals: NONE

1-804.5 PROCEDURES:

I. Rights Of Arrestee

- A. If an arrestee is subjected to a line-up for identification purposes, the arrestee must be advised of his/her right to have counsel present. If the arrestee states he/she cannot afford private counsel and does not waive his/ her right to an attorney, we are obligated to contact the Public Defender's Office.
- B. The above service is available every day between 8:00 AM and 5:00 PM, including weekends and holidays. However, when the presence of a Deputy Public Defender is requested at a line-up to be held between 8:00 AM and 5:00 PM, the Public Defender's Office should be notified as soon as possible and no later than 4:00 PM on the day before the line up.
 - 1. On normal working days, all request for a Deputy Public Defender to represent a suspect at a line-up shall be made by calling: 213/974-3001 or 213/974-3079.

II. Notification Of Public Defender On Other Than Normal Working Days

- A. When the line-ups are to be held after 5:00 PM and the presence of a Deputy Public Defender is requested, the Public Defender's Office shall be notified as soon as practicable and no later than 3:00 PM on the day of the line up.
 - 1. If Public Defender assistance is needed on weekends or holidays, call: 213/974-1234.

DETECTIVE 1-806

1-806.0 TITLE: IN CUSTODY INTERVIEWS

Effective date: 4-25-86

Related Procedural Manuals: Patrol 7-301

1-806.1 SYNOPSIS:

Procedure for officers and investigators for using the sound proof Interview Room located in the Jail.

1-806.2 POLICY/OVERVIEW:

This sound proof room provides a secure environment for the Patrol Officer or Investigators to compile his investigations through interviews.

This room is not to be used by attorney/client, clergy, or any other person who might be afforded privileged communications.

This room shall be used for all booked prisoner interviews, **EXCEPTION**; those interviews with previous approval from Detective Supervisor and with W.C. notification.

Booked prisoner shall not be moved from the jail for purpose of interview without approval of the W.C. or approval of Detective Supervisor and notification to W.C.

1-806.3 STATUTORY REFERENCES:

People v. Crowson 33 Cal 3d 623 - 190 / Donaldson v. Superior Court 35 Cal 3d 196 / Proposition 8 (Victims Bill of Rights).

1-806.4 DEFINITIONS:

Interview Room (#126): A specifically equipped and modified sound proof room in the Jail facility. Not to be used as a holding cell. Officers are required to be within hearing distance at all times when the room is occupied by an in custody.

1-806.5 PROCEDURES:

- I. Preparation For Interview
 - A. Test recording equipment.
 - B. Obtain cassettes.
 - C. Check for proper lighting.
 - D. Check furniture location.

DETECTIVE 1-806

- E. Initiate request for jail staff to locate and prepare the "in custody" for interview.
- F. Make specific request to Jail staff to ensure partial isolation of Interview Room area.
- G. Notify Jailers of your availability (or by who) of being interrupted or not during interview.

II. Interview

- A. This room is not restricted, you will be able to smoke and drink beverages.

III. After Interview

- A. Secure tape and taping equipment.
- B. Notify Jailers for cleaning and removal of trash to have room in order for next interview.

DETECTIVE 1-807

1-807.0 TITLE: TEMPORARY RELEASE OF PRISONERS

Effective Date: 7-20-87

Related Procedural Manuals: PATROL 7-500, JAIL 179

1-807.1 SYNOPSIS:

Procedure to be followed when the temporary release of a prisoner is requested.

1-807.2 POLICY/OVERVIEW:

Prisoners who have been booked into our jail or are in the process of being booked may be temporarily released with prior approval. Temporary release of prisoners will allow the additional follow-up on crimes they may be involved in or have knowledge of. The procedure for their release will help to insure that proper security is maintained for the prisoner.

1-807.5 PROCEDURE:

I. Officers' Responsibilities:

Pomona Police Department Officers' responsibilities when requesting temporary release of a prisoner shall include the following:

- A. The requesting officer will insure that the first thirteen lines of the booking slip are completed in those situations wherein the prisoner had not yet completed the booking process.
- B. The officer will contact the Watch Commander and obtain approval. The officer will make certain that the information requested on the stamp placed on the back of the booking slip (refer to attachment) is completed. This is to include the Watch Commander's initials who approved the release.
- C. Officers will be responsible for searching the prisoner prior to leaving the jail and upon return.
- D. To insure that the prisoner does not become a security risk while away from the jail facility two (2) officers will be needed for the release of a prisoner. Should there be special security problems with a prisoner, additional restraints should be used, i.e., leg irons.

Any deviation from this will be approved by the Watch Commander and documented on the special situation log.

- E. Upon returning the prisoner, the officer will complete the remaining information to insure that the prisoner is signed back in. The on-duty Watch Commander will be notified of the return and initial the booking slip.

DETECTIVE 1-807

- F. If the arresting officer is obtaining the temporary release of the prisoner he may incorporate that part of his investigation in his original report. If the release is requested after the arrest, this information will be documented on a supplemental report.

II. Officers From Other Agencies:

- A. No prisoner who is in the process of being booked or completed the process of being booked into the Pomona City Jail shall be released to another agency unless accompanied by a Pomona Police Officer.
- B. All procedures listed under Pomona Police Officer's responsibilities shall be followed for the temporary release of a prisoner to an officer from an outside agency.

III. Jailers Responsibilities:

- A. When a request is made by officers of our Department for the temporary release of a prisoner, the jailer will give this request to the Senior Jailer or Jailer in charge of the shift. Approval will be confirmed from the Watch Commander by the Senior Jailer or Jailer in charge before the release may take place.
- B. Jailers will make certain that the necessary booking information is completed and prisoner is mugged, printed prior to temporary release. The "Release" stamp will then be placed on the back of the booking slip.
- C. Jailers shall insure that the required information on the "Release" stamp has been completed both prior to release and upon return of the prisoner. The Watch Commander who authorizes the release will initial the booking slip prior to release. Upon return of the prisoner the on-duty Watch Commander will initial the booking slip.
- D. Temporary releases of prisoners will be documented by the Jailers on the Special Situation Log.

DETECTIVE 1-807

POMONA POLICE DEPARTMENT

TEMPORARY RELEASE OF PRISONER

RELEASE TO: _____

DESTINATION: _____

DATE & TIME: _____

JAILER: _____

W.C. NOTIFIED: _____

DATE & TIME RETURNED: _____

JAILER: _____

W.C. NOTIFIED: _____

DETECTIVE 1-808

1-808.0 TITLE: VIOLATION OF PROBATION AND PAROLE CONFINEMENT HOLDS

Effective Date: 10-20-87

Related Manuals: PATROL 7-120, JAIL

1-808.1 SYNOPSIS:

To establish a procedure requiring an official written notice to arrest and/or confine a parole or probation violator in the Pomona City Jail.

1-808.2 POLICY/OVERVIEW:

It is the Department's policy to require any probation agency/officer or state parole agency/officer to provide an official written notice/teletype abstract in order to confine a person charged with a respective violation for a period longer than two (2) hours in the Pomona City Jail.

The Los Angeles County Jail will not accept parole or probation violators without an official written notice/teletype abstract for confinement. Therefore, in the event that it becomes necessary to transfer a confined violator to the Los Angeles County Jail a written notice/teletype abstract will be available as required by the Los Angeles County Jail for acceptance.

The two (2) hour grace period should allow adequate time for telephone communication and teletype transmission. It also allows for a temporary holding of an in-custody who will not be lodged at the Pomona Jail, but transported to another facility, court, state prison or county facility as soon as that transportation is available.

1-808.3 STATUTORY REFERENCES:

3056 P.C. Legal Custody of Parolees; Right to Re-imprison.

3060 P.C. Suspension, Cancellation and Revocation of Parolees; Notice Unnecessary; Warrant for Return

1203.2 P.C. Revocation of Probation Upon Rearrest.

1-808.4 DEFINITIONS:

Parole - A division of the Department of Corrections; Parole and Community Service Division. A state or federal function.

Probation - Generally a county function, defined as a "Conditional Sentence."

Probation/Parole Officers - Officers of the respective agencies authorized to carry out the legal function of that agency.

Written Notice/Teletype - An official document giving the Pomona Police Department or the Los Angeles County Sheriffs' Department the authorization to arrest and detain a particular

DETECTIVE 1-808

person, identified by D.O.B. and physical description, for a particular crime/violation and giving the name and telephone number of a contact person for the authorizing agency and the name of the authorizing agency, i.e., California Department of Corrections, State Parole, Santa Ana, Los Angeles County Probation Department, Pomona Field Office. (Refer to Attached Examples.)

1-808.5 PROCEDURES:

I. Arresting Officer

A. State Parole Agent or County Probation Officer Requests for Assistance

If contacted by a state parole agent or county probation officer who requests assistance in arresting a person for a respective violation, the officer, prior to the arrest, shall advise the respective agent that in order to lodge the arrestee in the Pomona City Jail, the agent will have to provide the jail with a "teletype hold" authorizing the detention of the arrestee in the Pomona Jail/L.A. County Jail within two (2) hours after the arrestee enters the jail facility.

B. Officer Initiated Arrests

Where an officer makes a field arrest for a crime/s and during the processing of the arrestee either in the field or the jail, the officer determines the arrestee is on probation or parole the respective agency shall be contacted and verbal authorization given for a no bail violation hold. The officer must advise the person giving the verbal authorization that a "teletype hold" must be issued by the agency and received in the Pomona Police Department within two (2) hours or the arrestee will be cited out on the original charge, if conditions permit or subject to bail.

The officer shall note on line #14 of the booking slip (remarks) that "Agent J. Smith, Parole, Phone # advised at 1430 Hrs." The jail staff can then monitor the time requirement.

II. Watch Commander

A. When advised by the jail staff that an official teletype hold has not been received within the two (2) hours time limit on a parole/probation violation charge, the Watch Commander shall recontact the respective agency and advise them that due to Department policy he will authorize the violation charge be abrogated per 849(b)(1) P.C.

If, in the Watch Commander's opinion, special circumstances exist such as the teletype system being down for a period of time, or any other conditions that would legitimately delay the response from the authorizing agency, he may extent

DETECTIVE 1-808

the time period for a reasonable length of time. That delay authorization shall be given in writing to the jailer in charge of the on-duty shift.

The Watch Commander shall submit a supplemental report indicating the reason for holding the prisoner beyond the two hour time limit.

DETECTIVE 1-830

DRAFT #1

1-830.0 TITLE: PROBABLE CAUSE DECLARATION FORMS

Effective Date: 4/21/93

Revised Date: 12-7-00 (Author: Sgt. Hitt)

Prior Revised Date: 11/1/93

Related Procedural Manuals: JAIL 2-090, GENERAL 710, RECORDS 3-430,
PATROL 7-130; CODE 5-050

1-830.1 SYNOPSIS:

Establishes a procedure for filling out Probable Cause Declaration Forms on all adult and juvenile arrestees.

1-830.2 POLICY/OVERVIEW:

It shall be the policy of this Department to complete a Probable Cause Declaration Form on all adult and juvenile arrestees ~~who are booked either at our Jail facility or within the county system by our personnel that our personnel will hold in custody for arraignment, at either our facility or at any other law enforcement facility. It shall also be the policy of this Department to complete a Probable Cause Declaration Form on all juveniles that have been arrested and will be detained at a county facility.~~

1-830.5 PROCEDURE:

I. Arresting Officer

- A. ~~When arresting and booking adult suspects, the booking/arresting Officer shall fill out a Probable Cause Declaration Form on all adult arrestees even if the arrestee is booked at a county facility. The arresting officer shall complete the Probable Cause Declaration Form on all adult and juvenile prisoners remaining in custody for arraignment.~~
- B. ~~When arresting and booking juvenile suspects, a Probable Cause Declaration Form shall be filled out when the juvenile suspect is going to be detained at a county facility. The arresting officer shall make a copy of the completed Probable Cause form and add it to the transportation packet of the juvenile(s) transported to another agency, and who are staying in custody to be arraigned.~~
- C. ~~Upon completion of the Probable Cause Declaration Form on an adult, the booking/arresting Officer shall leave the form with the Jail. For juveniles, the Probable Cause Declaration Form will accompany the juvenile to the facility where he/she will be detained. It is, however, the ultimate responsibility of the arresting Officer to ensure that the Probable Cause Declaration Form has been~~

DETECTIVE 1-830

~~filled out.~~ It is the ultimate responsibility of the arresting officer to ensure that the Probable Cause Declaration is completed.

- D. ~~It is not necessary to attach a copy of the police report to the Probable Cause Declaration.~~ The completed Probable Cause Declaration, for adult or juvenile prisoners, will be given to the booking jailer.

II. Jail Personnel

- A. ~~At the time of the booking of adult arrestees or juvenile arrestees who are going to be detained, Jail personnel shall provide the booking/arresting Officer with a blank Pre Booking/Probable Cause Declaration Form.~~ The booking jailer, upon receiving the completed adult or juvenile Probable Cause Declaration Form from the arresting officer, shall place it in the designated holding receptacle within the jail.

- B. ~~Upon completion of the Pre Booking/Probable Cause declaration Form for adults by the booking/arresting Officer, the Jailer shall take the completed form and place it in the designated holding receptacle within the Jail.~~ On Saturdays, at 1230 hours, the designated jailer shall collect the completed Probable Cause Declaration Forms and will fax them to the on-call judge.

Formatted: Bullets and Numbering

Note: A list of on-call judges and their fax and telephone numbers shall be maintained by the Jail.

- C. ~~For juveniles, the completed Probable Cause Declaration Form will accompany the juvenile to the county facility where he/she will be detained.~~ CAUTION: The on-call judge signs, dates, and returns all the PCD's. However, the on-call judge also marks "IS" or "IS NOT" a probable cause at the bottom of the form.

Formatted

- D. ~~On Saturday, at 1300 hours, the designated Jailer shall collect the completed forms and respond to Records. The Jailer will fax the Probable Cause Declaration Forms to the on-call Judge.~~ The designated jailer shall make two copies of all the Probable Cause Declarations returned, signed, dated, and marked "IS" or "IS NOT" for prisoners who are no longer in custody. One copy shall be forwarded to the Detective Bureau and the second copy shall be attached to the original PCD and forwarded to the Records Bureau.

1. ~~A list of the on-call Judge and the fax phone number shall be maintained by the Jail.~~

- E. ~~All Probable Cause Declaration Forms turned in after 1300 hours on Saturday, shall be maintained by the Jail in the approved receptacle. On Monday morning, the designated Detective Bureau personnel shall respond to the Jail and pick the forms up.~~ The designated jailer shall make three (3) copies of the Probable Cause Declaration Forms returned to the Jail signed, dated, and marked "IS" by the on-

DETECTIVE 1-830

call judge, for prisoners in custody at the Pomona Jail. One copy will stay on the prisoner's locker, the second copy shall be forwarded to the Detective Bureau, and the third copy will be attached to the original PCD and given to the designated Records Bureau personnel.

- F. Upon the signed Probable Cause Declaration Forms being returned, the designated Jailer shall make two (2) copies of the Probable Cause Declaration Form. One (1) copy will stay in the Jail. One (1) copy shall be placed in the Investigative Services' box, and the original shall be given to the designated Records Bureau personnel. The assigned jailer shall separate the PCD's signed, dated and marked "IS" by the on-call judge for prisoners who are at the Los Angeles County Jail. The assigned jailer shall make sure there is a correct Los Angeles County booking number clearly printed on each one of these PCD's. The assigned jailer shall make two (2) copies of each PCD. One copy shall be forwarded to the Detective Bureau, and the second copy will be attached to the original PCD and delivered, with a brief instruction by the assigned jailer, to the designated Records Bureau personnel. Records shall fax them to Twin Towers.

Formatted

- ~~G. ———~~ G. On those weekends when a holiday falls on a Monday and the courts are closed, on Sunday the designated Jailer shall follow the procedure set forth in Section II, Subsection D, E, and F. The assigned jailer shall make two copies of the PCD's signed, dated and marked "IS NOT," for prisoners housed at the Los Angeles County Jail. Clear and correct Twin Towers booking numbers shall be on them. One copy shall be forwarded to the Detective Bureau and the second copy shall be attached to the original PCD and they shall be given to the designated Records Bureau personnel with a brief instruction, so that the designated Records Bureau personnel teletypes a message to Twin Towers instructing them to 849(b)(1) PC the prisoner on that charge.

Formatted: Bullets and Numbering

- H. The assigned jailer processing signed PCD's shall notify the Senior Jailer or Jailer in Charge about every PCD marked "IS NOT" when the prisoner is in our custody and does not have any other holds, before releasing the prisoner under section 849(b)(1) of the California Penal Code.

Formatted: Bullets and Numbering

- I. The assigned jailer processing signed PCD's shall notify the Senior Jailer or the Jailer in Charge when the prisoner shall be cited on the hold(s) because the returned signed PCD is marked "IS NOT." The notification must be made before releasing the prisoner.

Formatted: Bullets and Numbering

- J. The Senior Jailer or Jailer in Charge will notify the on-duty Watch Commander of the 849(b)(1) PC or Cite releases due to returned signed PCD's marked "IS NOT." This notification shall be made before the prisoners are released.

DETECTIVE 1-830

K. All the probable Cause Declaration forms turned in after 1300 hours on Saturday shall be placed in the designated receptacle. These forms shall be picked up by the Detective Bureau on the following Monday morning.

G.L. On those weekends when a holiday falls on a Monday (and the courts are closed), the designated jailer shall perform on Sunday the procedures set forth on Section II.

III. Records Bureau Personnel

A. Records personnel shall place the original form in their files. Records personnel shall place the original Probable Cause Declaration form and the form signed by the judge in the appropriate Record's file.

B. If the arrestee is in custody in a facility other than Pomona City Jail, Records Bureau personnel shall send a teletype/fax of the Probable Cause Declaration Form to that facility. If the arrestee is in custody in a facility other than the Pomona City Jail, Records shall fax the Probable Cause Declaration form marked "IS" to that facility. However, Records shall send to that facility an 849(b)(1) PC teletype on all PCD's signed, dated, and marked "IS NOT."

IV. Watch Commander

Any questions the judge may have stemming from Probable Cause Declarations which cannot readily be answered by the Watch Commander will require the Watch Commander to order in an on-call Detective to complete any follow-up.

V. When Probable Cause Declaration Form not needed: The Probable Cause Declaration forms will not be needed in the following situations:

A. Warrant arrest.

B. Enroute booking for other agency. Cash bail or bond release at time of booking.

B.

C. Cash bail out at time of booking. Cite out after six hours in custody.

D. When a person arrested will be cited out after (6) hours [i.e., 11550 H&S, 647(b) PC, 484 PC, 23152 (a) & (b) VC]. In any other case when the prisoner will not be held in custody until arraigned.

DETECTIVE 1-900

1-900.0 TITLE: BLUE TEAM REPORTING

Effective Date: 06-04-18 (Author: Capt. Christian Hsu)

Related Procedures: Patrol 1-800, Jail 1-650

1-900.1 SYNOPSIS:

BlueTeam is the platform selected by the Pomona Police Department to record, track and manage incidents involving Police Department staff. BlueTeam streamlines the flow of information through the chain-of-command that provides review and approval at each step.

1-900.5 PROCEDURES:

- I. Incidents (Incident Type) requiring a BlueTeam entry:
 - a. Administrative Complaint
 - b. Citizen Complaint
 - c. Employee Commendation
 - d. Employee Injury
 - e. Firearm Discharge
 - f. K9 Utilization
 - g. Property Damage
 - h. Use of Force
 - i. Vehicle Accident
 - j. Vehicle Pursuit
- II. Generating a BlueTeam Incident
 - a. The first-line supervisor, generally a Lieutenant, Sergeant, Corporal or professional staff supervisor, will initiate a BlueTeam incident when any of the above listed events have occurred. The initial incident must be created in the BlueTeam system by the handling supervisor before their end-of-shift on the day of the incident.
 1. When entering the "Summary" of the incident, the supervisor will not identify involved staff member(s) by name. They will be referred to by the role, title or rank.
 - b. The supervisor will enter and complete every section and tab which is appropriate for the incident.
 - c. The supervisor will complete, collect, review and upload reports (criminal, City administrative, traffic collision, Taser download, etc.), documents, photographs, audio recordings and any other items that are material to the incident, making it an attachment.
 1. When an item exceeds size limits to be uploaded and attached ; the supervisor will indicate in the "Comments" portion of BlueTeam what this item is, its content, its current location and what value it has to the incident.
 - d. Routing in BlueTeam
 1. Police Department staff complaints will be sent to "Internal Affairs."
 2. All other incidents will be sent to the on-duty Watch Commander.
 - a. Officers or professionals staff members may be involved in an event that requires BlueTeam reporting, but they are not assigned to

DETECTIVE 1-900

the Operations Division or their work unit first-line supervisor is not on-duty. In those cases, the on-duty Watch Commander will be the recipient of this initial BlueTeam entry. The first-line supervisor for the affected employee will be copied on the routing.

III. Watch Commander Responsibilities

- a. All BlueTeam incidents, besides “Administrative Complaint” and “Citizen Complaint” will require the on-duty Watch Commander’s review and preparation of an Administrative Insight document.
- b. If the original BlueTeam entry is incomplete it shall be marked “Not Approved” with instructions provided and routed back to the initiating supervisor.
- c. When the on-duty Watch Commander has completely reviewed the entry and is prepared to approve and route the BlueTeam to the affected staff member(s)’s Division commander, they will:
 1. Complete and upload an Administrative Insight document; following the approved format. The on-duty Watch Commander will be responsible for completing this document even if the affected staff member(s) is / are not under their supervision. The staff member(s)’s Operations Division, Investigative Services Division or Administrative Services Lieutenant/Manager will be copied on the routing to keep them informed and updated.
 2. If the event is an on-duty or work related staff injury; in addition to the BlueTeam entry, the following documents will be forwarded/emailed to Human Resources-Risk Management work unit:
 - a. City of Pomona Incident Investigation Report
 - b. City of Pomona Employer’s Report of Occupational Injury or Illness Report
 - c. State of California Worker’s Compensation Claim (DWC 1)
 3. If the event is a traffic collision involving an on-duty Police Department staff member or a City vehicle; in addition to the BlueTeam entry, the following documents will be forwarded/emailed to Human Resources-Risk Management work unit:
 - a. City of Pomona Incident Investigation Report
 - b. Traffic Collision Report

IV. BlueTeam Management

- a. BlueTeam will be managed through the Office of the Chief of Police.

DETECTIVE 1-909

1-909.0 TITLE: SHOTGUN, RIFLE AND BEAN BAG SHOTGUN PROCEDURE

Effective Date: 8-26-87

Revised Date: 9-11-12 (Author: Lt. Joann Guzek)

Prior Revised Dates: 11-19-01, 09-17-08

Related Manuals: PAT 6-200, JAIL 4-500, GEN 500

1-909.1 SYNOPSIS:

Procedure for inspecting, safe handling, and servicing of unit assigned shotguns, rifles and bean bag shotguns.

1-909.3 POLICY/OVERVIEW:

The Rangemaster shall inspect all weapons assigned to police vehicles prior to them being certified for field use. Each weapon must be operable and loaded with department approved ammunition. Officers are responsible for ensuring weapons are maintained in a serviceable condition and that they are properly stored in the weapon's assigned vehicle or the department's armory. Any discrepancies in inventory shall be reported to a the Watch Commander.

1-909.5 PROCEDURE:

I. Officer Responsibilities

A. General Procedures

1. Officers shall inspect the weapons in their units prior to going 10-8 and shall ensure that the appropriately assigned weapon is in their unit. If it is found that the wrong weapon is in a unit, or if a weapon label is mutilated or destroyed, it shall be reported to the Watch Commander before going in the field.
2. When checking out or checking in weapons from the Armory, the weapons log form shall be completed by the officer in its entirety and the jailer shall double-check the accuracy of each entry and then initial the form.
3. The Watch Commander shall be notified at once if there are any discrepancies discovered by any employee regarding the inventory of weapons. If the Watch Commander cannot reconcile the discrepancy within that duty shift, the Patrol Division Commander and Rangemaster shall be contacted without delay.

B. Weapon Inspection Procedure – 590 A-1 Shotgun

DETECTIVE 1-909

1. Remove the shotgun from the unit locking mechanism (weapon rack) and point in a safe direction.
2. Unload the shotgun by depressing the “shell stop” and removing slug rounds from the magazine tube. Visually inspect to ensure no rounds remain in the tube.
3. Open the action (press the slide release if needed) and visually inspect the chamber to ensure no rounds remain in the shotgun.
4. Close the action on an empty chamber, point the shotgun in a safe direction and press the trigger to drop the hammer, complete a function test on the shotgun to ensure the trigger will reset and that the safety works.
5. Visually inspect the shotgun for damage, check that the light is operable and that the weapon is in serviceable condition.
6. Ensure the weapon number matches the unit assigned. If the number does not match, the Officer shall report the information to their immediate supervisor, who shall follow the procedures below in section III D, in an effort to locate the weapon.
7. Check the extra slug rounds in the stock to ensure four are present.
8. Point the shotgun in a safe direction, ensure the slide is in the forward position and pull the trigger to drop the hammer, place the safety in the safe position.
9. Load the five slugs in the magazine tube and lock in the weapon rack.
10. If an officer chambers a round in the performance of his/her duties, he/she shall unload the weapon when safe and prepare it for duty use as outlined above.

C. Weapon Inspection Procedure - AR-15 rifle

1. Remove the rifle from the unit locking mechanism (weapon rack) and point in a safe direction.
2. Unload the rifle by removing the magazine (if in rifle) pull the charging handle to the rear and lock it back by pressing the bolt stop/release button.
3. Visually inspect the chamber to ensure no rounds remain in the rifle.

DETECTIVE 1-909

4. Close the bolt on an empty chamber, point the rifle in a safe direction and press the trigger to drop the hammer, complete a function test on the rifle to ensure the trigger will reset and the safety works, keep the hammer in dropped position.
5. Visually inspect the rifle for damage, check that the light is operable and that the weapon is in serviceable condition.
6. Ensure the rifle number assigned matches the unit assigned. If the number does not match, the Officer shall report the information to their immediate supervisor, who shall follow the procedures below in section III D, in an effort to locate the weapon
7. Close the dust cover.
8. Place a loaded 30 round magazine (with 28 rounds) in the rifle and lock in the weapon rack.
9. If an officer chambers a round in the performance of his/her duties, he/she shall unload the weapon when safe and prepare it for duty use as outlined above.

D. Weapon Inspection Procedure – Beanbag Shotgun

1. Remove the beanbag shotgun from the unit locking mechanism (weapon rack) and point in a safe direction.
2. Check the beanbag shotgun magazine tube visually to ensure no rounds in the tube.
3. Open the action (press the slide release if needed) and visually inspect the chamber to ensure no rounds remain in the shotgun.
4. Close the action on an empty chamber, point the shotgun in a safe direction and press the trigger to drop the hammer, complete a function test on the shotgun to ensure the trigger will reset and that the safety works. Place the safety in the safe position.
5. Visually inspect the beanbag shotgun for damage, check that the weapon is in serviceable condition.
6. Ensure the weapon number assigned matches the unit assigned. If the number does not match, the Officer shall report the information to

DETECTIVE 1-909

their immediate supervisor, who shall follow the procedures below in section III D, in an effort to locate the weapon.

7. Check that four beanbag rounds are in the stock and visually check each one to ensure they are beanbag rounds.
8. Return the beanbag shotgun and lock in the weapon rack.
9. If an officer chambers a round in the performance of his/her duties, he/she shall unload the weapon when safe and prepare it for duty use as outlined above.

II. Unserviceable Weapons Reporting Procedures

- A. When a weapon is in need of maintenance, or is damaged, the officer requesting the repair shall fill out an Equipment Service Request Tag.
 1. Equipment Service Tags are kept in the armory for your convenience.
 2. If it is determined that a weapon is not serviceable, the officer shall take it out of service immediately. This is accomplished by returning the “unloaded” weapon and rounds (shotgun and beanbag shotgun only) to the armory and attaching a completed “equipment service request” tag to the weapon. The officer will turn the weapon over to jail personnel in the armory and will turn in all ammunition (shotgun and beanbag shotgun only) from the magazine tube. Any rounds in the stock will remain.
 3. Completely describe the problem with the weapon that is being taken out of service (i.e., service due, will not eject, etc.)
 4. Attach the Equipment Service Request Tag to the weapon with a rubberband, and leave same in the armory.
 5. The weapon taken out of service shall be replaced with one of the weapons marked “spare” from the armory until such time that repairs can be made. Officers shall not use a weapon assigned to another as a replacement.

III. Armory

- A. The Armory shall be checked daily by the Jail Services Graveyard Supervisor to ensure ample weapons are available for duty use. In the absence of the Jail Supervisor, the Jailer-In-Charge shall assume this responsibility. He/She shall then notify the Rangemaster for any service needs.

DETECTIVE 1-909

- B. Discrepancies in inventory shall be immediately reported to the Watch Commander and later reported in writing to the Jail Manager. Procedures outlined in section III D. below shall be followed for any missing weapons prior to securing from duty.
- C. Removal of weapons from the equipment room for training, servicing, or repairs.
 - 1. Weapons taken from the equipment room by the Rangemaster for training or servicing shall be be logged out on the armory by the rangesmaster on the Weapons Log Form and initialed by a Jailer.
 - 2. When weapons are returned to the station armory, they shall be released to jail personnel. The rangemaster shall log the weapons in on the Weapons Log Form and the form shall be initialed by a Jailer.
- D. Weapons found to be missing shall be immediately reported to the on-duty Watch Commander. A search for the weapon shall commence immediately. If the weapon is not located that shift, the on-duty Watch Commander shall notify their chain of command via e-mail, and ensure appropriate steps are taken in an attempt to locate the weapon. A police report shall be taken as soon as active attempts to locate the weapon are exhausted.
- E. The Watch Commander shall forward an e-mail to the Operations Captain, Rangemaster, and Support Services Lieutenant advising of the missing weapon, and steps taken to locate.
- F. Rangemaster Responsibilities
 - 1. The Rangemaster shall conduct biannual (January and July) inspections of the station armory to ensure all weapons assigned to the armory are properly accounted for. This will include an inspection of each police unit that has weapons assigned.
 - 2. The Rangemaster shall also ensure all weapons are operable and numbered correctly.
 - 3. If any weapon is discovered to be missing the Rangemaster shall follow the procedures set forth in section III D. to ensure all steps are properly taken to attempt to locate the missing weapon
 - 4. Spare weapons shall be properly identified and marked as "Spare" with a corresponding number on the stock.
 - 5. At least two spare weapons of each type shall be maintained in the station armory.

DETECTIVE 1-909

- G. At least once per month each of the four Patrol Lieutenants shall inspect the armory for abnormalities and to ensure the inventory forms are being completed correctly.

DETECTIVE 1-910

1-910.0 TITLE: EQUIPMENT ROOM PROCEDURE

Effective: 5-7-84

Revised 9-12-88

Related Procedural Manuals: Patrol 6-201

1-910.1 SYNOPSIS:

Procedures for issuing, maintaining and accounting for Department equipment.

1-910.5 PROCEDURES:

I. Initial Officer Responsibility

- A. To implement the new procedure, each patrol unit will be initially supplied with seven pieces of standard equipment which will include an unloaded shotgun, a fire extinguisher, flares, blanket, broom, dustpan and height gauge. It will become the responsibility of each officer using an assigned patrol unit to ensure that each piece of standard equipment is accounted for at the start of each shift. It will also become the responsibility of each officer to replace any defective damaged equipment in accordance with the established procedure. Shotguns in each unit not in use will remain unloaded and officers securing a unit will remove the five shells from the shotgun at the end of their respective shift.
- B. In addition, each officer will be issued five name tags that will be the only means to be used by officers to obtain certain designated pieces of equipment from the new equipment supply room.
- C. All Department equipment to be issued to officers is in Room 105, located at the north portion of the first floor hallway. A window has been constructed in the door leading to Room 105 which will be used to obtain and return all equipment. The equipment supply room will be staffed by jail personnel. The respective Watch Commanders or personnel designated by the on-duty Watch Commander will be the only other personnel having access to the equipment supply room and will sign in on the equipment room entrance roster. An intercom system has been installed outside of Room 105 which will be used by officers to communicate with jail personnel to obtain equipment during the times the equipment room is not open.
- D. In the event that no jail personnel are available to issue equipment, officers will contact the on-duty Watch Commander or immediate supervisor. The Watch Commander or supervisor will then issue the equipment or designate specific personnel to issue the equipment. A key to Room 105 will be maintained in the Watch Commander's Office for this purpose.

DETECTIVE 1-910

II. Equipment Type

A. Designated - Requires name tag to obtain:

1. Vehicle keys.
2. HT and Case - both issued as one item.
3. Taser.
4. Shotgun - special details.
5. Soundmeter.
6. Starlight scope.
7. Camera.

B. Non-Designated - Requires defect form, sign out or exchange.

1. Fire extinguisher.
2. Broom/dustpans.
3. Flashlight.
4. HT battery.

C. Disposable - Obtained as needed.

1. Flares.
2. Blankets.
3. Flashlight batteries and bulbs.

NOTE: Check flashlight batteries and bulbs when obtaining designated equipment and replace if needed.

III. Obtaining/Returning Equipment

A. Prior to Shift

DETECTIVE 1-910

1. Room 105 will be staffed 15 minutes prior to the start of each briefing and will again be staffed 10 minutes prior to the end of each shift and will remain open for approximately 15 minutes after the hour.
2. Officer will present his/her name tag to personnel in equipment room and will receive, an HT and case and assigned vehicle keys.
3. Any other designated equipment needed must be requested and will require a name tag to be presented.
4. Non-designated equipment can be obtained at this time by sign out sheet at the equipment room.
5. Disposable equipment can be obtained as needed.

B. End of Shift

1. Officer will unload shotgun, leave unloaded shotgun in respective unit.
2. Return each piece of designated equipment to equipment room personnel.
3. Officers name tag will be returned, on the corresponding hook, to the officer only when each item of designated equipment is returned.
4. Signed out, non-designated equipment must be signed back in by the same officer.
5. Officers will no longer exchange any equipment to the on coming shift in the field or at the back of the station.

C. Defective or Damaged Equipment

1. Equipment, i.e., recorders, HT, shotgun, etc.,
 - a. Obtain equipment defect form from equipment room personnel and complete the necessary information and have it initialed by the supervisor. Defective or used shotgun will be returned unloaded. Officer will retain the shotgun shells.
 - b. Return defective equipment to equipment room personnel.
 - c. Obtain new equipment.
 - d. Damaged equipment requires a memo via chain of command.

DETECTIVE 1-910

e. Vehicles

- (1) Complete vehicle defect form.
- (2) Remove shotgun and unload. Retain shotgun if returning to patrol (otherwise follow existing procedures).
- (3) Turn in pink copy of vehicle defect form to equipment room personnel after defect form is initialed by a supervisor.
- (4) Obtain new vehicle keys, reload shotgun in new unit.

2. Non-designated equipment

- a. If defective, use defect form.
- b. Have supervisor initial the defect form.
- c. If expended, i.e., fire extinguisher, return for replacement.

3. Disposable equipment

- a. Replace as needed.

IV. Non-Member Usage

- A. In cases where designated and non-designated equipment is to be utilized by non-members of this Department, blank name tags will be maintained in the equipment room for such cases.
 1. The supervisor or his designate authorizing the use of the equipment shall obtain the proper identification from the person/s to use the equipment.
 2. The name, agency, etc., will then be affixed to the blank name tag for each item to be used by the non-member. The supervisor or his designee will initial the name tag.
 3. Non-designated equipment will be signed out by the person using the equipment. The supervisor or designee will initial the sign out.
 4. It shall be the responsibility of the supervisor or his designee to ensure the return of all issued equipment.

DETECTIVE 1-911

1-911.0 TITLE: MIRANDA WARNING

Effective Date: 5-9-84

Revised Date: 07-09-2003 (Author: Sgt. Rob E. Baker)

Related Procedural Manuals: PAT. 4-902

1-911.1 SYNOPSIS:

To establish a procedure regarding the reading of "Miranda Rights" to a possible suspect.

1-911.2 OVERVIEW:

This procedure will enable officers to testify that the Miranda Warning was read to a suspect and eliminate the need for verbatim recall from memory.

1-911.4 DEFINITIONS:

Expressed Consent: consent which is directly and distinctly stated or expressed rather than implied or left to inference.

Implied Consent: when surrounding circumstances exist which would lead a reasonable person to believe this consent had been given, although no direct, express, or explicit words of agreement had been uttered.

1-911.5 PROCEDURES:

I. General Policy

A. A Department issued Miranda Warning card shall be carried by all "on-duty" sworn members of this Department while assigned to enforcement duties. It shall be used in giving the "Miranda Rights" to suspect.

1. The Miranda Warning shall be read verbatim to a suspect to obtain either an expressed or implied consent.
2. The notification of Miranda Warning and the response by a suspect shall then be included in the incident report .

DETECTIVE 1-915

1-915.0 TITLE: RIOT CONTROL MUNITIONS POLICY

Effective Date: 6/28/93

Revised Date:

Related Procedure Manuals: PAT. 8-675, GEN 655

1-915.1 SYNOPSIS:

This policy is to familiarize Department personnel of the riot control munitions available. It also describes the reason for their use as well as the authority for their use. It describes individual munitions and the methods of their deployment. It also places responsibility with the inventory of the munitions and the required documentation when the munitions are deployed.

1-915.5 PROCEDURE:

I. Use Of Riot Control Munitions.

These munitions are designed to control civil disturbances that become hostile, riotous crowds and shall have the primary objective of one or all of the following:

- Prevention of Violence
- Suppression and Dispersal of Unlawful Crowds with Minimum Hazard to the Public and Law Enforcement.

II. Authorization For Use

- A. The use of riot control munitions may be authorized by the Watch Commander or, if applicable, the Incident Commander.
- B. When operating in a platoon or squad configuration, the squad leader may authorize the use of riot control munitions under emergency conditions.
- C. The person authorizing the use of riot control munitions shall be held responsible and accountable for its deployment. That person must be fully prepared to justify the decision at a later time if needed.

III. Description Of Riot Control Munitions

A. 37mm Deployment Munitions.

- 1. Number 20 multiple baton rounds.
 - a. Deployed via a 37mm shoulder weapon.

DETECTIVE 1-915

- b. Consist of approximately 220 3/8" rubber pellets contained in an 8" long cartridge, which are skip fired in front of a crowd.

B. 12 Gauge Shotgun Deployment Munitions.

1. Number 23 RP Round.

- a. Deployed via a 12 gauge shotgun.
- b. a shotgun cartridge load with 15 3/8" rubber pellets designed to be skip fired in front of a crowd.
- c. Hand thrown delivery system.

(1) Number 15 stinger rubber pellet and CS combo grenade.

- (a) Hand thrown into a crowd.
- (b) A rubber ball grenade body containing an explosive charge with approximately 180 3/8" rubber pellets and micro pulverized CS agent.
- (c) Law enforcement personnel should be warned of its deployment and gas masks should be worn.

IV. Responsibility And Inventory.

Under the direction of the Training Bureau Commander, the Rangemaster shall be responsible for maintaining the Department's supply of riot control munitions. The Special Weapons Team shall be responsible for the inventory of the riot control munitions.

V. Storage Of Riot Control Munitions.

All riot control munitions shall be securely stored in the station armory and/or at the Special Weapons Team Headquarters.

VI. Riot Control Munitions Use Report.

The Use of Force Report Form shall be used when the special munitions are deployed.

DETECTIVE 1-916

1-916.0 TITLE: DOCUMENTATION OF ITEMS BEING HELD FOR LATENT PRINT PROCESSING BY THE DETECTIVE BUREAU

Effective Date: 8-12-98 (Author: Sgt. G. Jones)

Related Procedural Manuals: Pat. 3-018

1-916.1 SYNOPSIS:

To create a procedure to document items being held for latent print processing by the Detective Bureau.

1-916.2 POLICY/OVERVIEW:

To create a procedure for uniformly documenting items being booked into evidence to be processed for latent prints by the Detective Bureau.

1-916.5 PROCEDURES:

- I. When an officer books an item of evidence that he wishes to be processed for latent prints, the officer shall complete a "Latent Print Report." (Form PPD-60) A Latent Print Report shall also be submitted for vehicles which are held for prints. The officer shall describe in sufficient detail the item or items to be processed. If available, the officer shall provide the name, date of birth or other identifying information of any possible suspect.

NOTE: Officers should only submit items for latent print processing which are beyond the officers ability to process in the field.

- II. The officer shall place all copies of the completed form in the box marked "Detective Bureau" located in the Records Bureau.
- III. All completed forms will then be forwarded to the Detective Bureau for assignment. The assigned Detective will review the request and determine if the request shall be forwarded to the Evidence/I.D. Detectives. The primary Investigator assigned the case shall ensure that the request is complete, accurate, and necessary for criminal prosecution.
- IV. The primary Investigator must review the request for processing. If approved, he shall date and initial the request and forward it to the Evidence/I.D. Detectives.

Pomona Police Department Form #PPD-60 , effective/revision date 7-30-98 , is associated with this procedure.

DETECTIVE 2-203

2-203.0 TITLE: CHILD ABUSE INVESTIGATION

Effective Date 10-1-85

Revised Date: 12-22-09 (Sergeant Iain Miller)

Prior Revised Date: 8-23-00; 12-14-00

Related Procedural Manual: Detective 2-203, Records 2-005

2-203.1 SYNOPSIS:

To establish procedure for investigating child abuse and related incidents.

2-203.2 POLICY:

The primary concern of this Department is the protection and welfare of the child. Prior to January 1, 1985, law enforcement had the sole responsibility for placing all children into protective custody who came under the provisions of 300(a), (b), (c), or (d) W.I.C. However, Senate Bill - 2123 which became effective January 1, 1985, added language to Sec. 306 W.I.C. to allow county social workers to take into custody those children described in Section 300 A/B who are in need of detention.

Effective October 1, 1985, Department of Children Services (DCS) will assume responsibility for taking into protective custody those children described below.

2-203.3 STATUTORY REFERENCES:

306 W.I.C. - Temporary Detention of Children

300(a) W.I.C. - Lack of Supervision

300(b) W.I.C. - Destitute

300(c) W.I.C. - Physically or Mentally Dangerous to Public

300(d) W.I.C. - Unfit Home

273(a)(1) P.C. - Felony/Great Bodily Injury

273(a)(2) P.C. - Misdemeanor/Minor Injury

2-203.4 DEFINITIONS:

LE - Law Enforcement

DCS - Department of Children Services

CSW - Children Service Worker

Destitute - Lacking Necessities of Life

Unfit Home - By Reason of Neglect or Abuse

Supervision - Parental Control/Care

Fourth Amendment - U.S. Constitution - Prohibition Against Unreasonable Searches and Seizures

DETECTIVE 2-203

2-203.5 PROCEDURES:

- I. DCS Is Responsible For Assessing, Processing and Handling Children for Possible W.I.C. 300(a),(b) Status
 - A. Hospital Holds - e.g., infants born addicted to drugs.
 - B. Hospital Overstays.
 - C. Abandoned Children - At home, with neighbors, at school or day care centers, with baby sitters, on the streets or in most other situations where the parent is absent without having made adequate child care plans.
 - D. Lack of supervision by reason of the arrest or hospitalization of parent or guardian.
 - E. Children with special and unique problems beyond the parent's ability to handle - (Exceptions to this are developmentally delayed children who are the responsibility of Regional Center).
 - F. Parents refusing to continue caring for minor.
 - G. Children living in a car or whose home is otherwise unfit.
 - H. Parents who suffer from psychiatric, or substance abuse problems rendering them incapable of proper care. This category may require frequent LE help to effect the detention. See Section III, below.
 - I. Infants born to mothers in jail or psychiatric hospitals.

NOTE: If the preliminary investigation determines that the situation falls under W.I.C. 300(a) /300(b), e.g., any of the above in Section I. The handling officer is to phone DCS and advise circumstances - weekdays 0800-1600 hours at 714-865-5471, and on weekends and nights at 213/974-1234, and prepare a short incident report titles - "Assist DCS." (Be sure to include in the report the date and time and the name of CSW notified.)

- II. LE is Responsible for Accessing, Processing and Handling Children for Possible W.I.C. 300 (d) Status - To Include:
 - A. Physically abused children.
 - B. Sexually abused children.
 - C. Severely neglected or endangered children.

DETECTIVE 2-203

- D. Situations in which LE intends to file criminal child endangering charges against parents.

NOTE: If the preliminary investigation determines that the situation falls under W.I.C. 300(d), e.g., any of the above in Section II, the handling officer will proceed with the investigation following established procedures as noted below in Section III.

III. Patrol Officer's Responsibility

- A. The officer making the preliminary investigation of a "Suspected Child Abuse Incident" shall:

1. Interview the reporting or requesting party (DCS); ascertain and analyze all allegations and information to determine if the child/children are in IMMEDIATE DANGER INDICATING EXIGENT CIRCUMSTANCES may exist to justify a warrantless entry

If circumstances determine exigent circumstances may exist based on the investigating officer's REASONABLE and SPECIFICALLY ARTICULATED BELIEF that the child/children is in present danger of harm and that a delay in the investigation to obtain a warrant will jeopardize the child's safety or will allow the suspect to destroy evidence of the abuse, the officer shall first attempt to gain voluntary consent to enter prior to forcing entry.

NOTE: The law is well established that warrantless entries into private residences DO NOT VIOLATE THE FOURTH AMENDMENT WHEN THEY ARE DONE PURSUANT TO AN EXIGENT CIRCUMSTANCE.

In all reported suspected child abuse incidents, officers shall, investigate the incident as in any other report of criminal activity, whether a DCS Worker is present or not.

In cases where a DCS Worker determines DCS must be involved, however, there is no criminal investigation necessary, officers should be mindful that their presence is necessary to maintain the peace in the event that the DCS Worker encounters physical resistance.

2. Transport the victim of physical abuse to Pomona Valley Hospital Medical Center.
3. Phone DCS and advise circumstances weekdays 0800-1700 hours at 213-351-5602, and weekends and nights at 800-540-4000.

DETECTIVE 2-203

4. Interview the attending physician if available. Obtain the physician's name, title, medical diagnosis, and professional opinion as to the reason and/or necessity for protective custody.

NOTE: The physician's statement that the release of the child would be detrimental to its health or welfare is sufficient to place the child into protective custody.

5. Obtain all available information regarding the child's parent, or guardian, and circumstance of the situation.
6. Obtain statement from witnesses.
7. Collect and book any evidence in connection with abuse.
8. Obtain color photographs of injuries.
9. Ascertain if there are siblings, their whereabouts and whether they are also in need of protective custody.
10. Initiate record check on suspected abuser/s for prior incidents and, if warranted, arrest suspect.

NOTE: In some abuse and neglect situations it may be necessary, in order to protect the child, to take immediate action during the investigation procedures and remove the abused child from the home.

Statutory authority for removing the abused child from the home and placing the child in Protective Custody is found in Section 305(a) W.I.C. The child may be removed under the following conditions:

- (a) The child is in need of immediate medical care.
- (b) There is a history of prior abuse.
- (c) The environment of the home poses immediate danger/threat to the child.
- (d) The evidence suggests that the parent is systematically resorting to physical force which is far beyond reasonable discipline.

NOTE: The above is only a general guideline and the officer must also consider his personal liability i.e., the officer may be criminally or

DETECTIVE 2-203

civilly liable if he leaves the child in a dangerous situation, or with a caretaker who is incapable of responsibility in caring for the child.

Anytime a child is removed from the home for "Protective Custody," it is the investigative officer's responsibility to arrange transportation of the child with DCS.

11. Complete "Juvenile Investigation Report" form - PPD21b on Juvenile in Protective Custody.
12. Write "Protective Custody" in upper right hand corner of First Report.

B. If a juvenile is detained for a provision of WIC 300 or 601, the Department of Children and Family Services should be notified. DCFS will have the responsibility of finding placement for the juvenile. This procedure should also be followed if both parents, or the parent with sole custody of the juvenile is arrested. An officer may transfer custody of the juvenile to another family member with the consent of the parent(s) and DCFS.

IV. Notification of Placement of Minors in Protective Custody

- A. Welfare and Institutions Code Section 308(a) requires that a peace officer who takes a minor into protective custody must take immediate steps to notify the minor's parent, guardian, or responsible relative that the minor is in custody and the phone number of the facility. The facility address shall remain confidential until the Disposition Hearing, at which time the judge may authorize, upon a finding of good cause, the disclosure of the facility address.
- B. The officer taking a minor in custody from the child's residence shall leave written notice, whether or not the parents or caretakers are present, advising who to contact for information regarding the children's whereabouts and the phone number to obtain information. See III A (3).

When a law enforcement officer takes a minor into protective custody and has a reasonable belief that disclosure of the minor's whereabouts would endanger the minor or otherwise disturb the custody of the minor, the following procedure shall be adhered to:

1. Inform the DCS that you intend to seek a non-disclosure order.
2. Make note of specific circumstances or facts that lead to the belief that disclosure of the minor's exact whereabouts would endanger the minor or disturb the custody of the minor.
3. Factors that should be considered in this determination include, but are not limited to:

DETECTIVE 2-203

- a. Severity of injuries to the minor,
 - b. Evidence of mental instability on the part of the parent, guardian, or responsible relative,
 - c. Evidence that indicates the parent, guardian, or responsible relative may try to retrieve the minor and either dissuade him or her from providing information to officials, or flee.
4. Contact the Juvenile Court Commissioner by telephone. Be prepared to describe the nature of the situation and the circumstances or facts that justify the issuance of a non-disclosure order.
 - a. The on-call Commissioner's phone number may be obtained through the Los Angeles County District Attorney's 24-hour hotline, 213-974-3607.
 5. If the Juvenile Court Commissioner authorizes the non-disclosure order, obtain the Commissioner's name and the time the order was issued. This information, along with the facts that warranted the non-disclosure shall be included in the first report. Parental notification shall then exclude the minor's whereabouts.
 6. If the Juvenile Court Commissioner declines to issue a non-disclosure order, obtain the Commissioner's name, which shall be included in the first report along with the facts that were believed to justify the non-disclosure. In this case the notification to the parent shall include the minor's whereabouts.
 7. In rare situations, non-disclosure of the minor's whereabouts may appear to be justified, but it is impossible or impracticable to contact the Juvenile Court Commissioner. In this case, personnel shall refuse to disclose the minor's whereabouts to the parent, guardian, or responsible relative. The facts that justified non-disclosure shall be articulated in the first report, along with the reason(s) that the Juvenile Court Commissioner could not be contacted.

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

It is the responsibility of the officer who takes the minor into protective custody to seek the non-disclosure order if the situation warrants.

V. Assisting DCS

DETECTIVE 2-203

- A. CSW's do not have police powers and are not to place themselves into endangering situations in carrying out their job assignment. Should the CSW determine that intervening in a 300(a) / (b) situation will expose him/her to danger he/she shall contact LE for assistance. In most situations this will be a "keeping the peace" request.
- B. The CSW/SCSW after assessment shall have final authority in determining whether a dangerous situation exists.

VI. Other Situations Involving LE

- A. DCS has no legal authority to enter a residence without permission from an adult resident.

Example: Infant alone at home. After establishing validity of referral, LE will be called to gain admission.

- B. DCS has no authority to physically restrain any adult in carrying out his/her job assignment.

Example: If child is in need of protective placement and child's caretaker refuses to release the child, LE will be called to support CSW in taking the child into temporary custody.

VII. Problem Resolution

- A. Final authority for determining if a case is 300(a) / (b) or (d) rests with LE. It is understood that the goal of both DCS and LE is to protect children. A child shall not be left in an endangering situation while the other agency is responding.
- B. Final authority for determining CSW safety rests with DCS.

DETECTIVE 2-204

2-204.0 TITLE: CONFIDENTIALITY OF VICTIMS' PERSONAL INFORMATION REGARDING VICTIMS OF SEX CRIMES/DOMESTIC VIOLENCE

Effective Date: 9-13-18 (Author: Jaime Martinez, Sergeant)

Revised Date: 8-5-02 (Author: J. Ramsey, Police Records Manager)

Prior Revision Dates: 11-14-95, 6-3-99

Related Procedures: REC 2-050, PAT 3-025

2-204.1 SYNOPSIS:

Procedure for maintaining the confidentiality of a sex crime/domestic violence victim's personal information. This policy shall apply to all crimes as defined by Sections 220, 261, 262, 264, 264.1, 273a, 273d, 273.5, 286, 288, 288a, 289, 422.6, 422.7, 422.75, 646.9 of the Penal Code.

2-204.2 DEFINITIONS:

Sex Crime Victim – As per California Penal Code Section 293(a); any person who is the victim of any one or combination of the following Penal Code Sections:

261; 261.5, 262; 264; 264.1; 286; 288; 288(a); 289

Guardian – Any person 18 years or older who has been granted legal custody of a juvenile. This guardianship can either be granted by the courts, child protective services case worker, or the parent of the juvenile.

Domestic Violence Victim: Subject of an intentional or recklessly caused or attempted to cause bodily injury or reasonable apprehension of imminent serious bodily injury, 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.

2-204.3 STATUTORY REFERENCES:

273.5 PC – Spousal Abuse

293(a) – Victims of Sex Crimes

6254f(2) GC – Public Records Act

2-204.5 PROCEDURE:

I. Officer's Responsibility:

- A. Any officer who is taking a sexual assault or domestic violence report from an adult victim shall have the victim read, sign, and date a confidential form (PPD 354). The officer must ensure that the victim decides whether or not they want their name and other personal information to appear on the face sheet of the report. Whatever the decision, the victim must check the appropriate box that is located below their signature line.

DETECTIVE 2-204

- B. If the victim is a juvenile, the parent or legal guardian must read, sign and check the appropriate box.
- C. If there is more than one victim, a confidentiality form must be completed for each victim.
- D. If the victim's name is not to appear on the report, the handling officer shall:
 - 1. Input all victim information in the involved party module of PSSI and ensure the CONFIDENTIAL box located in the custom tab is marked "Y," however; throughout the narrative of the report, only refer to the victim as V-1. If there are multiple victims, the officer shall refer to them as V-1, V-2, V-3, and so on.
 - 2. Turn in the confidential form(s) to the log steno and indicate in workflow notes Confidential Form Submitted.
- E. If the victim wants their name to appear within the report, the officer shall follow normal procedure. The confidential form shall be turned in to the log desk and indicate in workflow notes "Confidential Form Submitted."
- F. The officer must state in the body of his/her report that the victim has been informed of the right to privacy, and their response.
- G. If the sexual assault investigation involves another law enforcement agency, the officer must advise the other agency of the victim's decision that personal information be kept confidential.

II. Records Responsibility

- A. Once Records receives a sexual assault or domestic violence report in which the victim has requested personal information to remain confidential, they shall:
 - 1. Make one copy of the confidential form.
 - a. Send the original to the Custodian of Records.
 - b. Send one copy to the Detective Bureau.

NOTE: THIS FORM IS NOT TO BE SCANNED INTO PERMANENT RECORD.

- B. If the victim does not request that their information be kept confidential, then Records shall:
 - 1. Scan one copy of the confidential form and include it as an attachment to the PSSI report.
 - 2. Send the original to the Custodian of Records.

DETECTIVE 2-204

- C. Index the victims from the confidential form. Index as Code: W.
- D. When running a master name search, if the name appears as a type "W," the information is to be kept confidential and is indexed solely for the purpose of an internal reference in locating the report number.
- E. The confidential information regarding victims who exercise their rights under 293 PC or 6254(f)(2) GC, may only be released to the District Attorney's Office or the Victim/Witness Assistance Program.

III. Custodian of Records' Responsibility

- A. The Custodian of Records shall maintain a file of all the original confidential request forms.
- B. The Custodian of Records shall handle all requests for the information contained within this file.

IV. Investigator's Responsibility

- A. The Investigator handling the incident shall not release or duplicate this form unless it is for the handling Deputy District Attorney.

Pomona Police Department Form #PPD 354, effective/revision date 11/95, is associated with this procedure.

DETECTIVE 2-205

2-205.0 TITLE: AMBER ALERT NETWORK

Effective Date: 11-14-02 (Author: Sgt. Capraro)

Related Procedure: PAT 8-700

2-205.1 SYNOPSIS

The early recovery of abducted children is of paramount importance to the members of the Pomona Police Department and the Pomona Community. It is for this reason that the Pomona Police Department will participate in the California Child Safety Amber Alert Network.

The Governor of California has mandated that the California Highway Patrol be the coordinating agency for the Amber Alert Network. As a result the CHP has established the Emergency Notification and Tactical Alert Center (ENTAC). ENTAC is the 24-hour central clearinghouse for Amber Alert information.

2-205.5 PROCEDURE:

This directive shall establish procedures for declaring and transmitting an Amber Alert.

A. Criteria

An Amber Alert can be declared if a child abduction has occurred and **all** of the following criteria have been met.

1. The victim is 17-years-old or younger, or the victim is an individual (regardless of age) with a proven mental or physical disability.
2. The person is in imminent danger of serious bodily injury or death.
3. There is information available that, if disseminated to the general public, could assist in the safe recovery of the victim.

B. Procedure

If the Amber Alert criteria has been met, the handling Officer shall follow the procedure below:

1. **Immediately** notify the field supervisor and the Watch Commander of the circumstances surrounding the abduction.
2. **Contact ENTAC at (916) 657-8287.** ENTAC will confirm that the abduction meets Amber criteria and assist in sending the alert through the TRAK System, the Changeable Message Signs, and the Media.

DETECTIVE 2-205

ENTAC may request that you also use our local TRAK computer to send information about the abduction.

C. Watch Commander Responsibilities

1. The Watch Commander will contact the on-call Detective Sergeant to discuss the feasibility of utilizing the on-call Homicide team for the investigation.
2. Since this abduction is likely to draw a large Press audience, the Watch Commander should consider calling the Department's Press Liaison Officer.

DETECTIVE 3-001

3-001.0 TITLE: SECONDHAND DEALER LICENSING

Effective Date: 9-25-84

Related Procedural Manual: Records 9-502

3-001.2 POLICY/OVERVIEW:

The Department conforms with criteria set forth in the appropriate sections of the California Business and Professions Code pursuant to the issuance/denial of Secondhand Dealer License.

3-001.3 STATUTORY REFERENCES:

21641c B&P - Grounds for Denial

The Chief of Police, the Sheriff or, where appropriate, the Police Commission, shall accept an application for and grant a license permitting the licensee to engage in the business of secondhand dealer, as defined in Section 21626, to an applicant who has not been convicted of an attempt to receive stolen property. Prior to the granting of a license, the licensing authority shall submit the application to the Department of Justice. If the Department of Justice does not comment on the application within 30 days thereafter, the licensing authority may grant the applicant a license. All forms of application and licensure, and license renewal, shall be prescribed and provided by the Department of Justice. A fee may be charged to the applicant as specified by the Department of Justice for processing the initial license application.

3-001.4 DEFINITIONS:

1. Secondhand Dealer - Any person, co-partnership, firm, or corporation whose primary business is buying, selling, trading, taking in pawn, accepting for sale on consignment, accepting for auctioning, or auctioning secondhand tangible personal property.
2. Convicted - A plea or verdict of guilty or a conviction following a plea of nolo contendere.

3-001.5 PROCEDURES:

- I. Upon receipt of all pertinent information from the Applicant Steno, the assigned Detective Sergeant, or an Investigator assigned by the Sergeant, shall conduct a background investigation on Secondhand Dealer applicants.
 - A. Complete a cover letter, directed to the Chief of Police, including all information regarding the background investigation.
 1. Some areas of concern should be local, statewide, and national check for warrants, wants, and criminal history.

DETECTIVE 3-001

- B. Complete PPD Form #70, "Cover Sheet" indicating a recommendation of either "denial" or "approval".
 - 1. If the recommendation is "denial", include any supporting information, i.e., investigative reports and submit with completed package to the Chief of Police, when investigation is completed. Any recommendation for denial should be supported by the authority of Sec. 21641 B&P.C.
 - 2. If the recommendation is "approval", forward information to the Chief of Police, when information to the investigation is completed.
- C. Submit PPD Form #70, "Cover Sheet", cover letter, and supporting information to the Chief of Police for review.
 - 1. The information shall be forwarded, via the Chain of Command.
- D. Upon receipt of the investigation provided by the Detective Sergeant, the Chief of Police shall determine if the Secondhand Dealer application is to be denied or approved.
 - 1. If denied, the information shall be returned to the Detective Sergeant who will return same to the Records Department.
 - a. A letter shall be sent to the applicant informing him/her as to the reason for denial. The letter is usually prepared by the Detective Sergeant for the Chief of Police and provided with the package.
 - 2. If approved, the Chief of Police will provide his signature to the license and PPD Form #70 "Cover Sheet", dating same. The information will be returned to the Detective Sergeant and then forwarded to the Records Bureau.

DETECTIVE 4-101

4-101.0 TITLE: TERMS OF PROBATION FILE

Effective Date: October 7, 1986

Related procedural manuals: Patrol 7-210

4-101.1 SYNOPSIS:

Procedures for use of terms of probation file.

4-101.2 POLICY/OVERVIEW:

Due to the increased volume of drug related arrests, the courts are often granting probation to the offender, with specific terms that can assist officers in conducting narcotic related investigations.

So that officers have this information available when needed, a file has been developed and maintained in Communications that contains the name, D.O.B., physical description, court case no., and terms of probation of all narcotic probationers arrested since January 1985.

Proper use of this file should assist officers in making lawful arrest and searches of probationary narcotic offenders and curb the growing narcotic problem.

4-101.3 STATUTORY REFERENCE

I. Case Law

- A. General Rule-The police do not need consent, search warrant, or probable cause for arrest to search a person, car or residence of a probationer who, as a condition of probation is required to submit to a search without warrant upon request. He has voluntarily given up rights in order to get probation (PEOPLE v MASON, 5 Cal 3d 759).
- B. Limitation on right to search - "A peace officer may exercise the authority of a general search order only when he knows a known probationer is conducting himself in a manner that suggests resumption of misconduct that brought about the condition of probation." PEOPLE v. BREMMER, 30 ca 3d 1058).

4-101.5 PROCEDURE

- I. When an individual is encountered that an officer suspects to be involved in a narcotic related offense;
 - A. Identify subject
 - B. Advise communications of the identity

DETECTIVE 4-101

- C. Request communications to check the terms of probation file to ascertain:
 - 1. If the subject is on probation
 - 2. Expiration of probation
 - 3. Terms of probation
- II. If the subject is on probation, and the terms of probation include search and seizure.
 - A. Proceed with search of subject for a contraband, keeping in mind the limitation of your right to search.
 - B. You may search the following:
 - 1. Person
 - 2. Car
 - 3. Residence
- III. If you find contraband during the search of the probationer.
 - A. Book suspect for appropriate charge, not the violation of probation.
 - B. Book evidence, and give receipt to the probationer.
 - C. Write an arrest report, and include in your report:
 - 1. Court case number authorizing the terms,
 - 2. Terms of probation
 - 3. Conduct of suspect
 - 4. Results of suspect
- IV. If no contraband is found during search of probationer, fill out a field interrogation card and turn in for processing.

DETECTIVE 4-401

4-401.0 TITLE: CLANDESTINE LABORATORIES

Effective Date: 4/17/97

Revised Date: 11-18-02 (Author: Lt. R. Mackey)

Related Procedures: Pat. 8-002

4-401.1 SYNOPSIS:

Establish procedure for the response, investigation and dismantling of dangerous chemical labs involved in the processing of illegal narcotics and/or established precursors.

4-401.2 POLICY/OVERVIEW:

With increasing frequency, the Police Department is encountering dangerous chemicals and illegal narcotics processing operations.

As with all criminal activity, the Police Department is charged with the proper investigation of the incident, including identification of responsible suspects and collection of evidence. However, due to the nature of the materials and processes involved, clearly established guidelines ensuring the safety of citizens and Department employees are paramount and foremost.

4-401.5 PROCEDURES:

- I. Upon determination that a clandestine lab exists, or precursor chemicals are present, the following shall occur:
 - A. Remove any persons from the location.
 - B. Notify the Field Supervisor and Fire Department. Do not move or inspect chemicals.
 - C. Do not turn any appliances on or off.
 - D. Give consideration to evacuation of surrounding properties, based on size and/or quantity of lab/chemicals and wind conditions.
 - E. Exit the interior of the location to limit exposure and secure the scene.
- II. Field Supervisor/Watch Commander responsibilities
 - A. Cause notification to be made to a designated Department Clandestine Lab Investigator. The list is maintained in Watch Commander's Office.
 - B. Coordinate resources as required to ensure safe, efficient investigation. (Generally at the request of the Department clandestine lab expert.)

DETECTIVE 4-401

III. Arrest And Transportation

- A. Officers charged with arrest and/or transportation of suspect should exercise caution while handling clothes and property to prevent or limit exposure to any chemicals. Officers should use latex examination gloves.
- B. If it can be determined the arrestee has been in close proximity to cook/chemicals, the clothes should be seized and booked as evidence or bulk property as indicated by the investigation. These items can be bagged and booked in the evidence lockers of the bike shed.
- C. Advise Jail staff that the suspect should receive a shower as soon as is practical.

IV. Department Designated Expert Responsibilities

- A. Respond to the station or directly to the incident location as required.
- B. Obtain initial briefing from officer-in-charge of incident.
- C. Wear appropriate safety equipment, conduct an initial assessment of the incident, including condition (fire/explosion potential) of the materials, type and quantity of materials.
- D. Interface with Department of Justice, Bureau of Narcotics Enforcement, Clandestine Lab Investigators for identification and sampling of materials.
- E. When necessary, contact Department of Justice Command Post for designation of contract hazardous materials clean up crew. Generally, this task is handled by the Bureau of Narcotics Enforcement and/or Impact Team.
- F. Assist, when necessary, with arresting officer to establish correct criminal charges, i.e.; 11376.6/11383 H&S.
- G. Provide required information for timely preparation of news/media release to supervisor/Watch Commander.

DETECTIVE 4-402

4-402.0 TITLE: BOOKING PROCEDURE FOR PRISONERS UNDER INFLUENCE OF PCP

Effective Date: 5-7-84

Related Procedural Manual: Pat. 7-402

4-402.1 SYNOPSIS:

Medical Evaluation and Booking Procedures for persons under the influence of PCP.

4-402.5 PROCEDURE:

I. Medical Examination

- A. Any person suspected of being under the influence of PCP (Angel Dust) whether violent or not, shall be transported directly to Pomona Valley Community Hospital (PVCH) for an examination prior to booking.

II. Booking Procedures

A. Male And Female Juveniles

1. Juveniles not released to their parents will be transported directly for booking to Los Angeles County General Hospital Jail Ward, 13th Floor. Prior to leaving Pomona, a call shall be made to Juvenile Hall Intake for admitting arrangements (213) 226-8506. Prior to leaving PVCH, the arresting officer shall telephone Pomona City Jail and obtain a booking number for the juvenile. The Los Angeles County Booking Form shall be completed prior to arrival at the County facility. Upon arrival at the 13th Floor, the arresting Officers shall advise the Intake personnel at that location that the juvenile is in custody and that clearance for booking has been obtained from Juvenile Hall Intake. The officers will be given copies of paperwork from the 13th Floor, leave the juvenile in the custody of the Sheriff at the 13th Floor, and then drive to Central Juvenile Hall Intake (Old East Lake Juvenile Hall), one block north of USC Medical Center. Juvenile Hall will be given the appropriate paperwork and will respond and pick up the juvenile at the 13th Floor after he/she has been observed by the doctors at the 13th Floor. The officers will then return the blue copy of the booking slip and a completed copy of the prebooking form to the on-duty Jailer at the Pomona City Jail.

B. Adults

- (1) After medical examination, all adult PCP prisoners who are or have been combative or violent will be transported as follows:

DETECTIVE 4-402

- a) Male Adults - will be transported to IRC at the Main County Jail. As the Officer approaches the Booking Office, he/she will be contacted by a nurse from the LASO Medical Bureau, who will evaluate the in-custody. If the in-custody is accepted he will be lodged at the "Back Door". If he is not accepted, he will then be walked over to the Main Booking area where he will be booked.
- b) Female Adults - If violent or unable to walk, subject will be transported to LAGH, 13th Floor, for evaluation. If approval for booking is received, she will be transported to SBI and booked per the procedures.

III. Non-Combative Subjects

- A. Any person who is suspected of being under the influence of PCP and is not or has not been combative and has been given approval for booking by PVCH may be booked at Pomona City Jail. During transportation in the Police unit the prisoner shall be immobilized for the prisoner's and officer's safety through the utilization of handcuffs and ankle restraining rope.

NOTE: Any person who exhibits, during the time of arrest or during the time of booking, violence, stupor or coma, will not be booked at the Pomona City Jail.

DETECTIVE 4-404

4-404.0 TITLE: PROSTITUTE PROBATION BOOK

Effective Date: 12-26-84

Related Procedures: Patrol 8-300

4-404.1 SYNOPSIS:

Procedures for maintaining and updating "Prostitute Probation I.D. Book".

4-404.4 DEFINITION:

"Prostitute Probation I.D. Book" is located in the Watch Commander's Office and contains the photographs, identification, terms and probation conditions imposed on convicted prostitutes by the Pomona Municipal Courts.

4-404.5 PROCEDURES:

I. Detective from Vice/Narcotics

- A. When the "arrests disposition" form or court docket is received from the Municipal Court indicating the terms and condition of probation, the detective who filed the case shall complete a "Prostitute Identification Card" on the prostitute and obtain two (2) mug photos from the Jail. One is to be attached to the "Prostitute I.D. Card" and one is to be placed in the prostitute's file.

The completed "Prostitute Identification Card" shall be placed in the "Prostitute Probation Book" located in the Watch Commander's Office.

- B. A designated detective from Vice/Narcotics shall review the content of the "Prostitute Probation Book" once a week (Mondays) and remove "Prostitute Identification Cards" which are no longer on probation.
- C. Prostitutes arrested on probation violation:
 - 1. The I.D. card shall remain in the "Prostitute Probation Book" with a new notation of the date arrested.
 - 2. The new probation terms shall be noted on the I.D. cards as the information arrives from the Courts.

DETECTIVE 4-405

4-405.0 TITLE: TAKING OF PERSONAL COMPUTER FOR EVIDENCE

Effective Date: 7/08/91

Related Procedural Manuals: PATROL 4-905

4-405.1 SYNOPSIS:

In recent years, the popularity of personal computers has made it possible for these technological devices to be used for various home and business management applications. Such applications have been known to prevail in both legal and illegal enterprises. In the event that personal computer equipment is taken into custody in connection with suspected criminal activity, certain precautionary steps should be taken in order to ensure that electronically stored evidence is preserved.

4-405.2 POLICY/OVERVIEW:

Electronically stored information can provide valuable evidence in criminal activities involving vice and narcotics; if such a medium has been used in the commission of the crime. Depending on the knowledge and sophistication of the computer user, such electronically stored information may be designed for quick data disposal upon law enforcement intervention. The present procedure is established to provide specific instructions on certain precautionary steps which shall be observed in the event that computer equipment is to be taken for evidence.

4-405.5 PROCEDURE:

I. Pre-Planning

If intelligence gathering is a pre-enforcement activity for a specific vice or narcotics assignment, the assigned officer shall include the collection of information pertaining to the existence and use of computer equipment by the targeted suspect(s). The assigned officer shall advise the Crime Analysis Unit if the intelligence information reveals that the use of computer equipment exists in connection with the suspect(s)' criminal activities. (Note: The supervisor in charge of the enforcement assignment may consider requesting CAU staff having PC evidence recovery knowledge to accompany the on-site enforcement activity.

(If a search warrant is sought for the planned enforcement activity, specific information pertaining to the existence and use of computer equipment shall be stated in such documents.)

II. Civil/Financial Liabilities

When suspected computer equipment is encountered at a site where a legitimate business exists, the investigating officer shall observe the following precautions:

DETECTIVE 4-405

- A. If applicable, direct any suspect or subject in the vicinity of the computer equipment to keep away from the equipment.
- B. If the computer equipment is powered on:

Determine the individual on-site who is responsible for the operation of the legitimate business. Advise the individual that the on-site computer equipment is suspected of being used for illegal activity. As such, the equipment will be subjected to be taken as evidence. Two contingent issues shall be addressed:

- 1) The individual may advise that the taking of the computer equipment will render financial loss to the operation of the legitimate business. Under this scenario, the investigating officer shall contact the appropriate authority through the chain of command to resolve this problem.
- 2) The investigating officer shall assess the existing circumstances to determine if equipment power down instructions is available from the legitimate business operator. If available, the investigating officer shall advise the individual to write this procedure on paper. The investigating officer shall then confirm the reasonable validity of the written instructions with a CAU staff knowledgeable in PC evidence recovery prior to taking any equipment power down actions.

III. Enforcement Activity

Upon taking precautionary measures to ensure citizen safety and officer safety, officers conducting enforcement activities at a location where there is suspicion that computer equipment is being used for criminal activity shall do the following:

- A. If applicable, direct any suspect or subject in the vicinity of the computer equipment to keep away from the equipment.
- B. Take sufficient number of photographs to show details of individual computer equipment components and how these components are linked. If the equipment is in use, photograph the computer display screen showing in detail, the information being displayed. DO NOT MANIPULATE ANY INPUT DEVICES THAT WOULD CAUSE THE DISPLAY SCREEN TO CHANGE. THAT IS, DO NOT PRESS ANY KEYS ON THE KEYBOARD. ALSO, DO NOT TOUCH ANY MOUSE BUTTONS, LIGHT PENS OR ANY OTHER INPUT DEVICES WHICH MAY BE CONNECTED TO THE COMPUTER EQUIPMENT.
- C. DO NOT USE THE EQUIPMENT'S ON/OFF SWITCH TO POWER OFF THE COMPUTER. If the power to the computer equipment is ON, inspect the linkage to the power source (for possible hook-ups to any uninterrupted power supply (UPS) devices) and disengage the power cord from the source outlet. (Note: do

DETECTIVE 4-405

not remove any diskettes, tapes, compact disks, or any other data storage medium in use at the time of property seizure; e.g., a diskette found inserted in a disk drive should be left untouched.)

- D. Tag and label each end of each cable with a non-sliding adhesive label or piece of masking tape. Earmark on each adhesive label or piece of masking tape to identify the connection. Example: a cable which is connected between a printer and the central processing unit (CPU will typically require four adhesive labels. Label 1 would be affixed to the printer near the cable connector port. The label may be earmarked "A--Female." Label 2 would be affixed to the cable at the printer connection end. The label may be earmarked "A--Male." Label 3 would be affixed to the cable at the CPU end. The label may be earmarked "B--Female." Finally, Label 4 would be affixed to the CPU near the printer port. The label may be earmarked "B--Male." There may be connection cables which may be connected to a piece of computer component at one end but not connected at the other end. In this instance, the unconnected end of the cable shall be labeled and earmarked as not being connected to any component. THE INVESTIGATING OFFICER SHALL OPERATE UNDER THE ASSUMPTION THAT ONCE THE COMPUTER EQUIPMENT IS DISCONNECTED, IT IS HIS SOLE RESPONSIBILITY TO RE- CONNECT THE EQUIPMENT TO ITS EXISTING SET UP!
- E. Seize all computer equipment, software, (diskettes, tapes, compact disks), documents, and any other property which may be associated with the computer equipment.
- F. Take extreme care in the removal and transporting of the computer equipment. If warranted by existing circumstances, the investigating officer may need to check the path between where the computer equipment is housed and the transporting vehicle for magnetic fields. An inexpensive compass would accomplish this task. Information stored in a magnetic medium such as a hard disk can be susceptible to damage or loss from sudden jolts or shocks. Whenever possible, the original equipment boxes with packing material or packing bubbles shall be used to protect the computer equipment prior to transporting. Upon removal from the premise, the equipment shall be loaded into the passenger compartment of the transporting vehicle; away from dust and other adverse elements.
- G. If the CAU staff has not been party to the on-site law enforcement activity, contact the CAU as soon as possible to request that computer evidence recovery procedure be performed.

DETECTIVE 4-420

4-420.0 TITLE: WELLS TEST KIT, USE OF

Effective Date: 9/13/93

Related Procedure Manuals: Pat. 6-250

4-420.1 SYNOPSIS:

Procedures for the use of the Wells Test Kit.

4-420.2 POLICY/OVERVIEW:

The Wells Test Kit is designed to allow an officer a method of rapid field screening of a substance through use of chemicals designed to change colors for determination of narcotics and dangerous drugs. The chemicals to be used in the determination are caustic acids which can cause skin and lung damage if not used with caution.

4-420.5 PROCEDURE:

I. Storage of the Wells Test Kit

- A. The Wells Test Kit shall be stored in a well-ventilated room or storage area.
- B. The Kit will be cleaned of all residual material and dry when returned to the storage area.
- C. All containers within the Kit which contain the reagents will have the lids/tops secure to prevent leakage of the fluids.

II. Officers' Use of the Wells Test Kit.

- A. The officer shall be trained in the testing of possible narcotics using the Wells Test Kit prior to using the kit.
- B. The officers shall follow the enclosed printed instruction for the various tests that can be conducted with the Kit.
- C. Users will wear protective eye wear and rubber gloves when using the Kit. The solution contains acids which can/will cause harm if contact is made with the skin or eyes.
- D. Prior to securing the Wells Test Kit, the user shall clean the petri disk with copious amounts of clean water, followed by soapy water, and dry the dish prior to replacing it back into the Kit box.

DETECTIVE 5-001

5-001.0 TITLE: PROCEDURES TO FOLLOW WHEN LEAVING WORK STATION

Effective Date: October 3, 1985

Related Procedural Manual: NONE

5-001.1 SYNOPSIS:

Procedure for personnel of Investigative Services to follow when leaving their work stations.

5-001.5 PROCEDURES:

I. Investigative Services Personnel

A. Personnel of the Detective Bureau shall follow the below procedure when leaving their work stations.

1. Whenever an Investigator or other personnel assigned to Investigative Services leaves the building or goes to lunch, he/she shall sign out on the board located at the north wall of the Bureau.
2. Prior to leaving the building, Detectives and others assigned to the Bureau shall ensure that their phones are forwarded to the Detective Bureau Coordinator. The bells on the phones shall not be turned off.
3. Advise your supervisor if you are leaving the City and your destination.
4. When the Detective is away from his unit, he shall take his H.T. with him and monitor it.
5. The Detective shall advise the Dispatcher of his location when leaving his unit.
6. Upon returning, the detective shall re-program the phone. The Detective shall also erase the time out and location from the board.
7. When units are not in use, return the keys to the signout board.

DETECTIVE 5-401

5-401.0 TITLE: PARKING OF UNDERCOVER VEHICLES

Effective date: October 7, 1986

5-401.1 SYNOPSIS:

Procedure for parking of undercover vehicles at or near the police facility.

5-401.2 POLICY/OVERVIEW:

All undercover cars shall be parked within the immediate vicinity of the Police Department.

Undercover vehicles are used in assignments where the identity needs to be protected. Park undercover vehicles so that they blend in with private vehicles.

5-401.5 PROCEDURE:

I. Approved Parking:

- A. Any employee parking stall in the east and west lot of the Police Department.
 - 1. Do not park in the vendors stall.
 - 2. If parked in employee permit parking and a citation is received, take citation to Narcotics Sergeant for dismissal.
- B. All public street parking with unlimited time zones.
- C. Fire stations with approval of fire department administration.

II. Unapproved parking

- A. Marked unit stalls at Police Department.
- B. Fire department without approval from fire department administration.
- C. Public street parking with limited time zones

DETECTIVE 5-501

5-501.0 TITLE: CONTACTING PAROLEES

Effective Date: 5/13/85

Related Procedural Manual: None

5-501.1 SYNOPSIS:

The purpose of the procedure is two-fold.

One is that the Investigator contacting the parolee will be face to face with a potential suspect in a future criminal case and will have first hand knowledge of what he looks like. The Detective can make mental note of his description, type of vehicle, residence, and possibly who his associates are.

Secondly, the Investigator can verify if the parolee gave the parole board his true and correct place of residence. If it is not correct this may be grounds for a parole violation.

5-501.4 DEFINITIONS:

"Parolee" - Adult parolee who resides at a private residence, motel, hotel, etc.

NOTE: Residents of Mission Re-Entry or any Government agency operated "half-way" houses are not included.

5-501.5 PROCEDURES:

I. Detective Sergeants

- A. Receives the Department of Correction Parole and Community Service Division "face sheet".
- B. Reviews the information and assigns the parolee to an Investigator for contact.
- C. Gives a copy of the face sheet to the Investigator.
- D. Writes the Investigators name and date of assignment on the original face sheet.
- E. The Sergeant will keep the original face sheet in his "pending" file until the Investigator returns his copy with brief documentation of the contact written on the face sheet.
- F. Once the assignment is completed the Sergeant will place the face sheet in the Parolee folder in the Sergeant's office.

DETECTIVE 5-501

II. DETECTIVES

- A. After receiving the assignment, the Detective will have fifteen (15) days to complete the contact/interview with the parolee. Document the result on the face sheet and return it to the Sergeant who assigned it.

NOTE: The contact with the parolee should be informal and "friendly". Keep in mind that we only want to see what he/she looks like, obtain a description of their vehicles, and who their associates might be, if any. Contact is also to determine if there is anything the Detective can do to assist the parolee in his/ her return to society.

DETECTIVE 5-502

5-502.0 TITLE: DISPOSITION OF MONEY TAKEN AS EVIDENCE

Effective Date: 5-28-85

Related Procedural Manuals: Property

5-502.1 SYNOPSIS:

A procedure to facilitate the proper storage of money that was secured into evidence.

5-502.4 DEFINITIONS:

Best Evidence Money: Currency that other than its monetary value has value as evidence.
Example: Marked money, blood or chemicals on money, altered money.

Police Held Money: Currency, that has no value as evidence other than its monetary value.

5-502.5 PROCEDURES:

- I. Upon Receiving A "Money Held As Best Evidence" Form The Assigned Detective Shall:
 - A. Review the case.
 1. Determine if the money is needed to be held. If not, take action to release to the appropriate party. ATTACH the release form to this document and forward to your Sergeant.
 2. Determine if money secured into evidence falls within the definition of Best Evidence Money or Police Held Money.
 - B. Complete the section identified as "to be filled out by Officer or Detective receiving notice".
 1. Check the appropriate box.
 2. Sign name and date.
 3. Complete within six (6) days after receiving.
 4. Forward to supervisor.
- II. Supervisor Action
 - A. Review form.
 - B. When approved, forward to Support Sergeant.

DETECTIVE 5-503

5-503.0 TITLE: UNDERCOVER "FLASH MONEY"

Effective Date: 12-19-84

Related Procedural Manual

5-503.1 SYNOPSIS:

Procedures to obtain large sums of money to be used as "Flash Money" in undercover operations.

5-503.4 DEFINITIONS:

"Flash Money" is cash to be shown to suspect(s) during negotiation to buy illegal narcotics or contraband. Under no circumstances can any portion of this "Flash Money" be spent. The maximum amount of money that can be obtained is "fifteen thousand dollars".

5-503.5 PROCEDURES:

- I. Formal Steps For Approval And Obtaining Flash Money
 - A. The investigator prepares a brief synopsis of the program and submits it in written form for approval.
 - B. Written demand for amount of money needed will be filled out by the Detective Bureau Commander on Purchase Requisition Form PPD-115 and appropriate revolving account number is to be on the form (number to be assigned).
 - C. Detective Bureau Commander or Sergeant in charge of Vice and Narcotics will submit written demand to the Operations Division Commander or in his absence, the Chief of Police, for approval and signature. The check will be made payable to either the Detective Bureau Commander or the Sergeant in charge of Vice and Narcotics.
 - D. The Vice/Narcotics Sergeant shall telephone the Assistant Finance Director, ext. 351, and advise him/her of the amount of the check. Finance prefers an hour notice to cut the check and request that the notification be made prior to 1400 hours.
 1. Notify the bank that the money will be withdrawn, the bank needs an hour notice so that the money can be counted and ready. The bank will need to know the amount of money and denominations of the bills. The money will be withdrawn from the Security Pacific Bank, 100 E. Mission Blvd., Pomona, 629-4015. Contact will be made with anyone of the following. All of them are aware of the procedure.

DETECTIVE 5-503

- a. President.
- b. Assistant Vice President.

Request for money can be made between 0830 - 1600 hours.

- 2. Hand carry the written demand to the Finance Department, obtain the check.
- 3. Hand carry the check to the Security Pacific Bank and obtain the money.

II. Utilization of the Flash Money

- A. Appropriate man power will be deployed during the operation to reasonably ensure the success of the operation and the safe return of the money. A staff member of at least the rank of lieutenant shall be present during the operation.
- B. A running log will be maintained and the money will be counted each and every time the money changes hands.
- C. The money will only be entrusted to police personnel, not informants or non-police operators.
- D. The "flash money" shall not be retained by this Department for any longer than a three day period.
- E. During the time that this Department retains these funds and the funds are not being used, the funds shall be secured in one of two (2) locations: (1) safe, located in the office of the Chief of Police; (2) safe, located in the office of the Detective Bureau Commander.

III. Return Of The Flash Money

- A. The Vice/Narcotics Sergeant shall notify the City Treasurers Office, ext. 091, in advance, that the money is being returned.
- B. Hand carry the money to the City Treasurers Office. The money will be counted and a receipt shall be received for the money and maintained in the Detective Bureau Commander safe.

NOTE: Should, for some reason, the operation fail to be completed within three days, but is reasonably expected to be completed within the following week, advise the Treasurers Office of this information when the money is returned. The money will be held and reissued without going through the formal steps; i.e., written demand, check, withdrawal, etc.

DETECTIVE 5-504

5-504.0 TITLE: UNDERCOVER BUYS

Effective Date: 11/13/90

Revised: 9/14/95

Related Procedural Manual: NONE

5-504.1 SYNOPSIS:

Procedures for documenting and monitoring Undercover Buys.

5-504.4 DEFINITIONS:

1. "Undercover Buy" is a pro-active investigation by an investigator utilizing (another) officer or civilian personnel (informants) and monies from Department Undercover Funds, to purchase illegal narcotics and/or other contraband.
2. "Case Agent" is the investigating officer who initiates the investigation and coordinates assisting personnel. He handles the incident from start to finish.

5-504.5 PROCEDURES:

- I. Case Agent
 - A. Interviews the informant regarding the proposed undercover operation.
 1. Identifies locations, types of narcotics and/or contraband and suspects.
 - B. Completes "Pomona Police Department Informant Identification Record".
 1. Thorough identification and photograph of informant needed.
 - C. Briefs the Sergeant and other members of the Narcotic/Vice Detail of the proposed operation.
 1. Proposes plan of action for the operation. Solicit input from others in the Detail.
 2. Obtains necessary monies for the operation - cost of narcotics/contraband and informant's pay, if any.
 3. Secures sufficient personnel to assist in the operation.
 - D. When the Undercover Buy is completed
 1. Obtain D.R. number from Dispatcher.
 2. Complete "Confidential Expenditures" form and deliver it to the Detail's Sergeant.

DETECTIVE 5-504

3. Store narcotics/evidence promptly.
 4. Complete First Report.
 5. Follow-up with search warrant, service and return.
 6. Complete "Case Disposition" form.
- E. If no Undercover Buy was made
1. Return monies to Detail Sergeant.

II. Sergeant

- A. After briefing by Case Agent, evaluate the proposed undercover operation.
- B. Issue necessary monies and provide sufficient support personnel for the operation.
1. Write "IOU" indicating date, time, the amount given, name of the investigator and informant. The "IOU" is to be held in the money envelop until the Case Agent returns the money or a completed "Confidential Expenditure" form.
 - a. The "I.O.U." shall not remain in the U/C Fund in excess of 24 hours.
- C. When an undercover buy is not completed
1. The Case Agent returns the money and the "I.O.U." is destroyed; no further action.
- D. When an undercover buy is completed
1. After receiving the "Confidential Expenditure" form, record the transaction in the "Money Log" by transaction number date, D.R. number/Informant number, description, etc.
 2. Enter the Undercover Buy in the "Case Assignment" Book as an assigned case, indicating D.R. number, date, location, and suspect's name, if available.
 3. When approving First Report on the incident, check for Property Report.
 4. Spot check with Property Custodian for property/evidence storage.
- E. Monitor the progress of the case in the "Case Assignment" Book, i.e., Case Disposition, 30 day Supplemental Report, etc.; at least every 30 days.

DETECTIVE 5-505

5-505.0 TITLE UNDERCOVER FUND

Effective Date: 09/13/95; 01/24/13

Related Procedural Manual: Patrol 8-320

5-505.1 SYNOPSIS:

Procedures for maintaining the Department Undercover Fund.

5-505.5 PROCEDURE:

- I. Undercover Fund is to provide available cash for the following circumstances.:
 - A. Purchase of contraband when in furtherance of a criminal investigation.
 - B. Payment to an informant for information or service when in furtherance of a criminal investigation.
 - C. Payment of a reward for information that results in the furtherance of a criminal investigation.
 - D. Any other circumstance when approved by the appropriate Division Commander.
 - E. The undercover funds shall not be used as petty cash. Any need for petty cash shall be requested through the appropriate Division Commander.
- II. Limits:
 - A. Any single expenditure of \$500.00 or less must have the approval of the initiating Division's appropriate Administrative Lieutenant or Watch Commander.
 - B. Any single expenditure in excess of \$500.00 must have the approval of the appropriate Division Commander.
- III. "Confidential- Expenditure" Form
 - A. "Confidential Expenditures" form PPD357 must be completed for each transaction wherein monies are expended
 - B. The form must be completed as follows:
 1. LOG #: The patrol undercover fund log number will begin with 1000 and ISD 5000. A log number will be generated by the applicable supervisor whenever undercover funds are deposited, distributed, or returned to the account. Each entry must use the next sequential number (i.e. 1000, 1001, 1002, 1003 etc.) to identify the transaction.
 2. Date & Time (date and time of occurrence)

DETECTIVE 5-505

3. CIF # (Confidential Informant File Number)
4. DR # (If no DR # is drawn, enter "none" and explain in the summary section)
5. Undercover Buy (Actual cost of contraband)
6. Informant (Amount paid to Informant)
7. Expenses (amount spent on items other than contraband or payment to the informant that are related to the undercover investigation)
8. Total (Combined total of Buy \$, Informant \$ & Other \$)
9. Contraband Seized (type and quantity)
10. Assets Seized (Currency and/or Real Property)
11. Details Summary of the undercover operation (summarize the detail, location(s) & arrest(s).
12. Signature Lines (must sign legibly, includes Officers/Detectives, Supervisors, Watch Commander and the informant when he/she receives payment)

IV. Undercover Maintenance Procedures

A. Detective Bureau Lieutenant

1. Monitors the master Investigative Log Book and Undercover Fund, located in the Detective Bureau Lieutenant's office.
2. Insures that the Log Book reflects the correct amount of money available.
3. Requests money from finance when the master account balance is under \$3,000. Under normal circumstances the balance should not exceed \$5,000.
4. Issues Undercover Funds, and monitors the records of:
 - a. Watch Commander's office
 - b. Detective Bureau
5. Detective Sergeants shall complete the appropriate documentation and request undercover funds through the Detective Bureau Lieutenant.

DETECTIVE 5-505

B. Watch Commander

1. Maintains Undercover Fund and Log Book located in Watch Commander's office.
2. Insures that the Undercover Fund Log Book reflects the correct amount of money available.
3. Issues money from Undercover Fund to personnel in compliance with this policy.
4. Insures that expenditures are properly reported on form PPD357
5. Insures that expenditures are properly logged in the Watch Commander's Undercover Form Log Book.
6. Requests funds from Detective Bureau Administrative Lieutenant and maintains a minimum balance of \$500.00. Under normal circumstances the balance should not exceed \$1,000.00

DETECTIVE 5-599

5-599.0 TITLE: MINOR DECOY PROGRAMS

Effective Date: 01-28-99 (Author: S/P J. Crabb)

Related Procedural Manuals: Patrol 7-400

5-599.1 SYNOPSIS:

Procedures for selection and utilization of minors for use as decoys in alcoholic beverage control operations.

5-599.2 POLICY/OVERVIEW:

To set forth policies and procedures that will meet all departmental and State of California regulations.

5-599.3 STATUTORY REFERENCES:

Title 4, Division 1, California Code of Regulations, Section 141 (minor decoy requirements).

California Constitution, Article XX, Section 22.

25750 B/P.

25658 B/P.

Provigo v. Alcoholic Beverage Control Appeals Board 7 Cal. 4th 561, 28 Cal. Rptr. 638.

5-599.5 PROCEDURES:

- I. Minor decoy requirements established by the State of California Code of Regulations.
 - A. A law enforcement agency may only use a person under the age of 21 years to attempt to purchase alcoholic beverages to apprehend licensees, or employees or agents of licensees who sell alcoholic beverages to minors (persons under the age of 21) and to reduce the sales of alcoholic beverages in a fashion that promotes fairness.
 - B. The following minimum standards shall apply to actions filed pursuant to Business and Professions Code Section 25658 in which it is alleged that a minor decoy has purchased an alcoholic beverage:
 1. At the time of the operation, the decoy shall be less than 20 years of age. No Explorer Scouts may be used per Boy Scouts of America policy;
 2. The decoy shall display the appearance which could generally be expected of a person under 21 years of age, under the actual circumstances presented to the seller of alcoholic beverages at the time of the alleged offense;

DETECTIVE 5-599

3. A decoy shall either carry his or her own identification showing the decoy's correct date of birth, or shall carry no identification; a decoy who carries identification shall present it upon request to any seller of alcoholic beverages;
 4. A decoy shall answer truthfully any questions about his or her age;
 5. Following any completed sale, but not later than the time a citation, if any, is issued, the peace officer directing the decoy shall make a reasonable attempt to enter the licensed premises and have the minor decoy who purchased alcoholic beverages to make a face identification of the alleged seller of the alcoholic beverages.
- C. Failure to comply with this rule shall be a defense to any action brought pursuant to Business and Professions Code Section 25658.
- D. All decoys shall be interviewed by ABC personnel prior to being utilized as a decoy. This process will allow the Alcoholic beverage Control Department to update the decoys on standards for administrative hearings.

II. Notification

- A. All licensees should be notified of the decoy program by the Pomona Police Department personnel in charge of the Decoy Program or a representative of the Alcoholic Beverage Control Department. Upon request, the Alcoholic Beverage Control Department will assist in mailing notifications. The objective of this notification is to minimize the sale of alcoholic beverages to minors. It is suggested that the local press be notified of the Decoy Program. This will give retail licensees a second notification and will, hopefully, elicit editorial and community support. To avoid complaints of discrimination, all off-sale and on-sale premises within our jurisdiction should be visited by the Decoy Program Unit.
- B. After the completion of every minor decoy program performed under this subdivision, the law enforcement agency using the decoy shall notify licensees of the results of the program.

III. Selection Of Decoy

- A. The decoy should be 18 or 19 years of age and have the general appearance, mannerisms and dress of a person under 21 years of age.
1. If a male is selected, he should not be big in stature or have a beard or mustache.
 2. If a female is selected, no make-up should be used and minimal jewelry should be worn.

DETECTIVE 5-599

- B. The decoy should also be willing and able to testify in court, if necessary.
- C. It is important that the decoy has never previously purchased alcoholic beverages or used false identification.
- D. Have an Investigator from the Department of Alcoholic Beverage Control view the selected decoy prior to the operation.

IV. Operation Procedures

- A. Photograph the decoy prior to the shift to verify dress and appearance. Photograph is maintained at the Special Problems Unit with ABC Liaison. Photocopy the buy money (a \$5.00 bill) and include a copy with each arrest report. If the decoy is under 18 years of age, have the decoy's guardian read and sign the "CITY OF POMONA SAVE HARMLESS & INDEMNIFICATION AGREEMENT", prior to any decoy participating in any decoy operation.
- B. Instruct the decoy to enter the store, select a single item of alcohol, i.e., a six-pack of beer or a bottle of wine, and place it on the counter with a \$5.00 bill.
- C. Avoid calling on any location during rush hour.
- D. Advise the decoy not to initiate any conversation unless it is necessary to order the beverage.
- E. If the decoy is questioned about age, the decoy should either state his/her age or present true and correct identification. Under no circumstances should the decoy lie to induce a sale.
- F. Have the decoy under constant surveillance of a regular officer. If feasible, the officer should be inside the store in a position to see and hear the entire transaction. This allows the officer to view the misdemeanor sale of alcohol and offer corroborating testimony at subsequent criminal and ABC administrative hearings.
- G. After the sale is complete, the decoy should be stopped by the officer and escorted back into the premises by the officer to make an immediate confrontation with the seller in order to elicit any statements. If the owner or manager is present, they should be apprised of the violation and be given a chance to view the decoy.
- H. Seize the buy money, change, alcohol and register receipt as evidence and retain until both the criminal and ABC administrative cases are resolved. Note whether any video recording devices are in use in the premises.
- I. The officer should then issue the seller a misdemeanor citation for violation of Section 25658(a) B&P, Selling alcohol to a person under the age of 21 years.

DETECTIVE 5-599

- J. Forward a copy of the completed case report to the Department of Alcoholic Beverage Control for administrative action.

DETECTIVE 5-600

5-600.0 TITLE: CRUISING ORDINANCE

Effective Date: 4-3-86

Related Procedural Manual: Patrol 8-500

5-600.1 SYNOPSIS:

This section establishes the policy and procedure of Pomona Police Department for the enforcement of the City of Pomona Cruising Ordinance.

5-600.3 STATUTORY REFERENCES:

Section 2100(k) California Vehicle Code

Section 22651(h) California Vehicle Code

Section 32-16.5 Pomona City Code

5-600.5 PROCEDURE:

- I. Cruising Ordinance shall be utilized to minimize the adverse impact of cruising in those affected areas under the authority of 21100(k) C.V.C. and 32-16.5 P.C.C.

- A. Enactment

Decision to enact the cruising policy must be made by the ranking peace officer on duty or by a designated supervisor.

- B. Congestion

The degree of traffic congestion necessary to justify the enforcement of the Cruising Ordinance shall be based on the following definitions of congestion:

1. Whenever vehicular traffic at any signalized intersection in the central traffic area backs up for more than two blocks in any direction, or
 2. Whenever any vehicle attempting to cross a signalized intersection is delayed for more than one complete cycle of the traffic signal before crossing can be completed, or
 3. Whenever any other articulative circumstances exist which would constitute traffic congestion the ranking officer or their designated supervisor could utilize their discretion to initiate the Cruising Ordinance.

DETECTIVE 5-600

C. Control Point

1. Officers enforcing provisions of the Cruising Ordinance shall establish a control point at some location within the affected area. Only vehicles passing that point in one direction three times in a three (3) hour period can be in violation of the Cruising Ordinance. The ranking officer in charge or the designated supervisor shall determine where the control point is needed.
2. Location of the control point may be varied but a single location must be used to substantiate a citation for violating the Cruising Ordinance.
3. Control point can be obvious or obscured.

D. Affected Area

1. The affected area shall be clearly identified by signs that state the appropriate provisions of 21100(k) of the California Vehicle Code and 32-16.5 of the Pomona City Code.

E. Warnings

1. Drivers observed passing the control point in the same direction two or more times within a three hour period shall be stopped and the driver issued a written warning. (Refer to Attachment)
2. When a warning stop is made the officer shall:
 - a. Upon completion of the written warning, hand the driver the original copy of the pre-printed warning form.
 - b. Retain the hard copy of the warning form for reference.
3. If a citation is later issued to the driver for violation of the Cruising Ordinance, the hard copy of the warning form shall be attached to the incident report of the incident. If no citation is issued within the three (3) hour period on that day, the warning citation shall be destroyed. Warning citations can only be used on the same day of issuance.

F. Enforcement

1. A driver passing the control point a third or additional time within a three (3) hour period from the time of the first passage shall be taken into custody and charged with 32-16.5 P.C.C. a misdemeanor.

DETECTIVE 5-600

- a. Driver of the vehicle may be cited and released in the field if he/she meets the requirements for an O.R. release on a written notice to appear.
 - b. If he/she is not eligible for a release in the field normal booking procedures shall be followed.
 - c. Vehicles driven by the offenders may be stored only if the violator is taken before a magistrate or booked. Refer to Section 22651(h) V.C.
 - d. A report will be written by the handling officer documenting the incident; warning cite will be attached and "Notice to Appear" will also be attached if one is issued.
2. Officers assigned to the control point must be able to identify the driver, vehicle and number of times the control point was passed.
 3. There is no requirement that the same officer witness all times that a driver passes a control point. Accumulated information supporting violations of the Cruising Ordinance may be passed from one officer to another as long as accurate records are kept.

DETECTIVE 5-700

5-700.0 TITLE: NON-CUSTODIAL STRIP SEARCHES

Effective Date: 5-21-87

Related Procedural Manuals: Jail 232, Patrol 4-101

5-700.1 SYNOPSIS:

To establish a standard procedure for the strip search of all persons, other than law enforcement personnel, who are utilized in undercover operations that require the person to be strip searched prior to and after the undercover operation.

5-700.2 POLICY/OVERVIEW:

Under certain types of undercover operations, (generally drug related) informants are required to be skin searched prior to and after the operation.

It is the policy of this Department when making non-custodial strip searches, to make certain that the person being searched, is searched in a room that is secure from entry, so that they will not be embarrassed by someone entering the room they are being searched in.

5-700.4 DEFINITIONS:

I. Non-Custodial:

A person who is not in custody.

II. Strip Search:

When a person disrobes, and his or her clothing and body are searched to make certain that unlawful or unwanted articles are not possessed by the individual.

III. Undercover Operator:

A person being used in an undercover operation.

IV. Undercover Operation:

A detail performed by plain clothes officers, where their identity as police officers and their activity is concealed from the public.

V. Informant:

A person other than a police officer, who assist a police agency with information relative to criminal activity. He or she may be in custody, not in custody, paid or uncompensated, confidential or non-confidential.

DETECTIVE 5-700

5-700.5 PROCEDURE:

I. Location Of Non-Custodial Strip Searches

- A. If jail or patrol personnel are needed for search, the on-duty Watch Commander shall be contacted, to request the necessary personnel.
- B. The identity of an informant being used as an undercover operator, is generally to be kept confidential. The room used for a non-custodial strip search must be securable and free from embarrassing intrusion.
- C. The interview rooms of the Detective Bureau are the only rooms to be used for non-custodial strip searches. The door numbers are 216 and 217 which open in the east hallway of the second floor, and 232A and 232B opening in to the Detective Bureau.
- D. Door numbers 232A and 232B have affixed on the inside, security bolts that prevent the doors from being opened from the outside when the rooms are in use.
- E. It should be noted that when the doors on the above rooms are locked, you must have a key to open them, both from inside and outside. The only keys that will operate the doors are the Detective Bureau keys and a master key.

II. Female, Non-Custodial Searches:

- A. Shall be conducted by a female only.
- B. Only the following female personnel shall conduct a female non-custodial strip search.
 - 1. Jail Matron
 - 2. Female sworn officer or female reserve officer.
- C. In an incident that a matron or female officer is not available to search a female, civilian personnel shall not be used under any circumstance. The Watch Commander may be contacted, who will in turn seek assistance from a neighboring agency.
- D. Once a matron or female officer has been obtained to conduct the strip search, the officer requesting the strip search, shall accompany the undercover operator and the searching female to either of the rooms designated.
 - 1. The officer requesting the strip search shall make certain that the second door of the room (either 232A or 232B) is locked and the security lock is locked.

DETECTIVE 5-700

2. The officer requesting the strip search shall remain outside of the room, next to the hallway doors 216 and 217 while the strip search is conducted.
 - a. For privacy security.
 - b. For assistance of female personnel if a problem was to arise.
3. When the strip search has been completed, the officer requesting the strip search shall make certain that the security lock on the inside of the interview room is unlocked.

II. Male, Non-Custodial Search:

- A. An officer shall secure the inside security lock to the interview room.
- B. A male officer shall complete the strip search
- C. When strip search is completed, the inside security lock is to be unlocked.

DETECTIVE 5-800

5-800.0 TITLE: THREATENED VICTIMS AND WITNESSES

Effective Date: 08/26/96

Revised Date: 06/15/99 (Author: Sgt. Cummings)

Related Procedures: Pat. 4-050

5-800.1 SYNOPSIS:

Outlines a procedure to handle victims and witnesses who have been threatened or who expect reprisal which may cause bodily harm or death. It is not possible to reduce to writing every circumstance or situation. Therefore, it is important to use common sense and prudence when evaluating a threats situation.

5-800.2 POLICY/OVERVIEW:

Police Department Personnel often encounter victims and witnesses who are or may be threatened by suspects or suspects' associates because of their cooperation with the police. The intent of this policy is to define the employee's role when confronted with this type of situation.

5-800.5 PROCEDURES:

I. Patrol Responsibilities:

- A. Any employee receiving information that a witness or victim has been threatened or victimized as a result of their cooperation with police, will notify his/her supervisor as soon as practical.
- B. The supervisor will insure that an investigation is completed and the appropriate action is taken, i.e., report written, arrest made, etc.
- C. The supervisor will advise the threatened victim/witness of the following (if the victim/witness is a juvenile, the juvenile's parents will be advised). Advisement is to be documented in the Police Report detailing the threat.
 1. The Police Department does not have the resources to guarantee personal protection and safety.
 2. The Police Department cannot predict whether the threats will or will not be carried out.
 3. If the original case for which the victim/witness is cooperating is filed with the District Attorney's Office and the victim/witness has been or will be called to testify against the defendant, they may qualify for the Los Angeles District Attorney's Office Victim/Witness Assistance Program. This assistance would be in the form of financial aid for relocation.

DETECTIVE 5-800

4. The victim/witness should be encouraged to leave the area, possibly to a relative or friend's residence or a hotel until such time as the threat no longer exists.
5. If the victim/witness requests assistance, the supervisor will ask the on-duty Watch Commander to contact the on-call Detective Bureau Supervisor for instructions.

II. Detective Responsibilities:

- A. Upon notification that a victim/witness requests assistance and qualifies for the District Attorney's program, the Detective Supervisor will:
 1. If necessary, transport the victim/witness to a location away from the victim/witness' residence.
 2. Obtain necessary funds from the Detective Lieutenant for temporary lodging and/or food. The amount should not exceed the amount reimbursed by the District Attorney's Office.
 3. Initiate the procedures necessary to obtain the funds from the District Attorney's Office.
 4. Complete PPD Form 369 Witness Relocation Agreement (Copy attached).
- B. Upon notification that a victim/witness requests assistance and does not qualify for the District Attorney's relocation program, the Detective will:
 1. Advise the victim/witness (if juvenile advise the parents) of the following:
 - a. The Police Department does not have the resources to guarantee personal protection and safety.
 - b. The Police Department cannot predict whether the threats will or will not be carried out.
 - c. The victim/witness should be encouraged to leave the area, possibly to a relative or friend's residence until such time as the threat no longer exists.

Pomona Police Department Form # PPD 369, effective/revision date 08/26/96, is associated with this procedure.

DETECTIVE PROCEDURES

TABLE OF CONTENTS

I.	<u>ADMINISTRATION OF INVESTIGATION SERVICE</u>	1-000 TO 1-999
	Case Assignment.....	1-001
	Detective Bureau Training Program	1-020
	Detective Bureau Call-Out.....	1-200
	Case Clearance/Property Disposition.....	1-201
	Patrol Overtime Sign-Up	1-205
	Use of the “No-Spit” Bag.....	1-208
	Fueling of Rental Vehicles.....	1-210
	Use of Gasoline Credit Cards by Personnel Assigned to Norsat.....	1-211
	Transportation of Person in Police Vehicles.....	1-302
	Telephone Contact at 211 Alarm Locations	1-304
	Arrests in Pomona Municipal Courtrooms	1-305
	Registration Requirements for Ammunition Sales	1-307
	Locksmith Services	1-310
	Investigative Travel Policy	1-316
	Investigation of Other Law Enforcement Agency Officer - Involved Incidents Within the Jurisdiction of Pomona.....	1-320
	Case Disposition Sheet Routing.....	1-340
	Apprehension Requests (836.3 PC)	1-401
	Weekend/Holiday Standby Policy	1-500
	Dictating Police Reports	1-502
	Report Writing - Use of Correction Fluid/Tape, Erasures, and/or Strike Overs	1-503
	Report Writing Procedures for Added Arrest Charges	1-504
	Reports Held for Later Completion	1-506
	Major Incident Log	1-507
	Dept. of Children and Family Services/Dept. Social Svcs. Cross-Report Investigation.....	1-515
	Disposable Particle Mask for Use with Fingerprint Powder.....	1-520
	Use of the Countywide Warrant System (CWS) by Field Officers	1-600
	Out of County Warrant Arrests	1-602
	Transportation of Persons Arrested by Other Agencies on Pomona Warrants.....	1-700
	Body Worn Video Systems	1-701
	Requests for Film and Film Processing	1-701
	Items to be Fingerprinted by Evidence Detective	1-703
	General Property Procedure	1-705
	Storage of Found Property	1-706
	Evidence Storage Procedures.....	1-707
	Procedures for Releasing and/or Viewing Property.....	1-708
	Arrestee in Possession of Legal Amount of Marijuana	1-711

Felony Arrest, Fourth Time DUI Suspects.....	1-800
Medical Treatment of Prisoners.....	1-801
Certificate of Detention and Release	1-802
Responsibility for Determining Bail	1-803
Line-Up of Arrestee for Identification Purposes.....	1-804
In-Custody Interview.....	1-806
Temporary Release of Prisoners	1-807
Violation of Probation and Parole Confinement Holds	1-808
Probable Cause Declaration Forms.....	1-830
Blue Team Reporting.....	1-900
Shotgun Procedure	1-909
Equipment Room Check Out Procedure.....	1-910
Miranda Warning.....	1-911
Riot Control Munitions Policy.....	1-915
Documentation of Items Being Held for Latent Print Processing by the Detective Bureau.....	1-916

II.	<u>CRIMES AGAINST PERSONS</u>	2-000 TO 2-999
	Child Abuse Investigation.....	2-203
	Confidentiality of Victims' Personal Information RE Victims of Sex	
	Crimes/Domestic Violence	2-204
	Amber Alert	2-205
III.	<u>CRIMES AGAINST PROPERTY</u>	3-000 TO 3-999
	Secondhand Dealer Licensing.....	3-001
IV.	<u>VICE-NARCOTICS</u>	4-001 TO 4-999
	Terms of Probation File	4-101
	Clandestine Laboratories.....	4-401
	Booking Procedure for Prisoners Under Influence of PCP.....	4-402
	Prostitute Probation Book	4-404
	Taking of Personal Computer for Evidence.....	4-405
	Wells Test Kit, Use of.....	4-420
V.	<u>GENERAL PROCEDURES</u>	5-000 TO 5-999
	Procedures to Follow when Leaving Work Station	5-001
	Parking of Undercover Vehicles	5-401
	Contacting Parolees	5-501
	Disposition of Money Taken as Evidence	5-502
	Undercover "Flash Money"	5-503
	Undercover Buys.....	5-504
	Undercover Funds	5-505
	Minor Decoy Programs	5-599
	Cruising Ordinance	5-600
	Non-Custodial Strip Searches	5-700
	Threatened Victims and Witnesses	5-800