LAW ENFORCEMENT CODE OF ETHICS

As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

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

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

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

The Anaheim Police Department is committed to serving our Community through Teamwork and the constant pursuit of Excellence.
# Table of Contents

## Law Enforcement Code of Ethics

- 1

## MISSION

- 2

## Table of Contents

- 3

## Chapter 1 - Law Enforcement Role and Authority

- 13

100 - Law Enforcement Authority
- 14
101 - Chief Executive Officer
- 17
102 - Oath of Office
- 18
103 - Policy Manual
- 19

## Chapter 2 - Organization and Administration

- 22

200 - Organizational Structure and Responsibility
- 23
201 - Law Enforcement Bulletins
- 25
202 - Emergency Management Plan
- 26
203 - Training Policy
- 27
204 - Electronic Mail
- 29
205 - Administrative Communications
- 32
206 - Staffing Levels
- 33
207 - License to Carry a Firearm
- 34
208 - Retired Officer CCW Endorsements
- 42

## Chapter 3 - General Operations

- 47

300 - Use of Force
- 48
301 - Major Incident Review Team
- 57
302 - Peer Support and Assistance Program
- 60
303 - Handcuffing and Restraints
- 66
304 - Control Devices and Techniques
- 71
305 - Conducted Electrical Weapon
- 77
306 - Officer-Involved Shootings and Deaths
- 83
307 - Firearms
- 91
308 - Vehicle Pursuits
- 104
309 - Officer Response to Calls
- 117
310 - Canines
- 120
311 - Domestic Violence
- 130
312 - Search and Seizure
- 137
313 - Prisoner Escort in the Police Department
- 139
314 - Temporary Custody of Juveniles
- 140
315 - Adult Abuse
- 151
316 - Discriminatory Harassment
- 161
317 - Child Abuse
- 167
318 - Missing Persons
- 175
319 - Public Alerts
- 181
<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>320</td>
<td>Victim and Witness Assistance</td>
<td>186</td>
</tr>
<tr>
<td>321</td>
<td>Hate Crimes</td>
<td>189</td>
</tr>
<tr>
<td>322</td>
<td>Standards of Conduct</td>
<td>199</td>
</tr>
<tr>
<td>323</td>
<td>Information Technology Use</td>
<td>207</td>
</tr>
<tr>
<td>324</td>
<td>Report Preparation</td>
<td>211</td>
</tr>
<tr>
<td>325</td>
<td>Media Relations</td>
<td>216</td>
</tr>
<tr>
<td>326</td>
<td>Court Appearance And Subpoenas</td>
<td>219</td>
</tr>
<tr>
<td>327</td>
<td>Reserve Officers</td>
<td>223</td>
</tr>
<tr>
<td>328</td>
<td>Outside Agency Assistance</td>
<td>228</td>
</tr>
<tr>
<td>329</td>
<td>Registered Offender Information</td>
<td>230</td>
</tr>
<tr>
<td>330</td>
<td>Major Incident Notification</td>
<td>233</td>
</tr>
<tr>
<td>331</td>
<td>Tactical Alert and Mobilization</td>
<td>235</td>
</tr>
<tr>
<td>332</td>
<td>Death Investigation</td>
<td>242</td>
</tr>
<tr>
<td>333</td>
<td>Identity Theft</td>
<td>245</td>
</tr>
<tr>
<td>334</td>
<td>Private Persons Arrests</td>
<td>246</td>
</tr>
<tr>
<td>335</td>
<td>Anti-Reproductive Rights Crimes Reporting</td>
<td>248</td>
</tr>
<tr>
<td>336</td>
<td>Limited English Proficiency Services</td>
<td>250</td>
</tr>
<tr>
<td>337</td>
<td>Communications with Persons with Disabilities</td>
<td>258</td>
</tr>
<tr>
<td>338</td>
<td>Mandatory School Employee Reporting</td>
<td>266</td>
</tr>
<tr>
<td>339</td>
<td>Biological Samples</td>
<td>268</td>
</tr>
<tr>
<td>340</td>
<td>Chaplains</td>
<td>271</td>
</tr>
<tr>
<td>341</td>
<td>Overt Camera System</td>
<td>277</td>
</tr>
<tr>
<td>342</td>
<td>Child and Dependent Adult Safety</td>
<td>282</td>
</tr>
<tr>
<td>343</td>
<td>Service Animals</td>
<td>286</td>
</tr>
<tr>
<td>344</td>
<td>Off-Duty Law Enforcement Actions</td>
<td>289</td>
</tr>
<tr>
<td>345</td>
<td>Department Use of Social Media</td>
<td>292</td>
</tr>
<tr>
<td>346</td>
<td>Gun Violence Restraining Orders</td>
<td>298</td>
</tr>
<tr>
<td>348</td>
<td>Mounted Enforcement Unit</td>
<td>304</td>
</tr>
</tbody>
</table>

**Chapter 4 - Patrol Operations** | 307 |
<p>| 400 | Patrol Function | 308 |
| 401 | Bias-Based Policing | 310 |
| 402 | Briefing Training | 313 |
| 403 | Crime and Disaster Scene Integrity | 314 |
| 404 | School Lock Down Policy | 316 |
| 405 | Tactical Response Group | 318 |
| 406 | Ride-Along Policy | 328 |
| 407 | Hazardous Material Response | 331 |
| 408 | Hostage and Barricade Incidents | 333 |
| 409 | Loud Party - Disturbance Calls | 338 |
| 410 | Response to Bomb Calls | 343 |
| 411 | Mental Illness Commitments | 348 |
| 412 | Cite and Release Policy | 352 |
| 413 | Foreign Diplomatic and Consular Representatives | 357 |
| 414 | Rapid Deployment Team Policy | 361 |
| 415 | Reporting Public Accidents or Incidents | 364 |
| 416 | Immigration Violations | 365 |</p>
<table>
<thead>
<tr>
<th>Section Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>417 - Emergency Utility Service</td>
<td>371</td>
</tr>
<tr>
<td>418 - Aircraft Accidents</td>
<td>372</td>
</tr>
<tr>
<td>419 - Field Training Officer Program</td>
<td>376</td>
</tr>
<tr>
<td>420 - Air Support</td>
<td>379</td>
</tr>
<tr>
<td>421 - Contacts and Temporary Detentions</td>
<td>382</td>
</tr>
<tr>
<td>422 - Criminal Organizations</td>
<td>386</td>
</tr>
<tr>
<td>423 - Watch Commanders</td>
<td>390</td>
</tr>
<tr>
<td>424 - Mobile Digital Computer Use</td>
<td>391</td>
</tr>
<tr>
<td>425 - Body Worn Cameras (BWC)</td>
<td>394</td>
</tr>
<tr>
<td>426 - Foot Pursuits</td>
<td>402</td>
</tr>
<tr>
<td>427 - Automated License Plate Readers (ALPRs)</td>
<td>407</td>
</tr>
<tr>
<td>428 - Radio Frequency Measurement Equipment</td>
<td>410</td>
</tr>
<tr>
<td>429 - Homeless Persons</td>
<td>413</td>
</tr>
<tr>
<td>430 - Medical Aid and Response</td>
<td>414</td>
</tr>
<tr>
<td>433 - First Amendment Assemblies</td>
<td>419</td>
</tr>
<tr>
<td>Chapter 5 - Traffic Operations</td>
<td>425</td>
</tr>
<tr>
<td>500 - Traffic Function and Responsibility</td>
<td>426</td>
</tr>
<tr>
<td>501 - Traffic Collision Reporting</td>
<td>429</td>
</tr>
<tr>
<td>502 - Vehicle Towing and Release</td>
<td>433</td>
</tr>
<tr>
<td>503 - Vehicle Impound Hearings</td>
<td>438</td>
</tr>
<tr>
<td>504 - Impaired Driving</td>
<td>440</td>
</tr>
<tr>
<td>505 - Traffic Citations</td>
<td>446</td>
</tr>
<tr>
<td>506 - Disabled Vehicles</td>
<td>449</td>
</tr>
<tr>
<td>507 - 72-Hour Parking Violations</td>
<td>450</td>
</tr>
<tr>
<td>508 - Drug Recognition Expert Program</td>
<td>452</td>
</tr>
<tr>
<td>Chapter 6 - Investigation Operations</td>
<td>453</td>
</tr>
<tr>
<td>600 - Investigation and Prosecution</td>
<td>454</td>
</tr>
<tr>
<td>601 - Sexual Assault Investigations</td>
<td>459</td>
</tr>
<tr>
<td>602 - Asset Forfeiture</td>
<td>465</td>
</tr>
<tr>
<td>603 - Informants</td>
<td>471</td>
</tr>
<tr>
<td>604 - Identification of Plainclothes Officers</td>
<td>477</td>
</tr>
<tr>
<td>605 - U Visa Certification</td>
<td>478</td>
</tr>
<tr>
<td>606 - Eyewitness Identification</td>
<td>480</td>
</tr>
<tr>
<td>607 - Unmanned Aerial System (UAS) Operations</td>
<td>484</td>
</tr>
<tr>
<td>608 - Warrant Service</td>
<td>487</td>
</tr>
<tr>
<td>609 - Brady Material Disclosure</td>
<td>491</td>
</tr>
<tr>
<td>610 - Operations Planning and Deconflictation</td>
<td>493</td>
</tr>
<tr>
<td>Chapter 7 - Equipment</td>
<td>499</td>
</tr>
<tr>
<td>700 - Department Owned and Personal Property</td>
<td>500</td>
</tr>
<tr>
<td>701 - Personal Radiation Detector (PRD)</td>
<td>502</td>
</tr>
<tr>
<td>702 - Personal Communication Devices</td>
<td>506</td>
</tr>
<tr>
<td>703 - Use of Red / Blue Dash Lights in Unmarked Cars</td>
<td>510</td>
</tr>
<tr>
<td>704 - Vehicle Maintenance</td>
<td>511</td>
</tr>
</tbody>
</table>
# Anaheim Police Department
## Anaheim PD Policy Manual

Published with permission by Anaheim Police Department

### Table of Contents

<table>
<thead>
<tr>
<th>Chapter 8 - Support Services</th>
<th>513</th>
</tr>
</thead>
<tbody>
<tr>
<td>800 - Crime Analysis</td>
<td>514</td>
</tr>
<tr>
<td>801 - Communication Operations</td>
<td>515</td>
</tr>
<tr>
<td>802 - Property and Evidence</td>
<td>518</td>
</tr>
<tr>
<td>803 - Records Section</td>
<td>530</td>
</tr>
<tr>
<td>804 - Restoration of Firearm Serial Numbers</td>
<td>534</td>
</tr>
<tr>
<td>805 - Records Maintenance and Release</td>
<td>536</td>
</tr>
<tr>
<td>806 - Protected Information</td>
<td>546</td>
</tr>
<tr>
<td>807 - Computers and Digital Evidence</td>
<td>549</td>
</tr>
<tr>
<td>808 - Digital Imaging Technology</td>
<td>553</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Chapter 9 - Detention Facility</th>
<th>559</th>
</tr>
</thead>
<tbody>
<tr>
<td>900 - Detention Facility Administration</td>
<td>560</td>
</tr>
<tr>
<td>901 - Custody Searches</td>
<td>569</td>
</tr>
<tr>
<td>902 - Detention Facility Intake</td>
<td>573</td>
</tr>
<tr>
<td>903 - Prison Rape Elimination</td>
<td>584</td>
</tr>
<tr>
<td>904 - Inmate Custody and Care</td>
<td>594</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Chapter 10 - Personnel</th>
<th>618</th>
</tr>
</thead>
<tbody>
<tr>
<td>1000 - Recruitment and Selection</td>
<td>619</td>
</tr>
<tr>
<td>1001 - Evaluation of Employees</td>
<td>622</td>
</tr>
<tr>
<td>1002 - Special Assignments and Promotions</td>
<td>626</td>
</tr>
<tr>
<td>1003 - Grievance Procedure</td>
<td>629</td>
</tr>
<tr>
<td>1004 - Reporting of Employee Convictions</td>
<td>631</td>
</tr>
<tr>
<td>1005 - Drug- and Alcohol-Free Workplace</td>
<td>633</td>
</tr>
<tr>
<td>1006 - Sick Leave</td>
<td>636</td>
</tr>
<tr>
<td>1007 - Communicable Diseases</td>
<td>638</td>
</tr>
<tr>
<td>1008 - Smoking and Tobacco Use</td>
<td>643</td>
</tr>
<tr>
<td>1009 - Personnel Complaints</td>
<td>644</td>
</tr>
<tr>
<td>1010 - Seat Belts</td>
<td>654</td>
</tr>
<tr>
<td>1011 - Body Armor</td>
<td>655</td>
</tr>
<tr>
<td>1012 - Personnel Records</td>
<td>656</td>
</tr>
<tr>
<td>1013 - Request for Change of Assignment</td>
<td>664</td>
</tr>
<tr>
<td>1014 - Commendations and Awards</td>
<td>665</td>
</tr>
<tr>
<td>1015 - Fitness for Duty</td>
<td>669</td>
</tr>
<tr>
<td>1016 - Meal Periods and Breaks</td>
<td>672</td>
</tr>
<tr>
<td>1017 - Lactation Break Policy</td>
<td>674</td>
</tr>
<tr>
<td>1018 - Payroll Records</td>
<td>676</td>
</tr>
<tr>
<td>1019 - Overtime Payment Requests</td>
<td>677</td>
</tr>
<tr>
<td>1020 - Outside Employment</td>
<td>679</td>
</tr>
<tr>
<td>1021 - Occupational Disease and Work-Related Injury Reporting</td>
<td>684</td>
</tr>
<tr>
<td>1022 - Personal Appearance Standards</td>
<td>686</td>
</tr>
<tr>
<td>1023 - Uniform Regulations</td>
<td>689</td>
</tr>
<tr>
<td>1024 - Police Cadets</td>
<td>695</td>
</tr>
<tr>
<td>1025 - Nepotism and Conflicting Relationships</td>
<td>697</td>
</tr>
<tr>
<td>1026 - Department Badges</td>
<td>700</td>
</tr>
<tr>
<td>1027 - Temporary Modified-Duty Assignments</td>
<td>702</td>
</tr>
<tr>
<td>Section</td>
<td>Title</td>
</tr>
<tr>
<td>---------</td>
<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>1028</td>
<td>Light Duty Position for Non-Industrial Injuries (Sworn Personnel)</td>
</tr>
<tr>
<td>1029</td>
<td>Personnel Deployment List</td>
</tr>
<tr>
<td>1030</td>
<td>Extra Duty</td>
</tr>
<tr>
<td>1031</td>
<td>Employee Speech, Expression and Social Networking</td>
</tr>
<tr>
<td>1033</td>
<td>Standby Policy</td>
</tr>
</tbody>
</table>

**Attachments**

<table>
<thead>
<tr>
<th>Attachment</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hate Crime Checklist.pdf</td>
<td>719</td>
</tr>
<tr>
<td>Commission on Peace Officer Standards and Training Hate Crimes Model Policy 2019.pdf</td>
<td>720</td>
</tr>
<tr>
<td>Statutes and Legal Requirements.pdf</td>
<td>721</td>
</tr>
</tbody>
</table>
Chapter 1 - Law Enforcement Role and Authority
Law Enforcement Authority

100.1 PURPOSE AND SCOPE
The purpose of this policy is to affirm the authority of the members of the Anaheim Police Department to perform their functions based on established legal authority.

100.2 POLICY
It is the policy of the Anaheim Police Department to limit its members to only exercise the authority granted to them by law.

While this department recognizes the power of peace officers to make arrests and take other enforcement action, officers are encouraged to use sound discretion in the enforcement of the law. This department does not tolerate the abuse of law enforcement authority.

100.3 PEACE OFFICER POWERS
Sworn members of this department are authorized to exercise peace officer powers pursuant to applicable state law (Penal Code § 830.1 et seq.).

100.3.1 ARREST AUTHORITY OUTSIDE THE JURISDICTION OF THE ANAHEIM POLICE DEPARTMENT
The arrest authority outside the jurisdiction of the Anaheim Police Department includes (Penal Code § 830.1; Penal Code § 836):

(a) When the officer has probable cause to believe the person committed a felony.

(b) When the officer has probable cause to believe the person has committed a misdemeanor in the presence of the officer and the officer reasonably believes there is immediate danger to person or property or of escape.

(c) When the officer has probable cause to believe the person has committed a misdemeanor for which an arrest is authorized even if not committed in the presence of the officer such as certain domestic violence offenses and there is immediate danger to person or property or of escape or the arrest is mandated by statute.

(d) When authorized by a cross jurisdictional agreement with the jurisdiction in which the arrest is made.

(e) In compliance with an arrest warrant.

On-duty arrests will not generally be made outside the jurisdiction of this department except in cases of hot or fresh pursuit, while following up on crimes committed within the City, or while assisting another agency.

On-duty officers who discover criminal activity outside the jurisdiction of the City should when circumstances permit, consider contacting the agency having primary jurisdiction before attempting an arrest.
100.3.2 ARREST AUTHORITY INSIDE THE JURISDICTION OF THE ANAHEIM POLICE DEPARTMENT

The arrest authority within the jurisdiction of the Anaheim Police Department includes (Penal Code § 830.1; Penal Code § 836):

(a) When the officer has probable cause to believe the person has committed a felony, whether or not committed in the presence of the officer.

(b) When the officer has probable cause to believe the person has committed a misdemeanor in this jurisdiction and in the presence of the officer.

(c) When the officer has probable cause to believe the person has committed a public offense outside this jurisdiction, in the presence of the officer and the officer reasonably believes there is an immediate danger to person or property, or of escape.

(d) When the officer has probable cause to believe the person has committed a misdemeanor for which an arrest is authorized or required by statute even though the offense has not been committed in the presence of the officer such as certain domestic violence offenses.

(e) In compliance with an arrest warrant.

100.3.3 TIME OF MISDEMEANOR ARRESTS

Officers shall not arrest a person for a misdemeanor between the hours of 10:00 p.m. of any day and 6:00 a.m. of the next day unless (Penal Code § 840):

(a) The arrest is made without a warrant pursuant to Penal Code § 836 which includes:
   1. A misdemeanor committed in the presence of the officer.
   2. Misdemeanor domestic violence offenses (See the Domestic Violence Policy).

(b) The arrest is made in a public place.

(c) The arrest is made with the person in custody pursuant to another lawful arrest.

(d) The arrest is made pursuant to a warrant which, for good cause shown, directs that it may be served at any time of the day or night.

100.3.4 OREGON AUTHORITY

Sworn members of this department who enter the state of Oregon in order to provide or attempt to provide law enforcement assistance have Oregon peace officer authority within 50 miles from the California-Oregon border (ORS 133.405). Such authority shall only apply when officers are acting:

(a) In response to a request for law enforcement assistance initiated by an Oregon sheriff, constable, marshal, municipal police officer or member of the Oregon State Police.

(b) In response to a reasonable belief that emergency law enforcement assistance is necessary to preserve life, and circumstances make it impractical for Oregon law enforcement officials to formally request assistance.

(c) For the purpose of assisting Oregon law enforcement officials with emergency assistance in response to criminal activity, traffic accidents, emergency incidents
or other similar public safety situations, regardless of whether an Oregon law enforcement official is present at the scene of the incident.

Anaheim Police Department officers have no authority to enforce Oregon traffic or motor vehicle laws.

Whenever practicable, officers should seek permission from a department supervisor before entering Oregon to provide law enforcement services. As soon as practicable, officers exercising law enforcement authority in Oregon shall submit any appropriate written reports concerning the incident to the Oregon agency having primary jurisdiction over the area in which the incident occurred.

100.4 INTERSTATE PEACE OFFICER POWERS

Peace officer powers may be extended to other states:

(a) As applicable under interstate compacts, memorandums of understanding or mutual aid agreements in compliance with the laws of each state.

(b) When an officer enters an adjoining state in close or fresh pursuit of a person believed to have committed a felony (ARS § 13-3832; NRS 171.158; ORS 133.430).

The person arrested out of state must be taken without unnecessary delay before a magistrate of the county in which the arrest was made (ARS § 13-3833; NRS 171.158; ORS 133.440).

100.5 CONSTITUTIONAL REQUIREMENTS

All members shall observe and comply with every person’s clearly established rights under the United States and California Constitutions.
Chief Executive Officer

101.1 PURPOSE AND SCOPE
The California Commission on Peace Officer Standards and Training (POST) has mandated that all sworn officers and dispatchers employed within the State of California shall receive certification by POST within prescribed time periods.

101.1.1 CHIEF EXECUTIVE OFFICER REQUIREMENTS
Any chief executive officer of this department appointed after January 1, 1999, shall, as a condition of continued employment, complete the course of training prescribed by POST and obtain the Basic Certificate by POST within two years of appointment (Penal Code § 832.4).
Oath of Office

102.1 PURPOSE AND SCOPE
Officers of this agency are sworn to enforce the law and uphold the federal and state constitutions and the municipal laws of the City of Anaheim.

102.1.1 OATH OF OFFICE
Upon employment, all sworn employees shall be required to affirm the oath of office expressing commitment and intent to respect constitutional rights in discharging the duties of a law enforcement officer (Cal. Const. Art. 20, § 3; Government Code § 3102). The oath shall be as follows:

I, [employee name], do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.
Policy Manual

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

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

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

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

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

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

Adult - Any person 18 years of age or older.
CCR - California Code of Regulations (Example: 15 CCR 1151).
Anaheim Police Department
Anaheim PD Policy Manual

Policy Manual

CHP - The California Highway Patrol.
City - The City of Anaheim.
Professional Civilian - Employees and volunteers who are not sworn peace officers.
Department/APD - The Anaheim Police Department.
DMV - The Department of Motor Vehicles.
Employee - Any person employed by the Department.
Juvenile - Any person under the age of 18 years.
May - Indicates a permissive, discretionary or conditional action.
Member - Any person employed or appointed by the Anaheim Police Department, including:
  • Full- and part-time employees
  • Sworn peace officers
  • Reserve, auxiliary officers
  • Professional Civilian employees
  • Volunteers.
Officer - Those employees, regardless of rank, who are sworn peace officers of the Anaheim Police Department.
On-duty - A member's status during the period when he/she is actually engaged in the performance of his/her assigned duties.
Order - A written or verbal instruction issued by a superior.
POST - The California Commission on Peace Officer Standards and Training.
Rank - The title of the classification held by an officer.
Shall or will - Indicates a mandatory action.
Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.
Supervisor - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.
The term "supervisor" may also include any person (e.g., officer-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

When there is only one department member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member's off-duty supervisor or an on-call supervisor.

**USC** - United States Code.

**103.5 ISSUING THE POLICY MANUAL**
The Policy Manual is available to all members of the department via the Lexipol KMS System, KMS mobile application, or Lexipol KMS link within the resources page on MyAPD. No changes shall be made to the manual without authorization from the Chief of Police or the authorized designee.

Each member shall review the Policy Manual and acknowledge all policy updates, revisions or other changes made to the policies upon receiving notification of such changes. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

**103.6 PERIODIC REVIEW OF THE POLICY MANUAL**
The Chief of Police will ensure that the Policy Manual is periodically reviewed and updated as necessary. Members are responsible for completing Daily Training Bulletins (DTB) via the Lexipol KMS System, KMS mobile application, or Lexipol KMS link within the resources page on MyAPD. Daily Training Bulletins shall be completed as soon as practicable.

**103.7 REVISIONS TO POLICIES**
Members are responsible for keeping abreast of all Policy Manual revisions.

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

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Division Commanders, who will consider the recommendations and forward them to the command staff as appropriate.
Chapter 2 - Organization and Administration
Organizational Structure and Responsibility

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

200.2 DIVISIONS
The Chief of Police is responsible for administering and managing the Anaheim Police Department. The Department has five divisions overseen by a Deputy Chief. Each Division is managed by a Police Captain or Police Commander.

The Divisions are as listed below:

- Investigations Division
- Operations Division
- Operations Support Division
- Support Services Division
- Administration Division

200.2.1 INVESTIGATIONS DIVISION
The Investigations Division is commanded by a Captain whose primary responsibility is to provide general management direction and control for that Division. The Investigations Division consists of the Crimes Persons Section, Crimes Property Section, Crime Suppression Section, and Special Operations Section.

200.2.2 OPERATIONS DIVISION
The Operations Division is commanded by a Captain whose primary responsibility is to provide general management direction and control for that Division. The Operations Division consists of the Patrol and Community Policing Sections.

200.2.3 OPERATIONS SUPPORT DIVISION
The Operations Support Division is commanded by a Captain whose primary responsibility is to provide general management direction and control for that Division. The Operations Support Division consists of the Resort Policing Section, Youth Services Section, Traffic Section, Detention Section, Emergency Management and Air Support Sections.

200.2.4 SUPPORT SERVICES DIVISION
The Support Services Division is commanded by a Commander whose primary responsibility is to provide general management direction and control for that Division. The Support Services Division consists of the Communications Section and Records Section.
200.2.5 ADMINISTRATION DIVISION
The Administration Division is commanded by a Captain whose primary responsibility is to provide general management direction and control for that Division. The Administration Division consists of the Budget and Finance Section, Professional Standards Section and Personnel Section.
Law Enforcement Bulletins

201.1 PURPOSE AND SCOPE
Law Enforcement Bulletins establish an inter-departmental communication that may be used by the Chief of Police to make immediate changes to policy and procedure consistent with the current Memorandum of Understanding and as permitted by Government Code §§ 3500 et seq. Law Enforcement Bulletins will immediately modify or change and supersede sections of this manual to which they pertain.

201.1.1 LAW ENFORCEMENT BULLETIN PROTOCOL
Law Enforcement Bulletins (LEBs) will be incorporated into the manual as required upon approval of Staff. LEBs will modify existing policies or create a new policy as appropriate and will be rescinded upon incorporation into the manual.

All existing LEBs have now been incorporated in the updated Policy Manual as of the below revision date.

Any policy-changing LEBs issued after publication of the manual shall be numbered consecutively starting with the last two digits of the year, followed by the number "01" For example, 08-01 signifies the first LEB for the year 2008.

201.2 RESPONSIBILITIES

201.2.1 STAFF
The staff shall review and approve recommended revisions of the Policy Manual, which will incorporate changes originally made by Law Enforcement Bulletins.

201.2.2 CHIEF OF POLICE
The Chief of Police, Deputy Chiefs or Division Commander shall approve all Law Enforcement Bulletins.
Emergency Management Plan

202.1 PURPOSE AND SCOPE
The City has prepared an Emergency Management Plan for use by all employees in the event of a major disaster or other emergency event. The plan provides for a strategic response by all employees and assigns specific responsibilities in the event that the plan is activated (Government Code § 8610).

202.2 ACTIVATING THE EMERGENCY PLAN
The Emergency Management Plan can be activated on the order of the official designated by local ordinance. For the Police Department, the on duty Watch Commander or any member of the Department at or above the rank of Commander may activate the Emergency Management Plan in response to a major emergency.

202.2.1 RECALL OF PERSONNEL
In the event that the Emergency Management Plan is activated, all employees of the Anaheim Police Department are subject to immediate recall. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Chief of Police or the authorized designee.

Failure to promptly respond to an order to report for duty may result in discipline.

202.3 LOCATION OF THE PLAN
The Emergency Management Plan is available in Desk Sergeants office. All supervisors should familiarize themselves with the Emergency Management Plan and ensure that department personnel are familiar with the roles personnel will play when the plan is implemented.

202.4 UPDATING OF MANUALS
The Chief of Police or designee shall review the Emergency Management Plan Manual at least once every three years to ensure that the manual conforms to any revisions made by the National Incident Management System (NIMS) and the Standardized Emergency Management System (SEMS) and should appropriately address any needed revisions.
Training Policy

203.1 PURPOSE AND SCOPE
The policy of the Anaheim Police Department is to administer a training program that will provide for the professional growth and continued development of its personnel. By so doing, the police department will ensure its personnel possess the knowledge and skills necessary to provide a professional level of service that meets the needs of the community.

203.2 PHILOSOPHY
The Anaheim Police Department seeks to provide on-going training and encourages all personnel to participate in advanced training and formal education on a continual basis. Training is provided within the confines of funding, requirements of a given assignment, staffing levels, legal mandates, and POST guidelines. Whenever possible, the Department will use courses certified by the California Commission on Peace Officer Standards and Training (POST).

203.3 OBJECTIVES
The objectives of the Anaheim Police Department's training program are to:

(a) Enhance the level of law enforcement service to the public.
(b) Increase the technical expertise and overall effectiveness of our personnel.
(c) Provide for continued professional development of department personnel.
(d) Comply with POST mandated basic and advanced training directives or guidelines.

203.4 TRAINING PLAN
A training plan will be developed and maintained by the Manager of the Emergency Management and Training Section. It is the responsibility of the Training Manager to maintain, review, and update the Training Plan on an annual basis. The plan will address the following areas:

(a) Legislative changes and case law
(b) State mandated training
(c) Perishable skills training
(d) Critical issues training
(e) Any other training designated by the Chief of Police

203.5 TRAINING NEEDS ASSESSMENT
The Emergency Management and Training Section will conduct on-going training-needs assessment of the Police Department. The needs assessment will be reviewed as necessary by
Training Policy

the Police Department's Staff. Upon approval of the Staff, the needs assessment will form the basis for the Training Plan for the Department.
Electronic Mail

204.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the proper use and application of the Department’s electronic mail (email) system by employees of this department. Email is a communication tool available to employees to enhance efficiency in the performance of job duties and is to be used in accordance with generally accepted business practices and current law (e.g., California Public Records Act). Messages transmitted over the email system must only be those that involve official business activities or contain information essential to employees for the accomplishment of business-related tasks and/or communication directly related to the business, administration, or practices of the Department.

204.2 E-MAIL RIGHT OF PRIVACY
All e-mail messages, including any attachments, that are, transmitted over department networks are considered department records and, therefore, are department property. The department reserves the right to access, audit, and disclose, for any reason, any message, including any attachment, transmitted over its e-mail system, or that is stored on any department system.

The e-mail system is not a confidential system and therefore, it is not appropriate for confidential communications. If a communication must be confidential, an alternate method to communicate the message should be used. Employees using the department e-mail system shall have no expectation of privacy concerning communications transmitted over, or stored on the system.

Employees should not use personal accounts to exchange e-mail or other information that is related to the official business of the Department. Personal accounts that are used for official business would be subject to public disclosure.

204.3 ELECTRONIC COMMUNICATIONS - RIGHT OF PRIVACY
Any employee utilizing any Electronic Communication Device provided by or funded by the Department and/or the Electronic Communication System, expressly acknowledges and agrees that the use of such device, system or service shall remove any expectation of privacy the employee, sender and recipient of any Electronic Communication utilizing such device, service or system might otherwise have, including as to the content of any such Electronic Communication.

204.4 ELECTRONIC COMMUNICATIONS - DEPARTMENT PROPERTY
All Electronic Communications, including attachments, initiated on, sent to or from or accessed by an Electronic Communication Device provided by or funded by the Department or transmitted over an Electronic Communication System are considered Department records and, therefore, are the property of the Department.

Electronic Communications transmitted over an Electronic Communication System are not confidential because they are the property of the Department. The occasional personal use of Electronic Communication Devices is permitted as long as it does not interfere with regular City
Electronic Mail

business, is not excessive, does not cause an adverse impact (i.e. congestion) on the City's network, and does not violate any established City or Department policies or procedures, including this policy.

If a communication must be private, an alternative method to communicate the message should be used. Employees using the Electronic Communication System shall have no expectation of privacy concerning communications utilizing an Electronic Communications transmitted over or stored by third-party Electronic Communication Service providers that are providing service to the City, pursuant to an agreement with the City.

204.5 PROHIBITED USE OF ELECTRONIC COMMUNICATIONS

Electronic Communications shall not contain personal attacks on any City official or employee, any material which constitutes harassment, discrimination or retaliation on the basis of race, gender, ethnicity, religion or other statutorily or constitutionally impermissible basis, or any pornographic, obscene, or sexually oriented material, except as necessary in the course of duty and with supervisory approval.

Electronic Communications addressed to the entire Department are only to be used for official business related items that are of particular interest to all users and must be approved by the Chief of Police or a Division Commander. The Electronic Communication System shall not be utilized for personal advertisements.

It is a violation of this policy to transmit an Electronic Communication under another user's name. Users are strongly encouraged to logoff the network when the Electronic Communication Device they have been assigned or are utilizing is unattended. This added security measure helps to minimize the misuse of an individual's email, name and/or password by others.

204.6 MANAGEMENT OF EMAIL

Because the email system is not designed for long-term retention of messages, email that the employee desires to save or that becomes part of an official record should be printed and/or stored in another database. Users of email are solely responsible for the management of their mailboxes. Messages should be purged manually by the user at least once per week. All messages in excess of one month will be deleted at regular intervals from the server computer.

204.7 CHECKING EMAIL EACH WORK DAY

All personnel are advised that their departmental (Outlook) email account must be checked at least once per work shift. This policy will insure that information is distributed to all employees at all stations in a timely manner. It also provides a convenient means of contacting employees who do not have a phone extension or voice mailbox currently assigned to them.

Anyone with questions regarding their email account should either consult with the Information/Technology Bureau or refer to the "Automation Bulletins" folder in the Common (H:) drive.
204.8 DISCLOSURE OF ELECTRONIC COMMUNICATIONS
Employees are advised that the City may be required to disclose Electronic Communications, including personal messages and documents, sent over and/or stored in the Electronic Communication System, pursuant to requests filed under the Public Records Act or as a result of subpoenas issued in the context of litigation or administrative proceedings.
Administrative Communications

205.1 PURPOSE AND SCOPE
Administrative communications of this Department are governed by the following policies:

205.2 LAW ENFORCEMENT BULLETINS
Law Enforcement Bulletins may be issued periodically by the Chief of Police, the Deputy Chiefs, or Captains to announce and document all promotions, transfers, hiring of new personnel, separations, personnel and group commendations, or other changes in status.

205.3 CORRESPONDENCE
In order to ensure that the letterhead and name of the Anaheim Police Department are not misused, all external correspondence shall be on Department letterhead. All Department letterhead shall bear the signature element of the Chief of Police. Personnel should use Department letterhead only for official business and with approval of their supervisor.

205.4 SURVEYS
All surveys made in the name of the Department shall be authorized by the Chief of Police or the Deputy Chiefs of Police.
Staffing Levels

206.1  PURPOSE AND SCOPE
The purpose of this policy is to ensure that proper deployment of personnel and supervision is available for all shifts, incidents or events. The Department intends to balance the employee's needs against the need to have flexibility and discretion in using personnel to meet operational needs. While balance is desirable, the paramount concern is the Department's need to meet operational requirements.

206.2  MINIMUM STAFFING LEVELS
The individual Division Commander will determine minimum staffing levels of personnel within each Division with careful consideration given to factors that affect each particular Division. These factors should include; but not be limited to, service delivery needs, case management, crime statistics, type and size of incident/event, and public safety.

For the Operations Division, minimum staffing levels should result in the scheduling of at least three regular supervisors on duty whenever possible. Watch Commanders will ensure that at least two field supervisors are deployed during each watch, in addition to the Watch Commander.

206.2.1  SUPERVISION DEPLOYMENTS
In order to accommodate training and other unforeseen circumstances, employees classified as "Officer" may be used as an acting field supervisor or detail supervisor instead of a field/detail sergeant.

A Sergeant may act as a Watch Commander or Section Commander for a limited period of time with prior authorization from the Division Commander.

206.3  OUT OF STATE RESIDENCY PROHIBITION
Effective July 22, 2020, any employee of the Anaheim Police Department shall be a permanent and fulltime resident of the State of California, and live within a one hundred (100) mile radius of the City of Anaheim. Members living outside the State of California or outside of the described radius prior to July 22, 2020, shall be exempt from this policy section. At the discretion of the Chief of Police, certain promotions and specialty assignments will only be obtainable by permanent and fulltime residents of the State of California, and live within the described 100-mile radius.
License to Carry a Firearm

207.1 PURPOSE AND SCOPE
The Chief of Police is given the statutory discretion to issue a license to carry a firearm to residents within the community (Penal Code § 26150; Penal Code § 26155). This policy will provide a written process for the application and issuance of such licenses. Pursuant to Penal Code § 26160, this policy shall be made accessible to the public.

207.1.1 APPLICATION OF POLICY
Nothing in this policy shall preclude the Chief or other head of a municipal police department from entering into an agreement with the Sheriff of the county or preclude the Sheriff of the county from entering into an agreement with the Chief of any municipal police department to process all applications and license renewals for the carrying of concealed weapons (Penal Code § 26150; Penal Code § 26155).

207.2 POLICY
The Anaheim Police Department will fairly and impartially consider all applications to carry firearms in accordance with applicable law and this policy.

207.3 QUALIFIED APPLICANTS
In order to qualify for a license to carry a firearm, the applicant must meet certain requirements, including:

(a) Be a resident of the City of Anaheim (Penal Code § 26150; Penal Code § 26155).
(b) Be at least 21 years of age (Penal Code § 29610).
(c) Fully complete an application that will include substantial personal information. Much of the information in the application may be subject to public access under the Public Records Act.
(d) Be free from criminal convictions that would disqualify the applicant from carrying a firearm. Fingerprints will be required and a complete criminal background check will be conducted.
(e) Be of good moral character (Penal Code § 26150; Penal Code § 26155).
(f) Show good cause for the issuance of the license (Penal Code § 26150; Penal Code § 26155).
(g) Pay all associated application fees. These fees are set by statute and may not be refunded if the application is denied.
(h) Provide proof of ownership or registration of any firearm to be licensed.
(i) Be free from any psychological conditions that might make the applicant unsuitable for carrying a firearm (Penal Code § 26190).
(j) Complete required training (Penal Code § 26165).
207.4 APPLICATION PROCESS
The application process for a license to carry a firearm shall consist of two phases. Upon the successful completion of each phase, the applicant will advance to the next phase until the process is completed and the license is either issued or denied.

207.4.1 PHASE ONE (TO BE COMPLETED BY ALL APPLICANTS)
(a) Any individual applying for a license to carry a firearm shall first fully complete a California Department of Justice (DOJ) application to be signed under penalty of perjury. Any applicant who provides false information or statements on the application will be removed from further consideration and may be prosecuted for a criminal offense (Penal Code § 26180).

1. In the event of any discrepancies in the application or background investigation, the applicant may be required to undergo a polygraph examination, at no cost to the applicant.

2. If an incomplete application package is received, the Chief of Police or authorized designee may do any of the following:
   (a) Require the applicant to complete the package before any further processing.
   (b) Advance the incomplete package to phase two for conditional processing pending completion of all mandatory conditions.
   (c) Issue a denial if the materials submitted at the time demonstrate that the applicant would not qualify for a license to carry a firearm even if the package was completed (e.g., not a resident, disqualifying criminal conviction, absence of good cause).

(b) At the time the completed application is submitted, the applicant shall submit a check made payable to the California Department of Justice for the required California DOJ application fee, along with a separate check made payable to the City of Anaheim for a nonrefundable 20 percent of the application fee to cover the cost of processing the application (Penal Code § 26190).

   1. Additional fees may be required for fingerprinting, training or psychological testing, in addition to the application fee.

   2. Full payment of the remainder of the application fee will be required upon issuance of a license.

   3. Payment of related fees may be waived if the applicant is a duly appointed reserve peace officer as defined in Penal Code § 830.6 (a) or (b) (Penal Code § 26170).

(c) The applicant shall be required to submit to fingerprinting and a complete criminal background check by the California DOJ. A second set of fingerprints may be required for retention in department files. Two recent passport-size photos (2 inches by 2 inches) of the applicant shall be submitted for department use. No person determined to fall within a prohibited class described in Penal Code § 29800, Penal Code § 29900, Welfare and Institutions Code § 8100 or Welfare and Institutions Code § 8103 will be
issued a license to carry a firearm. A license shall not be issued if the California DOJ determines that the applicant is prohibited by state or federal law from possessing, receiving, owning or purchasing a firearm (Penal Code § 26195).

(d) The applicant should submit at least three signed letters of character reference from individuals other than relatives.

(e) The applicant shall submit proof of ownership or registration of each firearm to be licensed.

Once the Chief of Police or authorized designee has reviewed the completed application package and relevant background information, the application will either be advanced to phase two or denied.

In the event that an application is denied at the conclusion of, or during, phase one, the applicant shall be notified in writing within 90 days of the initial application or within 30 days after receipt of the applicant's criminal background check from the California DOJ, whichever is later. If the license is denied, the notice shall state which requirement was not satisfied (Penal Code § 26205).

207.4.2 PHASE TWO
This phase is to be completed only by those applicants successfully completing phase one.

(a) Upon successful completion of phase one, the applicant shall be scheduled for a personal interview with the Chief of Police or authorized designee. During this stage, there will be further discussion of the applicant's statement of good cause and any potential restrictions or conditions that might be placed on the license.

1. The determination of good cause should consider the totality of circumstances in each individual case.

2. Any denial for lack of good cause should be rational, articulable and not arbitrary in nature.

3. The Department will provide written notice to the applicant as to the determination of good cause (Penal Code § 26202).

(b) The Chief of Police may, based upon criteria established by the Chief of Police, require that the applicant be referred to an authorized psychologist used by the Department for psychological testing. The cost of such psychological testing (not to exceed $150) shall be paid by the applicant. The purpose of any such psychological testing is intended only to identify any outward indications or history of psychological problems that might render the applicant unfit to carry a firearm. This testing is not intended to certify in any other respect that the applicant is psychologically fit. If it is determined that the applicant is not a suitable candidate for carrying a firearm, the applicant shall be removed from further consideration (Penal Code § 26190).

(c) The applicant shall complete a course of training approved by the department, which complies with Penal Code § 26165. The applicant will not be required to complete and pay for any training courses prior to any determination of good cause (Penal Code § 26165; Penal Code § 26202).
License to Carry a Firearm

(d) The applicant shall submit any firearm to be considered for a license to the Rangemaster or other department authorized gunsmith, at no cost to the applicant, for a full safety inspection. The Chief of Police reserves the right to deny a license for any firearm that has been altered from the manufacturer’s specifications or that is unsafe (Penal Code § 31910).

(e) The applicant shall successfully complete a firearms safety and proficiency examination with the firearm to be licensed, to be administered by the department Rangemaster, or provide proof of successful completion of another department-approved firearms safety and proficiency examination, including completion of all releases and other forms. The cost of any outside inspection/examination shall be the responsibility of the applicant.

Once the Chief of Police or authorized designee has verified the successful completion of phase two, the license to carry a firearm will either be granted or denied.

Whether an application is approved or denied at the conclusion of or during phase two, the applicant shall be notified in writing within 90 days of the initial application or within 30 days after receipt of the applicant’s criminal background check from the California DOJ, whichever is later. If the license is denied, the notice shall state which requirement was not satisfied (Penal Code § 26205).

207.5 LIMITED BUSINESS LICENSE TO CARRY A CONCEALED FIREARM
The authority to issue a limited business license to carry a concealed firearm to a non-resident applicant is granted only to the Sheriff of the county in which the applicant works. A chief of a municipal police department may not issue limited licenses (Penal Code § 26150). Therefore, such applicants may be referred to the Sheriff for processing.

An individual who is not a resident of the county but who otherwise successfully completes all portions of phases one and two above, may apply for and be issued a limited license subject to approval by the Sheriff and subject to the following:

(a) The applicant physically spends a substantial period of working hours in the applicant’s principal place of employment or business within the City of Anaheim (Penal Code § 26150).

(b) Such a license will be valid for a period not to exceed 90 days from the date of issuance (Penal Code § 26220).

(c) The applicant shall provide a copy of the license to the licensing authority of the city or county in which the applicant resides (Penal Code § 26220).

(d) Any application for renewal or reissuance of such a license may be granted only upon concurrence of the original issuing authority and the licensing authority of the city or county in which the applicant resides (Penal Code § 26220).

207.6 ISSUED FIREARMS PERMITS
In the event a license to carry a firearm is issued by the Chief of Police, the following shall apply:
License to Carry a Firearm

(a) The license will be subject to any and all reasonable restrictions or conditions the Chief of Police has deemed warranted, including restrictions as to the time, place, manner and circumstances under which the person may carry the firearm.

1. All such restrictions or conditions shall be conspicuously noted on any license issued (Penal Code § 26200).
2. The licensee will be required to sign a Restrictions and Conditions Agreement. Any violation of any of the restrictions and conditions may result in the immediate revocation of the license.

(b) The license shall be laminated, bearing a photograph of the licensee with the expiration date, type of firearm, restrictions and other pertinent information clearly visible.

1. Each license shall be numbered and clearly identify the licensee.
2. All licenses shall be subjected to inspection by the Chief of Police or any law enforcement officer.

(c) The license will be valid for a period not to exceed two years from the date of issuance (Penal Code § 26220).

1. A license issued to a state or federal magistrate, commissioner or judge will be valid for a period not to exceed three years.
2. A license issued to any reserve peace officer as defined in Penal Code § 830.6(a) or (b), or a custodial officer employed by the Sheriff as provided in Penal Code § 831.5 will be valid for a period not to exceed four years, except that such license shall be invalid upon the individual’s conclusion of service as a reserve officer.

(d) If the licensee’s place of residence was the basis for issuance of a license and the licensee moves out of the county of issuance, the license shall expire 90 days after the licensee has moved (Penal Code § 26210).

(e) The licensee shall notify this department in writing within 10 days of any change of place of residency.

207.6.1 LICENSE RESTRICTIONS

(a) The Chief of Police may place special restrictions limiting time, place, manner and circumstances under which any license shall be valid. In general, these restrictions will prohibit the licensee from:

1. Consuming any alcoholic beverage while armed.
2. Falsely representing him/herself as a peace officer.
3. Unjustified or unreasonable displaying of a firearm.
License to Carry a Firearm

5. Being under the influence of any medication or drug while armed.
6. Interfering with any law enforcement officer’s duties.
7. Refusing to display his/her license or firearm for inspection upon demand of any peace officer.
8. Loading the permitted firearm with illegal ammunition.

(b) The Chief of Police reserves the right to inspect any license or licensed firearm at any time.
(c) The alteration of any previously approved firearm including, but not limited to adjusting the trigger pull, adding laser sights or modifications shall void any license and serve as grounds for revocation.

207.6.2 AMENDMENTS TO LICENSES
Any licensee may apply to amend a license at any time during the period of validity by completing and submitting a written Application for License Amendment along with the current processing fee to the Department in order to (Penal Code § 26215):

(a) Add or delete authority to carry a firearm listed on the license.
(b) Change restrictions or conditions previously placed on the license.
(c) Change the address or other personal information of the licensee (Penal Code § 26210).

In the event that any amendment to a valid license is approved by the Chief of Police, a new license will be issued reflecting the amendment. An amendment to any license will not serve to extend the original expiration date and an application for an amendment will not constitute an application for renewal of the license.

207.6.3 REVOCATION OF LICENSES
Any license issued pursuant to this policy may be immediately revoked by the Chief of Police for any of the following reasons:

(a) The licensee has violated any of the restrictions or conditions placed upon the license.
(b) The licensee becomes psychologically unsuitable to carry a firearm.
(c) The licensee is determined to be within a prohibited class described in Penal Code § 29800, Penal Code § 29900, Welfare and Institutions Code § 8100, Welfare and Institutions Code § 8103 or any state or federal law.
(d) The licensee engages in any conduct which involves a lack of good moral character or that might otherwise remove the good cause for the original issuance of the license.
(e) If the license is one to carry “loaded and exposed,” the license shall be revoked immediately upon a change of the licensee’s place of residence to another county (Penal Code § 26210).
License to Carry a Firearm

The issuance of a license by the Chief of Police shall not entitle the holder to either a property or liberty interest as the issuance, amendment or revocation of such license remains exclusively within the discretion of the Chief of Police as set forth herein.

If any license is revoked, the Department will immediately notify the licensee in writing and the California DOJ (Penal Code § 26225).

207.6.4 LICENSE RENEWAL
No later than 90 days prior to the expiration of any valid license to carry a firearm, the licensee may apply to the Chief of Police for a renewal by:

(a) Verifying all information submitted in the original application under penalty of perjury.
(b) Completing a department-approved training course pursuant to Penal Code § 26165. The applicant shall not be required to pay for a training course prior to the determination of good cause (Penal Code § 26165).
(c) Submitting any firearm to be considered for a license renewal to the Rangemaster for a full safety inspection. The Chief of Police reserves the right to deny a license for any firearm that has been altered from the manufacturer’s specifications or that is unsafe (Penal Code § 31910).
(d) Paying a non-refundable renewal application fee.

Once the Chief of Police or authorized designee has verified the successful completion of the renewal process, the renewal of the license to carry a firearm will either be granted or denied. Prior issuance of a license shall not entitle any licensee to any property or liberty right to renewal.

Whether an application for renewal is approved or denied, the applicant shall be notified in writing within 90 days of the renewal application or within 30 days after receipt of the applicant’s criminal background check from the California DOJ, whichever is later (Penal Code § 26205).

207.7 DEPARTMENT REPORTING AND RECORDS
Pursuant to Penal Code § 26225, the Chief of Police shall maintain a record of the following and immediately provide copies of each to the California DOJ:

(a) The denial of a license
(b) The denial of an amendment to a license
(c) The issuance of a license
(d) The amendment of a license
(e) The revocation of a license

The Chief of Police shall annually submit to the State Attorney General the total number of licenses to carry firearms issued to reserve peace officers and judges.
207.8 CONFIDENTIAL RECORDS
The home address and telephone numbers of any peace officer, public defender, prosecutor, magistrate, court commissioner or judge contained in an application shall not be considered public record (Government Code § 6254(u)(2)).

Any information in an application for a license to carry a firearm that indicates when or where the applicant is vulnerable to attack or that concerns the applicant's medical or psychological history or that of his/her family shall not be considered public record (Government Code § 6254(u)(1)).
Retired Officer CCW Endorsements

208.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of Anaheim Police Department identification cards under the Law Enforcement Officers' Safety Act (LEOSA) and California law (18 USC § 926C; Penal Code § 25455).

208.2 POLICY
It is the policy of the Anaheim Police Department to provide identification cards to qualified former or retired officers as provided in this policy.

208.3 LEOSA
The Chief of Police may issue an identification card for LEOSA purposes to any qualified former officer of this department who (18 USC § 926C(c)):

(a) Separated from service in good standing from this department as an officer.
(b) Before such separation, had regular employment as a law enforcement officer for an aggregate of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.
(c) Has not been disqualified for reasons related to mental health.
(d) Has not entered into an agreement with this department where the officer acknowledges that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.
(e) Is not prohibited by federal law from receiving or possessing a firearm.

208.3.1 LEOSA IDENTIFICATION CARD FORMAT
The LEOSA identification card should contain a photograph of the former officer and identify him/her as having been employed as an officer.

If the Anaheim Police Department qualifies the former officer, the LEOSA identification card or separate certification should indicate the date the former officer was tested or otherwise found by the Department to meet the active duty standards for qualification to carry a firearm.

208.3.2 AUTHORIZATION
Any qualified former law enforcement officer, including a former officer of this department, may carry a concealed firearm under 18 USC § 926C when he/she is:

(a) In possession of photographic identification that identifies him/her as having been employed as a law enforcement officer, and one of the following:
   1. An indication from the person’s former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement
Retired Officer CCW Endorsements

agency to meet agency-established active duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.

2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.

(b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.

(c) Not prohibited by federal law from receiving a firearm.

(d) Not in a location prohibited by California law or by a private person or entity on his/her property if such prohibition is permitted by California law.

208.4 CALIFORNIA IDENTIFICATION CARD ISSUANCE

Any full-time sworn officer of this department who was authorized to, and did, carry a concealed firearm during the course and scope of his/her employment shall be issued an identification card with a Carrying Concealed Weapon endorsement, "CCW Approved," upon honorable retirement (Penal Code § 25455).

(a) For the purpose of this policy, honorably retired includes all peace officers who have qualified for, and accepted, a service or disability retirement. It shall not include any officer who retires in lieu of termination.

(b) No CCW Approved endorsement shall be issued to any officer retiring because of a psychological disability (Penal Code § 26305).

208.4.1 CALIFORNIA IDENTIFICATION CARD FORMAT

The identification card issued to any qualified and honorably retired officer shall be 2 inches by 3 inches, and minimally contain (Penal Code § 25460):

(a) A photograph of the retiree.

(b) The retiree’s name and date of birth.

(c) The date of retirement.

(d) The name and address of this department.

(e) A stamped CCW Approved endorsement along with the date by which the endorsement must be renewed (not more than one year). If a CCW endorsement has been denied or revoked, the identification card shall be stamped “No CCW Privilege.”

208.4.2 QUALIFIED RETIRED RESERVES

Qualified retired reserve officers who meet the department requirements shall be provided an identification card with a CCW Approved endorsement (Penal Code § 26300).
208.4.3 QUALIFIED RETIREES FROM INCORPORATED JURISDICTION
The Anaheim Police Department shall provide an identification card with a CCW Approved endorsement to honorably retired peace officers from any jurisdiction that this department now serves under the following conditions (Penal Code § 25905):

(a) The retiree’s previous agency is no longer providing law enforcement services or the relevant government body is dissolved.
(b) This department is in possession of the retiree’s complete personnel record or can verify the retiree’s honorably retired status.
(c) The retiree is in compliance with all of the requirements of this department for the issuance of a CCW Approved endorsement.

208.5 FORMER OFFICER RESPONSIBILITIES
A former officer with a card issued under this policy shall immediately notify the Watch Commander of his/her arrest or conviction in any jurisdiction, or that he/she is the subject of a court order, in accordance with the Reporting of Employee Convictions policy.

208.5.1 MAINTAINING A CALIFORNIA IDENTIFICATION CARD CCW ENDORSEMENT
In order to maintain a CCW Approved endorsement on an identification card issued under California law, the retired officer shall (Penal Code § 26305):

(a) Qualify annually with the authorized firearm at a course approved by this department at the retired officer’s expense.
(b) Remain subject to all applicable department policies and federal, state and local laws.
(c) Not engage in conduct that compromises public safety.
(d) Only be authorized to carry a concealed firearm inspected and approved by the Department.

208.5.2 RESPONSIBILITIES UNDER LEOSA
In order to obtain or retain a LEOSA identification card, the former officer shall:

(a) Sign a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department.
(b) Remain subject to all applicable department policies and federal, state and local laws.
(c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.
(d) Successfully pass an annual criminal history background check indicating that he/she is not prohibited by law from receiving or possessing a firearm.
208.6 DENIAL, SUSPENSION, OR REVOCATION OF A LEOSA IDENTIFICATION CARD
A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by the Department. In the event that an identification card is denied, suspended, or revoked, the former officer may request a review by the Chief of Police. The decision of the Chief of Police is final.

208.7 DENIAL, SUSPENSION, OR REVOCATION OF A CALIFORNIA CCW ENDORSEMENT CARD
A CCW endorsement for any officer retired from this department may be denied or revoked only upon a showing of good cause. The CCW endorsement may be immediately and temporarily revoked by the Watch Commander when the conduct of a retired peace officer compromises public safety (Penal Code § 25470).

(a) In the event that a CCW endorsement is initially denied, the retired officer shall have 15 days from the date of denial to request a formal hearing. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received.

(b) Prior to revocation of any CCW endorsement, the Department shall provide the affected retiree with written notice of a hearing by either personal service or first class mail, postage prepaid, return receipt requested to the retiree’s last known address (Penal Code § 26315).

1. The retiree shall have 15 days from the date of service to file a written request for a hearing.

2. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received (Penal Code § 26315).

3. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right.

(c) A hearing for the denial or revocation of any CCW endorsement shall be conducted before a hearing board composed of three members, one selected by the Department, one selected by the retiree or his/her employee organization, and one selected jointly (Penal Code § 26320).

1. The decision of such hearing board shall be binding on the Department and the retiree.

2. Any retiree who waives the right to a hearing or whose CCW endorsement has been revoked at a hearing shall immediately surrender his/her identification card. The Department will then reissue a new identification card which shall be stamped “No CCW Privilege.”

(d) Members who have reason to suspect the conduct of a retiree has compromised public safety shall notify the Watch Commander as soon as practicable. The Watch Commander should promptly take appropriate steps to look into the matter and, if warranted, contact the retiree in person and advise him/her of the temporary suspension and hearing information listed below.
Retired Officer CCW Endorsements

1. Notification of the temporary suspension should also be promptly mailed to the retiree via first class mail, postage prepaid, return receipt requested (Penal Code § 26312).

2. The Watch Commander should document the investigation, the actions taken and, if applicable, any notification made to the retiree. The memo should be forwarded to the Chief of Police.

3. The personal and written notification should be as follows:
   (a) The retiree’s CCW endorsement is immediately and temporarily suspended.
   (b) The retiree has 15 days to request a hearing to determine whether the temporary suspension should become permanent revocation.
   (c) The retiree will forfeit his/her right to a hearing and the CCW endorsement will be permanently revoked if the retiree fails to respond to the notice of hearing within the 15-day period.

4. In the event that personal contact with the retiree cannot be reasonably achieved in a timely manner, the Watch Commander should attempt to make the above notice of temporary suspension through another law enforcement officer. For example, if a retiree was arrested or detained by a distant agency, the Watch Commander may request that a law enforcement officer from that agency act as the agent of the Department to deliver the written notification.

208.8 FIREARM QUALIFICATIONS

The Rangemaster may provide former officers from this department an opportunity to qualify. Written evidence of the qualification and the weapons used will be provided and will contain the date of the qualification. The Rangemaster will maintain a record of the qualifications and weapons used.
Chapter 3 - General Operations
Use of Force

300.1 PURPOSE AND SCOPE
This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner (Government Code § 7286).

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Control Devices and Techniques and Conducted Energy Device policies.

300.1.1 DEFINITIONS
Definitions related to this policy include:

**Deadly force** - Any use of force that creates a substantial risk of causing death or serious bodily injury, including but not limited to the discharge of a firearm (Penal Code § 835a).

**Feasible** - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person (Government Code § 7286(a)).

**Force** - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed, or restrained.

**Serious bodily injury** - Means a bodily injury that involves a substantial risk of death, unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member or organ (Gov't Code §12525.2).

**Totality of the circumstances** - All facts known to the officer at the time, including the conduct of the officer and the subject leading up to the use of force (Penal Code § 835a).

300.2 POLICY
The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.
Use of Force

300.2.1 DUTY TO INTERCEDE
Any officer present and observing another law enforcement officer or an employee using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, shall, when in a position to do so, intercede to prevent the use of unreasonable force.

When observing force used by a law enforcement officer, each officer should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject (Government Code § 7286(b)).

300.2.2 FAIR AND UNBIASED USE OF FORCE
Officers are expected to carry out their duties, including the use of force, in a manner that is fair and unbiased (Government Code § 7286(b)). See the Bias-Based Policing Policy for additional guidance.

300.2.3 DUTY TO REPORT EXCESSIVE FORCE
Any officer who observes a law enforcement officer or an employee use force that potentially exceeds what the officer reasonably believes to be necessary shall promptly report these observations to a supervisor as soon as feasible (Government Code § 7286(b)).

300.3 USE OF FORCE
Officers shall use only that amount of force that reasonably appears necessary given the facts and totality of the circumstances known to or perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose (Penal Code § 835a).

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain, and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident. Officers may only use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance (Government Code § 7286(b)).

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the approved tools, weapons, or methods provided by the Department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be objectively reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.
Use of Force

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

300.3.1 ALTERNATIVE TACTICS - DE-ESCALATION
As time and circumstances reasonably permit, and when community and officer safety would not be compromised, [officers_deputies] should consider actions that may increase officer safety and may decrease the need for using force:

(a) Summoning additional resources that are able to respond in a reasonably timely manner.

(b) Formulating a plan with responding officers before entering an unstable situation that does not reasonably appear to require immediate intervention.

(c) Employing other tactics that do not unreasonably increase officer jeopardy.

In addition, when reasonable, officers should evaluate the totality of circumstances presented at the time in each situation and, when feasible, consider and utilize reasonably available alternative tactics and techniques that may persuade an individual to voluntarily comply or may mitigate the need to use a higher level of force to resolve the situation before applying force (Government Code § 7286(b)(1)).

300.3.2 USE OF FORCE TO EFFECT AN ARREST
Any peace officer may use objectively reasonable force to effect an arrest, to prevent escape, or to overcome resistance. A peace officer who makes or attempts to make an arrest need not retreat or desist from his/her efforts by reason of resistance or threatened resistance on the part of the person being arrested; nor shall an officer be deemed the aggressor or lose his/her right to self-defense by the use of reasonable force to effect the arrest, prevent escape, or to overcome resistance. Retreat does not mean tactical repositioning or other de-escalation techniques (Penal Code § 835a).

300.3.3 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE
When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit (Government Code § 7286(b)). These factors include but are not limited to:

(a) The apparent immediacy and severity of the threat to officers or others (Penal Code § 835a).

(b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time (Penal Code § 835a).

(c) Officer/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).

(d) The conduct of the involved officer leading up to the use of force (Penal Code § 835a).

(e) The effects of suspected drugs or alcohol.
(f) The individual's apparent mental state or capacity (Penal Code § 835a).

(g) The individual's apparent ability to understand and comply with officer commands (Penal Code § 835a).

(h) Proximity of weapons or dangerous improvised devices.

(i) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.

(j) The availability of other reasonable and feasible options and their possible effectiveness (Penal Code § 835a).

(k) Seriousness of the suspected offense or reason for contact with the individual prior to and at the time force is used.

(l) Training and experience of the officer.

(m) Potential for injury to officers, suspects, bystanders, and others.

(n) Whether the person appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.

(o) The risk and reasonably foreseeable consequences of escape.

(p) The apparent need for immediate control of the subject or a prompt resolution of the situation.

(q) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.

(r) Prior contacts with the subject or awareness of any propensity for violence.

(s) Any other exigent circumstances.

300.3.4 USE OF FORCE TO SEIZE EVIDENCE
In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Officers are encouraged to use techniques and methods taught by the Anaheim Police Department for this specific purpose.

300.4 DEADLY FORCE APPLICATIONS
Where feasible, the officer shall, prior to the use of deadly force, make reasonable efforts to identify him/herself as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts (Penal Code 835a(5)(c)(1)(B)).

If an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, officers shall evaluate and use other reasonably available resources and techniques when determining whether to use deadly force. To the extent that it is reasonably
practical, officers should consider their surroundings and any potential risks to bystanders prior to discharging a firearm (Government Code § 7286(b)).

The use of deadly force is only justified when the officer reasonably believes it is necessary in the following circumstances (Penal Code § 835a):

(a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury to the officer or another person.

(b) An officer may use deadly force to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended.

Officers shall not use deadly force against a person based on the danger that person poses to him/herself, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the officer or to another person (Penal Code § 835a).

An “imminent” threat of death or serious bodily injury exists when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the officer or another person. An officer’s subjective fear of future harm alone is insufficient as an imminent threat. An imminent threat is one that from appearances is reasonably believed to require instant attention (Penal Code § 835a).

300.4.1 SHOOTING AT OR FROM MOVING VEHICLES

Shots fired at or from a moving vehicle are rarely effective and may involve additional considerations and risks. When feasible, officers should take reasonable steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others (Government Code § 7286(b)).

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

300.4.2 DISPLAYING OF FIREARMS

Given that individuals might perceive the display of a firearm as a potential application of force, officers should carefully evaluate each tactical situation and use sound discretion when drawing a firearm in public by considering the following guidelines (Government Code § 7286(b)):

(a) If the officer does not initially perceive a threat but reasonably believes that the potential for such threat exists, firearms should generally be kept in the low-ready or other position not directed toward an individual.

(b) If the officer reasonably believes that a threat exists based on the totality of circumstances presented at the time (e.g., high-risk stop, tactical entry, armed
Use of Force

encounter), firearms may be directed toward such imminent threat until the officer no longer perceives such threat.

Once it is reasonably safe to do so, officers should carefully secure all firearms.

300.5 REPORTING THE USE OF FORCE
Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis, and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure, or law. See the Report Preparation Policy for additional circumstances that may require documentation.

300.5.1 NOTIFICATION TO SUPERVISORS
Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

(a) The application caused a visible injury.
(b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
(c) The individual subjected to the force complained of injury or continuing pain.
(d) The individual indicates intent to pursue litigation.
(e) Any application of a TASER device or control device.
(f) Any application of a restraint device other than handcuffs, shackles, or belly chains.
(g) The individual subjected to the force was rendered unconscious.
(h) An individual was struck or kicked.
(i) An individual alleges unreasonable force was used or that any of the above has occurred.

300.5.2 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE
The Records Manager, MIRT Lieutenant or the authorized designee shall ensure that data required by the Department of Justice (DOJ) regarding all officer-involved shootings and incidents involving use of force resulting in serious bodily injury is collected and forwarded to the DOJ as required by Government Code § 12525.2. See the Records Section Policy.

300.6 MEDICAL CONSIDERATION
Once it is reasonably safe to do so, properly trained officers should promptly provide or procure medical assistance for any person injured or claiming to have been injured in a use of force incident (Government Code § 7286(b)).

Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing
pain, or who was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed.

Based upon the officer’s initial assessment of the nature and extent of the subject’s injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff, or medical staff at the jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called “excited delirium”), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away if appropriate.

300.7 SUPERVISOR RESPONSIBILITY
A supervisor should respond to any reported use of force, if reasonably available. The responding supervisor is expected to (Government Code § 7286(b)):

(a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties;

(b) Ensure that any injured parties are examined and treated;

(c) When possible, separately obtain a recorded interview with the subject upon whom force was applied. A determination must be made if Miranda rights are applicable. If Miranda rights are not applicable, the following shall apply:

1. The content of the interview shall be summarized or included in any related criminal charges;

2. The fact that a recorded interview was conducted shall be documented in the appropriate report(s);

3. The recording of the interview shall be distinctly marked for retention until all potential for civil litigation has expired.
(d) If Miranda rights are applicable, then no interview with the subject upon whom the force was applied shall be conducted unless the subject waives his/her rights;

(e) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired;

(f) Identify any witnesses not already included in related reports;

(g) Review and approve all related reports.

Should the supervisor determine that any application of force was not within policy, a separate internal administrative investigation shall be initiated. The supervisor will immediately notify their supervisor in the Chain of Command, who will notify the Office of the Chief of Police. The Chief of Police will initiate an administrative investigation.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

300.7.1 MANAGEMENT RESPONSIBILITY
A lieutenant or above shall review each use of force by any member to ensure compliance with this policy and to address any training issues. At the completion of the management review process, the use of force review shall be forwarded to the MIRT Sergeant for final disposition.

300.8 USE OF FORCE COMPLAINTS
The receipt, processing, and investigation of civilian complaints involving use of force incidents should be handled in accordance with the Personnel Complaints Policy (Government Code § 7286(b)).

300.9 TRAINING
Officers, investigators, and supervisors will receive periodic training on this policy and demonstrate their knowledge and understanding (Government Code § 7286(b)).

Subject to available resources, the Training Sergeant should ensure that officers receive periodic training on de-escalation tactics, including alternatives to force.

Training should also include (Government Code § 7286(b)):

(a) Guidelines regarding vulnerable populations, including but not limited to children, elderly persons, pregnant individuals, and individuals with physical, mental, and developmental disabilities.

(b) Training courses required by and consistent with POST guidelines set forth in Penal Code § 13519.10.
Use of Force

300.10 POLICY REVIEW
The Chief of Police or the authorized designee should regularly review and update this policy to reflect developing practices and procedures (Government Code § 7286(b)).

300.11 POLICY AVAILABILITY
The Chief of Police or the authorized designee should ensure this policy is accessible to the public (Government Code § 7286(c)).

300.12 PUBLIC RECORDS REQUESTS
Requests for public records involving an officer’s personnel records shall be processed in accordance with Penal Code § 832.7 and the Personnel Records and Records Maintenance and Release policies (Government Code § 7286(b)).
# Major Incident Review Team

## 301.1 Purpose and Scope
The Anaheim Police Department is charged with the responsibility of objectively evaluating the use of deadly force. This policy establishes the process to investigate and review the use of deadly force by employees of this Department, as well as the process for reviewing highly significant incidents. The intention of this policy and these investigations is to identify any areas where improvement can be made, and to better prepare and equip officers to meet the challenges they face in the field through improved tactics, training, policies, equipment, communications, and command and control. When a critical incident such as an officer-involved shooting or other police-related traumatic event occurs in a community, the Anaheim Police Department is committed to mitigating the impact of these events through community post-incident recovery measures. The identification and implementation of these measures will be included in the MIRT investigation and review.

## 301.2 Policy
It is the policy of this Department to convene a Major Incident Review Team (MIRT) whenever deadly force is used; and for any significant incident in which the actions of any employee(s) of the Department result in serious injury or death to any person, or substantial property damage. At the discretion of the Chief of Police or his designee, MIRT shall also convene to review any highly significant incident, or any incident in which a review would benefit the Department.

### 301.2.1 Composition and Responsibilities of the Team
The MIRT shall be led by the MIRT sergeant under the oversight of the Professional Standards Section Commander. The MIRT will respond to the scene of all incidents involving any of the following:

- The intentional discharge of a firearm by an officer, on or off duty (excluding range firearms training or authorized recreational use)
- Use of Force by an officer or officers resulting in great bodily injury*
- Any incident involving an employee of the Department which results in great bodily injury to any party, including the employee (e.g. traffic collision)
- In custody death**

OR At the direction of a Deputy Chief or Chief of Police.

(a) MIRT will conduct a complete administrative investigation to determine whether the actions by Anaheim Police personnel were in accordance with Department Policy, and to identify and report any improvements in
training, equipment, tactics, policy, communications, command and control, and community post-incident recovery.

1. The investigation shall be based upon those facts which were reasonably believed by the officer at the time of the incident, applying legal requirements, department policy and procedures, and approved training to those facts. Facts later discovered but unknown to the officer at the time can neither justify nor call into question an officers’ decision regarding use of force.

(b) Once the preliminary investigation is completed, the MIRT will provide an incident debrief to the Executive Command Staff, Risk Manager, City Attorney, independent legal counsel, Anaheim Police Association President, Public Affairs/PIO, Emergency Management and Training Section Commander, Communications Section Manager, and any other pertinent personnel, depending on the nature of the incident, as soon as practicable after the incident. The purpose of the incident debrief is to identify lessons learned and assign improvement-based action items to respective Division Commanders.

(c) The administrative investigation may include an administrative interview of each involved officer / employee. In those instances which include a concurrent criminal investigation, the administrative interview may be conducted immediately following any interview conducted as part of that criminal investigation.

(d) The administrative interview shall be conducted according to the following procedures:

1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer'(s) physical and psychological needs have been addressed before commencing the interview.

2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview (Government Code § 3303(i)). However, in order to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

3. Administrative interview(s) should be recorded by the investigator (the officer may also record the interview) (Government Code § 3303(g))

4. If the officer is advised of his/her constitutional Miranda rights (Government Code § 3303(h)) and he/she does not provide a voluntary waiver, the officer shall then be advised that although he/she has the right to remain silent and not incriminate him/herself, the officer's silence will be deemed insubordination, leading to administrative discipline if the officer does not provide full and truthful answers to all questions once given an administrative order to provide full and truthful answers to all questions. The officer shall also be advised that any statement made under the compulsion of the threat of such discipline cannot be used against him or her in any criminal proceeding (the Lybarger or Garrity admonishment). The officer will then be given and administrative order to provide full and truthful answers to all questions (Government Code § 3303(e)).

5. The administrative interview shall be considered part of the officer’s confidential personnel file.
6. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

   (e) In the event the Executive Command Staff finds an employee's actions outside of Department Policy or potentially amount to misconduct, the MIRT and/or Internal Affairs shall complete a Personnel Investigation in accordance with section 1020 of the Anaheim Police Policy Manual.

301.2.2 NOTIFICATIONS
All requests for a MIRT response shall be directed through the appropriate chain of command and ultimately the Deputy Chiefs or Chief of Police shall have the discretion to activate and convene MIRT. It is the responsibility of the MIRT Lieutenant to notify the City Attorney's Office, the appropriate representative from Risk Management, as well as the City's independent counsel when MIRT has been activated. MIRT shall consult with the City Attorney's Office following any incident or significant event.

301.2.3 TRACKING AND STORAGE OF INVESTIGATIONS
It shall be the responsibility of the MIRT Lieutenant to assign each incident/investigation a tracking number. The number will consist of the year in which the incident occurred, followed by "ADMIN," followed by a sequential number (e.g. 08 ADMIN 001). Once all improvement-based action items are submitted and approved, the investigation will be reviewed and approved by the Executive Command Staff. Once closed, the investigation will be logged, stored and retained by Internal Affairs Section for the appropriate length of time.

301.2.4 USE OF FORCE REPORTING AND FAS
It shall be the responsibility of the MIRT sergeant to maintain the Force Analysis System. The MIRT sergeant shall review all FAS entries and recommend follow up as determined necessary. The subject employee's division commander will address all identified action items to ensure proper follow up is completed.

*CA Penal Code 12022.7: Great Bodily Injury defined as a "significant or substantial physical injury."

**With reference only to CA Government Code 12525, In-Custody Death is any death of a person while detained, arrested, restrained; or during transport to and while in the temporary detention facility for the purposes of being processed, searched or housed; or during transport to and treatment by any medical facility after being detained or arrested; or during transport to and during any proceedings in any court following detention or arrest by any member of this department.
Peer Support and Assistance Program

302.1 PURPOSE AND SCOPE
The Anaheim Police Department recognizes the value of providing an “in-house” resource for employees and their family members to support them in managing both professional and personal crisis. The purpose of this policy is to establish an in-house Peer Support and Assistance Program and implementation of a Peer Support Team for Department employees and their families.

The Peer Support Team may be utilized to support other City Departments and personnel and should work in cooperation with peer support teams of other agencies and/or City Departments in multi-agency and/or multi-department incidents. The Peer Support Team may also be utilized to support the community in situations of critical incidents, such as school shootings, natural disasters, etc.

302.1.1 DEFINITION
The Peer Support Program is a program that offers assistance and appropriate support resources to employees when personal or professional problems negatively affect their work performance, family unit or self. This communication is confidential, providing it does not violate any law or Department regulation. This program is designed to:

(a) Provide emotional support during and after times of personal or professional crisis to other employees who need assistance;

(b) Promote trust, allow anonymity, and preserve confidentiality for persons using Peer Support within the guidelines of the program;

(c) Develop members who can identify personal conflicts and provide guidance or referral to professional/alternate resources as required;

(d) Maintain an effective peer support training and response program;

(e) Check on the well being of employees out with illnesses / IOD’s and provide support where desired and needed.

302.2 MISSION STATEMENT
The role of the Anaheim Police Department Peer Support Team is to be available to listen, support, refer, and assist employees and family members during professional or personal, stressful, or difficult periods in their lives.

302.2.1 ACCESSING PEER SUPPORT
The Peer Support Team is available 24 hours a day, 7 days a week to all employees. There are Peer Support Team brochures available at several locations in the main station and police substations, including the briefing, report writing, and the Records Section with team member contact information included.
302.2.2 POLICY
The Peer Support Team is intended to be a resource available to the Department in the event of critical incident or crisis situation. Peer Support personnel will be available to:

(a) Listen to another employee's feelings after a critical incident or crisis situation;
(b) Facilitate or assist supervisors in diffusing critical incidents;
(c) Respond to an employee's request for peer support or assistance;
(d) Conduct Critical Incident Stress Management (CISM) debriefings;
(e) Provide information on other resources available (Employee Assistance Program, Alcoholics Anonymous, financial support, etc);
(f) Provide Peer Support orientation to new employees (FTO program)

Personnel who may possibly be involved in conducting any administrative or criminal investigation or administrative discipline relating to an employee seeking assistance shall avoid any conflict of interest.

Peer Support personnel shall also be available for support and assistance on any other incident at the discretion of the Chief of Police or Deputy Chiefs of Police.

In addition, Peer Support personnel may be utilized to support the community in critical incident situations. Examples would be school shootings, natural disasters, etc.

302.2.3 CRITICAL INCIDENTS
A "critical incident" is any event that causes an unusually intense stress reaction. The distress people experience after a critical incident limits their ability to cope, impairs their ability to adjust, and negatively impacts the work environment.

Critical Incidents that may require a Peer Support response may include, but are not limited to:

(a) Officer involved shootings;
(b) Where an employee witnesses another employee's death or serious injury;
(c) Where an employee is taken hostage;
(d) Where an employee is a witness to a suicide;
(e) Where an employee is a witness to a violent death or serious injury;
(f) Infant/child death
(g) Any incident that is likely to affect the employee's ability to interact with the public and carry out their job functions;
Peer Support and Assistance Program

(h) Any other incident deemed appropriate by any employee and approved by a supervisor.

302.2.4 DEBRIEFING/DIFUSING
Debriefings and defusing will be conducted by Peer support personnel as soon as practical after a critical incident. Debriefings should occur within 24-72 hours after the critical incident and will be conducted by qualified personnel. Attendance at debriefings is highly recommended for all employees involved in the critical incident.

A defusing immediately follows the critical event and generally lasts no longer than one hour. It gives all parties involved the incident the "big picture" of what occurred. It gives involved personnel a reminder about exercise, what foods to eat, to drink plenty of water and to know their thoughts are normal. Peer Support Team members may be present to give assistance and support. A defusing may eliminate the need for a formal debriefing or it may enhance the formal debriefing process. The Peer Support Coordinator and Program Advisor will decide on the need for a formal debriefing.

One certified CISM mental health professional and two to three Peer Support Team members are required to conduct a debriefing. A Chaplain is optional but is highly recommended. The debriefing may last two to six hours.

302.3 CONFIDENTIALITY
The acceptance and success of the Anaheim Police Department Peer Support and Assistance Program will be determined in part by the observance of confidentiality. It is imperative each Peer Support Team Member maintain strict confidentiality of all information learned about an individual within the guidelines of this program.

All conversations between Peer Support personnel and employees are not privileged communications under the Evidence Code. The department will respect the confidentiality of conversations between Peer Support personnel and employees, with the following exceptions:

(a) Information concerning the commission of a crime;

(b) The employee or a third party is a danger to themselves or to others.

Disclosures under this exception will be made directly to the Chief of Police or Deputy Chief of Police.

302.3.1 TEAM STRUCTURE
The Peer Support Program will fall under the Investigations Division for budget and accountability purposes.

Program Coordinators - The Program Coordinator(s) should be the rank of Sergeant or higher. The Program Coordinators shall be responsible for the Peer Support Program budget and coordination of the Peer Support Team.
**Peer Support and Assistance Program**

**Program Advisor** - The Program Advisor will be a licensed Forensics Psychologist with exceptional experience dealing with police and/or first responder issues. His/her duties shall consist of:

(a) Assist in training and selection of Peer Support Team Members;
(b) Provide continued training in the techniques of Peer counseling;
(c) Provide guidance at debriefings.

**Peer Support Team Members** - Peer Support Team Members shall be selected from the Department personnel at large.

---

**302.4 ROLE OF PEER SUPPORT TEAM MEMBERS**

Peer Support Team Members provide support and assistance to employees in times of stress and crisis. The responsibilities of a Peer Support Team Member are as follows:

(a) Convey trust and anonymity and assure confidentiality within the policy to employees who seek assistance from the Peer Support Program;
(b) Attend assigned Peer Support training seminars;
(c) Provide assistance and support;
(d) Assist the employee by referring them to the appropriate outside resource when necessary;
(e) Be available to employees for additional follow-up support;
(f) Maintain contact with the Program Coordinators regarding program activities;
(g) Attend quarterly meetings;
(h) Agree to be contacted and if necessary, respond at any hour to assist an employee in need.

**302.5 PAY AND COMPENSATION**

When members of the Peer Support Team are notified to respond or attend a debriefing, the following pay and compensation policies will be in effect. Whenever possible, overtime will be pre-approved by the Program Coordinator(s).

(a) If the personnel are "on-duty" they will be paid as Hours Worked;
Peer Support and Assistance Program

(b) If the personnel are "off-duty" they will submit an overtime slip to their immediate supervisor after the slip has been verified by the Program Coordinator or their designee; all overtime will be preapproved by the Program Coordinators.

(c) The pay/compensation will be the same as the guidelines set forth in the applicable Memorandum of Understanding for that Team Member;

(d) There is no pay/compensation for being on the call-out roster.

(e) Selection of members on the Peer Support team is not considered a special assignment as set forth in Article 49 of the Memorandum of Understanding.

(f) Members on the Peer Support Team are considered "At Will" and can be removed by the Program Coordinators.

Generally, when an employee is on duty, meetings and follow-up contacts by a Peer Support Team Member will be coordinated with that employee’s immediate supervisor. Consideration should be given to the employee’s position, minimum staffing levels, calls for service and availability to attend meetings.

302.6 TRAINING

Peer Support Team Members should receive training in the following areas:

(a) Effective listening;

(b) Critical incident stress;

(c) Debriefing and defusing techniques;

(d) Post traumatic stress;

(e) Problem-solving skills;

(f) Relationship termination;

(g) General assessment skills;

(h) Referral follow-up.

The suggested minimum training is:

(a) 24 Hour Basic Peer Support Course;

(b) Basic Critical Incident Stress Management (CISM) course;

(c) National Organization of Victim Assistance (NOVA) Basic Crisis Response Training

(d) Any additional training as deemed necessary by the Chief of Police, Program Coordinators or Program Advisor.

In addition, The California Peer Support Association offers a training conference each year. A selected number of members may be budgeted to attend each year. Those in attendance shall provide training for team members unable to attend. Peer Support Team Members should
Peer Support and Assistance Program

attend on-going training to stay current on the latest practices and procedures for assistance to employees.
Handcuffing and Restraints

303.1 PURPOSE AND SCOPE
This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

303.2 POLICY
The Anaheim Police Department authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy, and department training. Restraint devices shall not be used to punish, to display authority, or as a show of force.

303.3 USE OF RESTRAINTS
Only members who have successfully completed Anaheim Police Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, officers should carefully balance officer safety concerns with factors that include but are not limited to:

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

303.3.1 RESTRAINT OF DETAINEES
Situations may arise where it may be reasonable to restrain a person who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to ensure the safety of officers and others.

When deciding whether to remove restraints from a detainee, officers should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

303.3.2 RESTRAINT OF PREGNANT PERSONS
Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety. Leg irons, waist chains, or handcuffs behind the body should not be used unless the officer has a reasonable suspicion that the person may resist, attempt escape, injure self or others, or damage property.

No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized
determination that such restraints are necessary for the safety of the arrestee, officers, or others (Penal Code § 3407; Penal Code § 6030).

303.3.3 RESTRAINT OF JUVENILES
A juvenile under 14 years of age should not be restrained unless he/she is suspected of a dangerous felony or when the officer has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the officer, or damage property.

303.3.4 NOTIFICATIONS
Whenever an officer transports a person with the use of restraints other than handcuffs, the officer shall inform the jail staff upon arrival at the jail that restraints were used. This notification should include information regarding any other circumstances the officer reasonably believes would be potential safety concerns or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration) that may have occurred prior to, or during, transportation to the jail.

303.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS
Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person’s hands to ensure officer safety.

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Department. Officers should consider handcuffing any person they reasonably believe warrants that degree of restraint. However, officers should not conclude that in order to avoid risk every person should be handcuffed, regardless of the circumstances.

In most situations, handcuffs should be applied with the hands behind the person’s back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the person or may cause unreasonable discomfort due to the person’s size, officers should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

303.5 APPLICATION OF SPIT HOODS
Spit hoods are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

Spit hoods may be placed upon persons in custody when the officer reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and so that the restrained person can breathe normally. Officers should provide assistance during the movement of a restrained person due to the potential for impairing or
distorting that person's vision. Officers should avoid comingling those wearing spit hoods with other detainees.

Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood, the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated, including hair, head, and clothing, prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use.

303.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES
Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons, and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort, and mobility.

Only department-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

303.7 APPLICATION OF LEG RESTRAINT DEVICES
Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest, or transportation. Only restraint devices approved by the Department shall be used.

In determining whether to use the leg restraint, officers should consider:

(a) Whether the officer or others could be exposed to injury due to the assaultive or resistant behavior of a person.
(b) Whether it is reasonably necessary to protect the person from his/her own actions (e.g., hitting his/her head against the interior of the patrol vehicle, running away from the arresting officer while handcuffed, kicking at objects or officers).
(c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol vehicle).

303.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS
When applying leg restraints, the following guidelines should be followed:

(a) If practicable, officers should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.
(b) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.
Handcuffing and Restraints

(c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person’s ability to breathe.

(d) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.

(e) The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.

(f) When transported by emergency medical services, the restrained person should be accompanied by an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration).

303.8 REQUIRED DOCUMENTATION
If a person is restrained and released without an arrest, the officer shall document the details of the detention and the need for handcuffs or other restraints. Documentation of the incident shall be made to record the details of the detention, including the need for handcuffs and name of the detainee in a General Offense report (GO) or Street Check (SC).

If a person is arrested, the use of handcuffs or other restraints shall be documented in the related report.

Officers should document the following information in reports, as appropriate, when restraints other than handcuffs are used on a person:

(a) The factors that led to the decision to use restraints.
(b) Supervisor notification and approval of restraint use.
(c) The types of restraint used.
(d) The amount of time the person was restrained.
(e) How the person was transported and the position of the person during transport.
(f) Observations of the person’s behavior and any signs of physiological problems.
(g) Any known or suspected drug use or other medical problems.

303.9 TRAINING
Subject to available resources, the Training Sergeant should ensure that officers receive periodic training on the proper use of handcuffs and other restraints, including:

(a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.
(b) Response to complaints of pain by restrained persons.
(c) Options for restraining those who may be pregnant without the use of leg irons, waist chains, or handcuffs behind the body.
(d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.
Control Devices and Techniques

304.1 PURPOSE AND SCOPE
This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

304.2 POLICY
In order to control subjects who are violent or who demonstrate the intent to be violent, the Anaheim Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

304.3 ISSUING, CARRYING AND USING CONTROL DEVICES
Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Chief of Police or the authorized designee.

Only officers who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent, and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

When using control devices, officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

304.4 RESPONSIBILITIES

304.4.1 WATCH COMMANDER RESPONSIBILITIES
The Watch Commander may authorize the use of a control device by selected personnel or members of specialized units who have successfully completed the required training.

304.4.2 TRAINING DETAIL SERGEANT RESPONSIBILITIES
The Training Detail Sergeant shall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced.

Every control device will be periodically inspected by the Rangemaster or the designated instructor for a particular control device. The inspection shall be documented.

304.4.3 USER RESPONSIBILITIES
All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.
Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Rangemaster for disposition. Damage to City property forms shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage.

304.5 BATON GUIDELINES
The baton (straight, side handle, collapsible, or mounted) and Orcutt Police Nunchaku is authorized for use when, based upon the circumstances perceived by the officer, such force reasonably appears justified and necessary to result in the safe control of the suspect.

The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

When carrying a baton, uniformed personnel shall carry the baton in its authorized holder on the equipment belt. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.

Officers, while in uniform and in an enforcement capacity, shall carry at least one of the Department's authorized defensive impact weapons on their duty belt.

304.6 TEAR GAS GUIDELINES
Tear gas may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. Only the Watch Commander, Incident Commander or Tactical Commander may authorize the delivery and use of tear gas, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary.

When practicable, fire personnel should be alerted or summoned to the scene prior to the deployment of tear gas to control any fires and to assist in providing medical aid or gas evacuation if needed.

304.7 OLEORESIN CAPSICUM (OC) GUIDELINES
As with other control devices, oleoresin capsicum (OC) spray and pepper projectiles may be considered for use to bring under control an individual or groups of individuals who are engaging in, or are about to engage in violent behavior. Pepper projectiles and OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

304.7.1 OC SPRAY
Uniformed personnel carrying OC spray shall carry the device in its holster on the equipment belt. Plainclothes and non-field personnel may carry OC spray as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.
304.7.2 WATCH COMMANDER RESPONSIBILITIES
The Watch Commander shall monitor the use of control devices in the same manner as all other use of force incidents.

(a) The Watch Commander may authorize the use of a control device by selected personnel or members of specialized units provided the person(s) authorized has/have the required training. The request for a control device should be made through the Watch Commander.

(b) The Watch Commander shall review each use of control devices by any personnel within his or her command.

(c) The Watch Commander shall ensure training on the use of control devices is provided as needed.

304.7.3 PEPPER PROJECTILE SYSTEMS
Pepper projectiles are plastic spheres that are filled with a derivative of OC powder. Because the compressed gas launcher delivers the projectiles with enough force to burst the projectiles on impact and release the OC powder, the potential exists for the projectiles to inflict injury if they strike the head, neck, spine or groin. Therefore, personnel using a pepper projectile system should not intentionally target those areas, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

Officers encountering a situation that warrants the use of a pepper projectile system shall notify a supervisor as soon as practicable. A supervisor shall respond to all pepper projectile system incidents where the suspect has been hit or exposed to the chemical agent. The supervisor shall ensure that all notifications and reports are completed as required by the Use of Force Policy.

Each deployment of a pepper projectile system shall be documented. This includes situations where the launcher was directed toward the suspect, whether or not the launcher was used. Unintentional discharges shall be promptly reported to a supervisor and documented on the appropriate report form. Only non-incident use of a pepper projectile system, such as training and product demonstrations, is exempt from the reporting requirement.

304.7.4 TREATMENT FOR OC SPRAY EXPOSURE
Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those persons who complain of further severe effects shall be examined by appropriate medical personnel.

304.7.5 MAINTENANCE RESPONSIBILITY
All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

304.8 POST-APPLICATION NOTICE
Whenever tear gas or OC has been introduced into a residence, building interior, vehicle or other enclosed area, officers should provide the owners or available occupants with notice of
Control Devices and Techniques

the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that clean up will be at the owner’s expense. Information regarding the method of notice and the individuals notified should be included in related reports.

304.9 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES
Any application of a control device and/or technique listed within this section shall be documented pursuant to Policy Manual § 300.4 and 300.5.

304.10 KINETIC ENERGY PROJECTILE GUIDELINES
This department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

304.10.1 DEPLOYMENT AND USE
Only department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.

Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers takes priority over the safety of subjects engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

(a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
(b) The suspect has made credible threats to harm him/herself or others.
(c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.
(d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

304.10.2 DEPLOYMENT CONSIDERATIONS
Before discharging projectiles, the officer should consider such factors as:

(a) Distance and angle to target.
(b) Type of munitions employed.
(c) Type and thickness of subject’s clothing.
(d) The subject’s proximity to others.
(e) The location of the subject.
(f) Whether the subject’s actions dictate the need for an immediate response and the use of control devices appears appropriate.

A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.

Officers should keep in mind the manufacturer’s recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head, neck, chest, spine, and groin should not be intentionally targeted, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

304.10.3 SAFETY PROCEDURES
Shotguns specifically designated for use with kinetic energy projectiles will be specially marked with gray colored butt stocks and forearms in a manner that makes them readily identifiable as such.

Officers will inspect the shotgun and projectiles at the beginning of each shift to ensure that the shotgun is in proper working order and the projectiles are of the approved type and appear to be free from defects. If the shotgun or ammunition appears to be unserviceable, the officer will turn the shotgun or ammunition in at the property counter and obtain a replacement.

When it is not deployed, the shotgun will be unloaded and properly secured in the vehicle. When deploying the kinetic energy projectile shotgun, the officer shall visually inspect the kinetic energy projectiles to ensure that conventional ammunition is not being loaded into the shotgun.

304.10.4 UNIT CARRY CONDITION
The unit carry condition of the kinetic energy projectile shotguns shall be a loaded magazine tube with an empty chamber. After inspecting the shotgun and projectiles at the beginning of each shift, officers will load the magazine tube with the ammunition from the shotgun’s side saddle ensuring there are no conventional rounds and leave the chamber empty. The shotgun will be secured in the rack in the unit trunk as normal.

Officers shall safely unload the shotgun at the end of the shift and place all ammunition on the side saddle. This will allow the next officer to visually inspect the shotgun and ammunition prior to loading it at the beginning of the officer’s shift.

No on-duty officer, regardless of assignment, shall possess on their person, or in their equipment, or in their vehicle any non-kinetic energy projectile shotgun ammunition.
304.11 TRAINING FOR CONTROL DEVICES
The Training Detail Sergeant shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

(a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.

(b) All training and proficiency for control devices will be documented in the officer’s training file.

(c) Officers who fail to demonstrate proficiency with the control device or knowledge of this agency’s Use of Force Policy will be provided remedial training. If an officer cannot demonstrate proficiency with a control device or knowledge of this agency’s Use of Force Policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline.

304.12 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES
Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported pursuant to the Use of Force Policy.
Conducted Electrical Weapon

305.1 PURPOSE AND SCOPE
This policy provides guidelines for the issuance and use of TASER devices.

305.2 POLICY
The TASER® device is intended to control a violent or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of such a device should result in fewer serious injuries to officers and suspects.

305.3 ISSUANCE AND CARRYING TASER DEVICES
Only members who have successfully completed department-approved training may be issued and carry the TASER device.

TASER devices are issued for use during a member's current assignment. Those leaving a particular assignment may be required to return the device to the department's inventory.

Officers shall only use the TASER device and cartridges that have been issued by the Department. Uniformed officers who have been issued the TASER device shall wear the device in an approved holster on their person. Non-uniformed officers may secure the TASER device in the driver's compartment of their vehicle.

Members carrying the TASER device should perform a spark test on the unit prior to every shift. When carried while in uniform officers shall carry the TASER device in a weak-side holster on the side opposite the duty weapon.

(a) Uniformed officers who have been issued the TASER device shall wear the device in an approved holster on their person. Non-uniformed officers may secure the TASER device in the driver's compartment of their vehicle. Members carrying the TASER device should perform a spark test on the unit prior to every shift. When carried while in uniform, officers shall carry the TASER device in a holster on the side opposite the duty weapon. The TASER device shall not be carried on the same side as the duty weapon UNLESS carried in a cross-draw holster intended to be drawn with the weak hand.

(b) All TASER devices shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.

(c) Whenever practicable, officers should carry two or more cartridges on their person when carrying the TASER device.

(d) Officers shall be responsible for ensuring that their issued TASER device is properly maintained and in good working order.

(e) Officers should not hold both a firearm and the TASER device at the same time.
305.4 VERBAL AND VISUAL WARNINGS
A verbal warning of the intended use of the TASER device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

(a) Provide the individual with a reasonable opportunity to voluntarily comply.

(b) Provide other officers and individuals with a warning that the TASER device may be deployed.

If, after a verbal warning, an individual is unwilling to voluntarily comply with an officer’s lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, display the electrical arc (provided that a cartridge has not been loaded into the device), or the laser in a further attempt to gain compliance prior to the application of the TASER device. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the TASER device in the related report.

305.5 USE OF THE TASER DEVICE
The TASER device has limitations and restrictions requiring consideration before its use. The TASER device should only be used when its operator can safely approach the subject within the operational range of the device. Although the TASER device is generally effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

305.5.1 APPLICATION OF THE TASER DEVICE
The TASER device may be used in any of the following circumstances, when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person:

(a) The subject is violent or is physically resisting.

(b) The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, him/herself or others.

Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of the TASER device to apprehend an individual.

305.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS
The use of the TASER device on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:
Conducted Electrical Weapon

(a) Individuals who are known to be pregnant.
(b) Elderly individuals or obvious juveniles.
(c) Individuals with obviously low body mass.
(d) Individuals who are handcuffed or otherwise restrained.
(e) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
(f) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

Because the application of the TASER device in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance, the use of the drive-stun mode generally should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions.

The TASER device shall not be used to psychologically torment, elicit statements or to punish any individual.

305.5.3 TARGETING CONSIDERATIONS
Reasonable efforts should be made to target lower center mass and avoid the head, neck, chest and groin. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the TASER device probes to a precise target area, officers should monitor the condition of the subject if one or more probes strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.

305.5.4 MULTIPLE APPLICATIONS OF THE TASER DEVICE
Officers should apply the TASER device for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the TASER device against a single individual are generally not recommended and should be avoided unless the officer reasonably believes that the need to control the individual outweighs the potentially increased risk posed by multiple applications.

If the first application of the TASER device appears to be ineffective in gaining control of an individual, the officer should consider certain factors before additional applications of the TASER device, including:

(a) Whether the probes are making proper contact.
(b) Whether the individual has the ability and has been given a reasonable opportunity to comply.
(c) Whether verbal commands, other options or tactics may be more effective.
Conducted Electrical Weapon

Officers should generally not intentionally apply more than one TASER device at a time against a single subject.

305.5.5 DANGEROUS ANIMALS
The TASER device may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

305.5.6 OFF-DUTY CONSIDERATIONS
Officers are not authorized to carry department TASER devices while off-duty.

Officers shall ensure that TASER devices are secured while in their homes, vehicles or any other area under their control, in a manner that will keep the device inaccessible to others.

305.6 DOCUMENTATION
All Taser discharges shall be documented in the related arrest/crime report. Accidental discharges of a Taser cartridge will also be documented. Any report documenting the discharge of a Taser will include the Taser serial number, the cartridge serial number (if used), and an explanation of the circumstances surrounding the discharge. The onboard Taser memory may be downloaded through the data port by trained personnel and provided to the officer for reference. As with any use of force, additional documentation methods should be considered if practicable, such as recorded statements and photographs of injuries (or lack thereof). Notification shall also be made to a supervisor in compliance with the Use of Force Policy.

305.6.1 REPORTS
The officer should include the following in the arrest/crime report:

(a) Identification of all personnel firing TASER devices
(b) Identification of all witnesses
(c) Medical care provided to the subject
(d) Observations of the subject’s physical and physiological actions
(e) Any known or suspected drug use, intoxication or other medical problems

305.7 MEDICAL TREATMENT
Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate personnel should remove TASER device probes from a person’s body. Used TASER device probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have been struck by TASER device probes or who have been subjected to the electric discharge of the device shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:
Conducted Electrical Weapon

(a) The person is suspected of being under the influence of controlled substances and/or alcohol.
(b) The person may be pregnant.
(c) The person reasonably appears to be in need of medical attention.
(d) The TASER device probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
(e) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the TASER device.

305.8 SUPERVISOR RESPONSIBILITIES
When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the TASER device may be used. A supervisor should respond to all incidents where the TASER device was activated.

A supervisor should review each incident where a person has been exposed to an activation of the TASER device. The device’s onboard memory should be downloaded through the data port by a supervisor or Rangemaster and saved with the related arrest/crime report. Photographs of probe sites should be taken and witnesses interviewed.

305.9 TRAINING
Personnel who are authorized to carry the TASER device shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the TASER device as a part of their assignment for a period of six months or more shall be recertified by a department-approved TASER device instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued TASER devices should occur every year. A reassessment of an officer’s knowledge and/or practical skill may be required at any time if deemed appropriate by the Training Sergeant. All training and proficiency for TASER devices will be documented in the officer’s training file.
**Conducted Electrical Weapon**

Command staff, supervisors and investigators should receive TASER device training as appropriate for the investigations they conduct and review.

Officers who do not carry TASER devices should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

The Training Sergeant is responsible for ensuring that all members who carry TASER devices have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of TASER devices during training could result in injury to personnel and should not be mandatory for certification.

The Training Sergeant should ensure that all training includes:

(a) A review of this policy.

(b) A review of the Use of Force Policy.

(c) Performing weak-hand draws or cross-draws to reduce the possibility of unintentionally drawing and firing a firearm.

(d) Target area considerations, to include techniques or options to reduce the unintentional application of probes near the head, neck, chest and groin.

(e) Handcuffing a subject during the application of the TASER device and transitioning to other force options.

(f) De-escalation techniques.

(g) Restraint techniques that do not impair respiration following the application of the TASER device.
Officer-Involved Shootings and Deaths

306.1 PURPOSE AND SCOPE
The intent of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured as the result of a police shooting and to ensure that such incidents be investigated in a fair and impartial manner.

306.2 INVESTIGATION RESPONSIBILITY
This Department conforms to the Orange County Chiefs of Police and Sheriff's Association protocol for investigating officer-involved shootings.

Nothing in this policy is intended to increase, modify, or in any way affect the current legal standards nor shall any deviation from these guidelines be considered a breach of any legal standard.

306.3 TYPES OF INVESTIGATIONS
Officer-involved shootings involve several separate investigations. The investigations may include:

(a) A criminal investigation of the incident by the agency having jurisdiction where the incident occurred. This department may relinquish its criminal investigation to an outside agency with the approval of the Chief of Police or a Division Commander

(b) A criminal investigation of the involved officer(s) conducted by an outside agency

(c) A civil investigation to determine potential liability conducted by the involved officer's agency

(d) An administrative investigation conducted by the involved officer's agency, to determine if there were any violations of department policy

306.4 JURISDICTION
Jurisdiction is determined by the location of the shooting and the agency employing the involved officer(s). The following scenarios outline the jurisdictional responsibilities for investigating officer-involved shootings:

306.4.1 ANAHEIM POLICE DEPARTMENT OFFICER WITHIN THIS JURISDICTION
The Anaheim Police Department is responsible for the criminal investigation of the suspect's actions, the civil investigation, and the administrative investigation. The criminal investigation of the officer-involved shooting will be conducted by the District Attorney's Office.

306.4.2 ALLIED AGENCY'S OFFICER WITHIN THIS JURISDICTION
The Anaheim Police Department is responsible for the criminal investigation of the suspect's actions. The criminal investigation of the officer-involved shooting will be conducted by the
District Attorney's Office. The officer's employing agency will be responsible for any civil and/or administrative investigation(s).

306.4.3 ANAHEIM POLICE DEPARTMENT OFFICER IN ANOTHER JURISDICTION
The agency where the incident occurred has criminal jurisdiction and is responsible for the criminal investigation of the incident. That agency may relinquish its criminal investigation of the suspect(s) to another agency. The Anaheim Police Department will conduct timely civil and/or administrative investigations.

306.4.4 INVESTIGATION RESPONSIBILITY MATRIX
The following table identifies the possible scenarios and responsibilities for the investigation of officer-involved shootings:

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Criminal Investigation of Suspect(s)</th>
<th>Criminal Investigation of Officer(s)</th>
<th>Civil Investigation of City of Anaheim Civil Liability Team</th>
<th>Administrative Investigation of Major Incident Review Team and/or Internal Affairs</th>
</tr>
</thead>
<tbody>
<tr>
<td>APD Officer in This Jurisdiction</td>
<td>APD Investigators</td>
<td>District Attorney's Office</td>
<td>Attorney's Review Team</td>
<td>Major Incident Review Team and/or Internal Affairs</td>
</tr>
<tr>
<td>Allied Agency's Officer in This Jurisdiction</td>
<td>APD Investigators</td>
<td>District Attorney's Involved Office</td>
<td>Officer's Department</td>
<td>Officer's Department</td>
</tr>
<tr>
<td>APD Officer in Another Jurisdiction</td>
<td>Decision made by agency where</td>
<td>Decision made by agency where</td>
<td>City of Anaheim Civil Liability Team</td>
<td>Major Incident Review Team and/or Internal Affairs</td>
</tr>
<tr>
<td></td>
<td>incident occurred</td>
<td>incident occurred</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

306.5 THE INVESTIGATION PROCESS
The following procedures are guidelines used in the investigation of an officer-involved shooting.

306.5.1 DUTIES OF INITIAL ON SCENE SUPERVISOR
Upon arrival at the scene of an officer-involved shooting, the first uninvolved supervisor should:

(a) Take all reasonable steps to obtain emergency medical attention for all apparently injured individuals.

(b) Attempt to obtain a brief overview of the situation from any non-shooter officer(s).
   1. In the event that there are no non-shooter officers, the supervisor should attempt to obtain a brief voluntary overview from one shooter officer.

(c) If necessary, the supervisor may administratively order any officer from this department to immediately provide public safety information necessary to secure the scene and pursue suspects.
Officer-Involved Shootings and Deaths

1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of shots fired, parameters of the incident scene, identity of known witnesses and similar information.

(d) Absent a voluntary statement from any officer(s), the initial on scene supervisor should not attempt to order any officer to provide other than public safety information.

(e) Provide all available information to the Watch Commander and the Communications Center. If feasible, sensitive information should be communicated over secure networks.

(f) Take command of and secure the incident scene with additional personnel until relieved by a detective supervisor or other assigned personnel.

(g) As soon as practical, shooter officers should respond or be transported (separately, if feasible) to the station for further direction.

1. Each involved officer should be given an administrative order not to discuss the incident with other involved officers pending further direction from a supervisor.

2. When an officer's weapon is taken or left at the scene (e.g., evidence), the officer will be provided with a comparable replacement weapon or transported to the station by other officers.

306.5.2 WATCH COMMANDER DUTIES
Upon learning of an officer-involved shooting, the Watch Commander shall be responsible for coordinating all aspects of the incident until relieved by the Chief of Police, the Deputy Chief, or a Division Commander.

306.5.3 NOTIFICATIONS
The following person(s) shall be notified as soon as practical:

- Chief of Police
- Deputy Chief of Police
- Investigation Division Commander
- Division Commander of the Involved Officer
- District Attorney OIS rollout team
- Major Incident Review Team
- Civil Liability Response Team
- Psychological/Peer support personnel
- Coroner (if necessary)
- Officer representative (if requested)

All outside inquiries about the incident shall be directed to the Watch Commander.
306.5.4 INVOLVED OFFICERS/EMPLOYEES
Once the involved officer(s) have arrived at the station, a supervisor should admonish each officer that the incident shall not be discussed except with authorized personnel or representatives. The following shall be considered for the involved officer:

(a) Any request for department or legal representation will be accommodated, however, no involved officer shall be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report (Government Code § 3303(i)).

(b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.

(c) Discussions with department representatives (e.g., employee association) will be privileged only as to the discussion of non-criminal information.

(d) A licensed psychotherapist shall be provided by the Department to each involved officer, or any other employee, upon request.

(e) Involved officers and employees who witnessed the incident will be required to meet with a department approved licensed psychotherapist before returning to duty.

   (a) Interviews with a licensed psychotherapist will be considered privileged and will not be disclosed except to the extent that the officer is or is not fit for return to duty.

   (b) An interview or session with a licensed psychotherapist may take place prior to the involved officer providing a formal interview or report, but the involved officer(s) shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.

306.5.5 STATEMENTS GIVEN BY INVOLVED OFFICERS
Subsequent to an officer being involved in a shooting, and not withstanding any extenuating circumstances, the officer is expected to provide a voluntary statement, subject to questioning by investigators, regarding his/her involvement in the shooting as soon as practicable.

If a voluntary statement, which is subject to questioning by investigators, has not been provided or at the very minimum scheduled within seven (7) calendar days, the Division Commander of the involved officer shall order the officer to give a statement to the Department's Major Incident Review Team. The result of the interview shall not be disclosed to any criminal investigative agency.

306.6 THE SHOOTING INCIDENT CRIMINAL INVESTIGATION

306.6.1 DETECTIVE PERSONNEL
Once notified of an officer-involved shooting, it shall be the responsibility of the Investigations Division supervisor to assign appropriate detective personnel to handle the investigation of related crimes. Detectives will be assigned to work with investigators from the District Attorney's Office and may be assigned to separately handle the investigation of any related crimes not being investigated by the District Attorney's Office.
All related departmental reports except administrative and/or privileged reports will be forwarded to the designated detective supervisor for approval. Privileged reports shall be maintained exclusively by those personnel authorized such access. Administrative reports will be forwarded to the appropriate Division Commander.

306.6.2 CRIMINAL INVESTIGATION

It shall be the policy of this department to utilize the District Attorney's Office to conduct an independent criminal investigation into the circumstances of any officer-involved shooting involving injury or death.

If available, detective personnel from this department may be assigned to partner with investigators from the District Attorney's Office so as to not duplicate efforts in related criminal investigations.

Once public safety issues have been addressed, criminal investigators will be given the next opportunity to interview involved officers in order to provide them with an opportunity to give a voluntary statement. The following shall be considered for the involved officer:

(a) Supervisors and Internal Affairs Detail personnel should not participate directly in any voluntary interview of officers. This will not prohibit such personnel from monitoring such interviews or indirectly providing areas for inquiry.

(b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of his/her choosing or an attorney, prior to speaking with criminal investigators (Government Code § 3303(i)). However, in order to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

(c) If any involved officer is physically, emotionally or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.

(d) Any voluntary statement provided by the officer(s) will be made available for inclusion in the administrative or other related investigations.

(e) Absent consent from the involved officer or as required by law, no administratively coerced statement(s) will be provided to any criminal investigators.

306.6.3 REPORTS BY INVOLVED OFFICERS

In the event that suspects remain outstanding or subject to prosecution for related offenses, this department shall retain the authority to require involved officers to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals (Government Code § 3304(a)).

While the involved officer may write the report, it is generally recommended that such reports be completed by assigned investigators who should interview involved officers as victims/witnesses. Since the purpose of these reports will be to facilitate criminal prosecution, statements of involved officers should focus on evidence to establish the elements of criminal activities by involved
suspects. Care should be taken not to duplicate information provided by involved officers in other reports.

Nothing in this section shall be construed to deprive an involved officer of the right to consult with legal counsel prior to completing any such criminal report.

Reports related to the prosecution of criminal suspects will be processed according to normal procedures, but should also be included for reference in the investigation of the officer-involved shooting.

306.6.4 WITNESS IDENTIFICATION AND INTERVIEWS
Because potential witnesses to an officer-involved shooting or other major incident may become unavailable or the integrity of their statements compromised with the passage of time, a Watch Commander should take reasonable steps to promptly coordinate with the investigating unit to utilize available personnel for the following:

(a) Identify all persons present at the scene and in the immediate area.
   1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
   2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.

(b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by department personnel.
   1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness in a department vehicle. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.

(c) Assign available personnel to promptly contact the suspect's known family and associates to obtain any available and untainted background information about the suspect's activities and state of mind prior to contact with officers.

306.7 ADMINISTRATIVE INVESTIGATION
In addition to all other investigations associated with an officer-involved shooting or death, this department will conduct an internal administrative investigation of APD officers to determine conformance with department policy. The investigation will be conducted under the supervision of the Internal Affairs Detail and will be considered a confidential officer personnel file.
Interviews of members shall be subject to department policies and applicable laws (see the Personnel Complaints Policy).

(a) Any officer involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening, when a supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing his/her ability to perform duties safely and efficiently. Absent consent from the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.

1. The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

(b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.

1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of his/her prior statement before proceeding with any subsequent interviews.

(c) In the event that an involved officer has elected to not provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.

1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer’s physical and psychological needs have been addressed before commencing the interview.

2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview. However, in order to maintain the integrity of each individual officer’s statement, involved officers shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed (Government Code § 3303(i)).

3. Administrative interviews should be recorded by the investigator. The officer may also record the interview (Government Code § 3303(g)).

4. The officer shall be informed of the nature of the investigation. If an officer refuses to answer questions, he/she should be given his/her Lybarger or Garrity rights and ordered to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.

5. The Internal Affairs Detail shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.

6. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the Use of Force Review Board, which will restrict its findings as to whether there was compliance with the Use of Force Policy.
7. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

306.8 MEDIA RELATIONS
Any media release shall be prepared with input and concurrence from the supervisor and department representative responsible for each phase of the investigation. Releases will be available to the Watch Commander, Investigations Division Commander and Public Information Officer in the event of inquiries from the media.

The Department shall not subject any involved APD officer to visits by the media (Government Code § 3303(e)). No involved APD officer shall make any comment to the media unless he/she is authorized by the Chief of Police or a Division Commander. Department members receiving inquiries regarding officer-involved shootings or deaths occurring in other jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

306.9 REPORTING
If the death of an individual occurs in the Anaheim Police Department jurisdiction and qualifies to be reported to the state as a justifiable homicide or an in-custody death, the Field Services Division Commander will ensure that the Records Manager is provided with enough information to meet the reporting requirements (Penal Code § 196; Penal Code § 13022; Government Code § 12525).
Firearms

307.1 PURPOSE AND SCOPE
This policy establishes procedures and expectations for the acquisition, use, documentation and tracking of the use of firearms. The Chief of Police or his designee shall approve all Department firearms before they are acquired and utilized by any member of this department.

307.2 POLICY
The Anaheim Police Department will equip its members with firearms to address the risks posed to the public and department members by violent and sometimes well-armed persons. The Department will ensure firearms are appropriate and in good working order and that relevant training is provided as resources allow.

307.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS
Only firearms authorized and properly inspected by the Department armory may be carried on or off duty. Only officers properly trained by this agency shall be authorized to use a given firearm on or off duty. Specialized weapon systems used by specialized Units within this department shall be used only by officers within those units who have been properly trained to use those firearms. Except in emergencies or as directed by a supervisor, no officer should use firearms they have not been properly certified by the department to use.

All other weapons not provided by the Department, including, but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by members in the performance of their official duties without the express written authorization of the member’s Division Commander. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

307.3.1 PRIMARY HANDGUNS FOR DUTY USE
The organizational goal is to have officers at the Anaheim Police Department carry department issued Glock pistols. This department will continue to provide Glock pistols to officers when they are hired and for those who wish to transition to a Glock pistol. The Weapons Training Unit staff will provide technical, logistical and training support to all officers regardless of which manufacturer they choose.

Officers who choose to carry a pistol other than a department issued Glock must purchase that pistol and all the support equipment at their own expense. This includes magazines, holsters and magazine pouches. Officers who carry a personally owned pistol must first receive Weapons Training Unit approval.

Primary handguns will be semiautomatic chambered in 9mm or .45 ACP caliber with barrel lengths between 3 and 6 inches. The weapon must be of good quality with replacement parts
and support equipment readily available. Officers in non-uniform assignments may carry smaller frame handguns.

307.3.2 PERSONALLY OWNED DUTY FIREARMS
Members desiring to carry an authorized but personally owned duty firearm must receive written approval from the Rangemaster. Personally owned duty firearms are subject to the following restrictions:

(a) The firearm must be a semi-automatic pistol having a barrel length between 3” and 6”.
(b) The firearm must be .45 ACP or 9mm caliber.
(c) Prior to carrying the firearm, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the firearm functions properly.
(d) Members are responsible for purchasing all of the firearm support equipment at their own expense. This includes magazines, holsters, and ammunition pouches.

307.3.3 SECONDARY HANDGUNS
Officers may carry a secondary handgun in conjunction with their primary handgun and are subject to the following restrictions:

(a) The handgun may be a semi-automatic handgun or revolver
(b) Approved calibers for a secondary handgun are .22 LR, .25 ACP, .32, .38 SPL, .38 SPL +P, .357, .380, 9mm, and .45 ACP.
(c) Officers carrying secondary handguns chambered in .38 SPL, .38 SPL + P and .357 will carry department issue .38 SPL ammunition regardless of chambering.
(d) The frame size of the handgun must allow it to be completely concealed by officers in uniform.
(e) The handgun must be completely concealed from view when carried.
(f) Officers may carry their secondary handgun in a pocket, lower leg, inside the belt, in the vest, or on the belt.
(g) Only one secondary handgun may be carried at a time.
(h) The purchase of the secondary weapons is the responsibility of the individual officer.
(i) The secondary handgun shall be approved and inspected by the Weapons Training Unit.
(j) Officers shall qualify with the secondary handgun annually and prior to use on or off-duty.
(k) Personal weapons must be registered to the carrying officer with the State of California.
307.3.4 AUTHORIZED OFF-DUTY HANDGUN CARRY
The carrying of handguns by sworn officers while off-duty is permitted by the Chief of Police but may be rescinded should circumstances dictate (e.g., administrative leave). Sworn officers who choose to carry a firearm while off-duty, based on their authority as peace officers, will be required to meet the following guidelines:

(a) Officers may carry their department issued handguns in an off-duty capacity. Personally owned handguns as defined in the primary and secondary handgun sections may be carried in an off-duty capacity.

(b) Off-duty carry shall be concealed carry at all times. Weapons shall be carried in a secure holster to prevent loss of physical control.

(c) Officers may carry more than one handgun while off-duty as long as the officer meets all requirements set forth in this policy for each firearm used.

(d) Officers may only carry department issued ammunition in handguns carried off-duty.

(e) When armed, whether on or off-duty, officers shall carry their badge and department identification.

(f) This section is not intended to encompass any personally owned firearms intended for sporting, recreational, hunting or gun collection.

307.3.5 DEPARTMENT ISSUED AMMUNITION
Officers shall only use department authorized ammunition in department issued weapons and any weapons carried on or off duty when used for law enforcement purposes.

Department issued ammunition shall be selected by the Weapons Training Unit. Department issued ammunition will be fired through department issue and personally owned weapons once a year during mandatory qualification courses to ensure that the weapons operate properly with it. New duty ammunition will then be issued once a year during that qualification course.

Any new weapon intended for on or off-duty use shall use duty ammunition for the initial qualification to ensure proper function of the gun and magazines with issued ammunition.

307.4 DEPARTMENT ISSUED WEAPONS
Anyone issued a department owned firearm is responsible for the security of that weapon and all equipment issued with it. Department firearms may not be transferred to other officers or details, except for an emergency or by the order of a supervisor. In these cases, the firearm shall be returned to the original officer or Weapons Training Unit as soon as possible.

307.4.1 ISSUE OF FIREARMS TO INDIVIDUAL OFFICERS
Officers who are issued department firearms are issued those weapons for on-duty use. Officers no longer carrying those weapons on-duty shall return them to the Weapons Training Unit. Issued weapons shall not be transferred to any other Officer or Detail unless for emergency use or ordered to do so by a supervisor. Weapons will be returned to the Weapons Training Unit with the magazines and issued equipment. Any defects in the firearms or related equipment shall be reported to the Weapons Training Unit for repair or replacement.
Firearms

307.4.2 FIREARMS ISSUED TO DEPARTMENT DETAILS
Anyone using a department firearm issued to them by a detail is responsible for the security of that weapon for the duration of its use. At the end of that use, the weapon must be returned to the issuing detail. Those firearms may not be transferred to other officers or details.

307.4.3 PURCHASE OF DEPARTMENT FIREARMS
The Department armorer is the only person authorized to order new department weapons. Individual details may order new weapons if authorized by their chains of command. All orders will be done through the armorer.

307.4.4 DESTRUCTION OR SALE OF DEPARTMENT OWNED WEAPONS
Any department owned firearms that are worn or broken to the point that they can no longer be used may be turned in to the Weapons Training Unit for destruction. The destruction, sale or trade of any department owned weapons will be done only by the Weapons Training Unit armorer.

In the case of destruction, the Weapons Training Unit will check the firearm back into the armory, receive approval for destruction through the chain of command and book the firearm for destruction. The California Department of Justice and/or Bureau of Alcohol, Tobacco and Firearms may need to be consulted to ensure state and federal rules governing destruction of firearms are being followed.

In the case of sales or trades, the Weapons Training Unit will check the firearm back into the armory and obtain approval through chain of command. The Weapons Training Unit will contact City of Anaheim Purchasing to facilitate any sales and will ensure that state and federal laws are followed.

307.5 PATROL RIFLES
Department rifles are intended to give officers access to firearms with more powerful cartridges, increased accuracy at longer ranges and increased capacity. All properly trained officers may use department approved rifles as needed.

307.5.1 AUTHORIZED POLICE RIFLE
A police rifle will be an AR 15 type rifle chambered in.223/5.56 mm. It may be a direct gas or piston driven operation. Officers may use a department rifle or they may purchase their own rifles for duty use. Department rifles may not be altered by officers. Only department armorers may alter department firearms. Personal rifles may be altered by the owner officer with the approval of the department armorer.

307.5.2 PERSONALLY OWNED POLICE RIFLES
Members desiring to carry a personally owned patrol rifle must receive approval in writing from the Firearms Training Unit and the Chief of Police or authorized designee. Personally owned patrol rifles are subject to the following restrictions:

(a) The rifle barrel length will be no less than 14.5 inches and no longer than 20 inches.
(b) The rifle may have a full size or collapsible type butt stock.


Firearms

(c) The rifle must be chambered in .233 Remington of 5.56 millimeter.
(d) The rifle may have electronic optical sights in conjunction with the iron sights.
(e) Sights other than iron sights must be approved by the Firearms Training Unit.

Officers wishing to use a personally owned rifle should use the Personal Firearms Use form (APD-132) to request approval.

307.5.3 PATROL READY CONDITION
Police rifles carried on-duty will be carried in a universal configuration referred to as Patrol Ready. A rifle is considered Patrol Ready when it has been inspected by the assigned officer and meets the following conditions:

(a) The chamber is empty.
(b) The bolt forward on an empty chamber.
(c) The safety is on.
(d) The dust cover is closed.
(e) A loaded magazine is in the magazine well.

The following support equipment should be inspected prior to duty use as follows:

(a) Weapon mounted light should be in place and functional.
(b) Redi Mag extra magazine carrier, if equipped, should be operational and loaded with an extra magazine.
(c) Iron sights should be checked for sight-in marks.
(d) Dot scopes should be checked for functionality.

307.5.4 POLICE RIFLE SIGHTING SYSTEMS
Department owned rifles will be issued with traditional iron sights sighted for a 50 yard zero and marked by the Weapons Training Unit. Officers individually owned department rifles may sight their rifle for a 50 yard zero or may have a department issued sighting system installed by the Weapons Training Unit. Personal optics may be used on officer owned rifles if approved by the Weapons Training Unit.

Red Dot sights are authorized for use on duty rifles. Officers using personally owned rifles may purchase any number of manufactures sights available on the market. Scopes intended for duty use must first be approved by the Weapons Training Unit and properly sighted in. Any rifles using a Red Dot sight must also be equipped with a back-up iron sight system.

307.5.5 POLICE RIFLE WEAPONS MOUNTED LIGHT SYSTEM
All department issued police rifles will be equipped with a weapons mounted light system. Officers carrying personal rifles on-duty will also be required to have a weapons mounted light. This system must be approved by the Weapons Training Unit prior to duty use.

307.6 EQUIPMENT
307.6.1 MAINTENANCE AND REPAIR
It will be the responsibility of each individual officer to keep any personal weapons or weapons assigned to them clean and operational. The department armorer will inspect all weapons for functionality on a regular basis. If an officer finds any defect with their personal duty weapons or department issued weapons, they should immediately notify the Weapons Training Unit for repair. Repair of personal weapons is the responsibility of the owner and may need to be taken to an outside gunsmith.

307.6.2 REPAIRS OR MODIFICATIONS OF DUTY WEAPONS
The Weapons Training Unit armorer shall be the only persons authorized to repair or modify any department owned weapon. All repairs and/or modifications of department issued weapons not performed by department armorer must be approved in advance and accomplished by a department approved gunsmith.

Any repairs or modifications to the officer’s personally owned weapon shall be done at his/her expense and must be approved and inspected by the Weapons Training Unit prior to return to service.

307.6.3 ALTERATION TO PRIMARY HANDGUNS
Alterations to department issued handguns are prohibited. Only department armorer are permitted to alter any department weapons. Officers may outfit their personal handguns with aftermarket parts to fit their needs. Any aftermarket parts to be used on a primary handgun must be authorized by the Weapons Training Unit prior to installation. Those parts must also be inspected by a department armorer prior to use on duty. Any aftermarket parts must be kept within the tolerance held by the manufacturers of those parts.

307.6.4 PRIMARY HANDGUN HOLSTERS
The department will issue duty holsters to all officers as needed for department issued weapons. Officers wishing to carry other personal handguns or specialized equipment may be asked to purchase their own holster to obtain approval to carry the optional weapon.

Any holster purchased for duty use must be approved by the Weapons Training Unit prior to use on duty.

307.6.5 WEAPON MOUNTED LIGHTS
A weapon mounted light is a lighting device specifically designed to be affixed to a weapon and illuminate areas or subjects. Weapon mounted lights are subject to the following requirements:

(a) Weapon mounted lights attached to duty handguns or rifles must be approved by the Weapons Training Unit.

(b) Officers must attend the Department’s weapon mounted light training course before they will be authorized to carry a weapon mounted light on a duty handgun. The training course will include a review of policy, proper light use guidelines and a qualification course.
Firearms

(c) Handgun weapon mounted lights must be affixed to the weapon and remain in place for the duration of the officer’s shift. A holster that is designed for the weapon in conjunction with the light must be worn by the officer while carrying the weapon mounted light.

(d) Weapon mounted lights are not a substitute for the Officer’s hand-held light. Searches of persons, vehicles or property, when no threat can be articulated, must be conducted with a separate hand-held light.

(e) The use of a weapon mounted light is restricted to those situations where an officer would be authorized to have his/her weapon drawn.

(f) Handgun weapon mounted lights and holsters are optional equipment, purchased at the officer’s expense. All equipment must be purchased prior to training.

Any violation of this policy or the weapon mounted light outside of the training guidelines will result in discipline and/or the removal of the weapon mounted light.

307.6.6 HANDGUN SIGHTING SYSTEMS

Department owned pistols have traditional fixed sights with a three dot night sight and may not be altered by anyone outside the Weapons Training Unit. Officers may use aftermarket sighting systems but must receive approval from the Weapons Training Unit prior to installation. Any change in sighting system must be properly sighted after installation prior to carry.

Red dot sights (RDS) are authorized for use on primary and secondary handguns. Any weapon equipped with a RDS must also be equipped with a secondary traditional iron sight system.

The iron sights must be of a sufficient height to see through the dot sight system.

Any officer using a red dot sight must also purchase an appropriate holster designed to accommodate a red dot sighting system with their make and model of handgun.

Prior to use on- or off-duty, any change in sighting system, to include adding a red dot sight, must be inspected and approved by a department armorer. Red dot sight systems must be sighted in with duty ammunition, and the officer must pass a Red Dot Certification course with a Department Weapons Instructor.

Laser sighting systems are not authorized for duty or off-duty handguns.

307.7 SAFE HANDLING, INSPECTION AND STORAGE

The intent of this policy is to promote proper and safe firearm handling on- and off-duty. All department employees shall maintain the highest level of safety when handling firearms.

307.7.1 BASIC FIREARM SAFETY

- All guns are always loaded unless properly made safe.
- Keep the firearm pointed in the safest direction possible.
- Keep your finger off the trigger until you intend to fire.
- Be sure of your target and what is beyond it.
307.7.2 PROPER PROCEDURE FOR MAKING A FIREARM SAFE

- Point the weapon in the safest direction possible.
- Keep the trigger finger off the trigger and outside the trigger guard.
- Engage the safety device, if applicable.
- Remove the magazine or source of ammunition.
- Open the action and clear the chamber.
- Visually and physically inspect the chamber and magazine well or ammunition holding area of the firearm to ensure there is no ammunition.

307.7.3 OTHER FIREARMS SAFETY CONSIDERATIONS

- Members shall not unnecessarily display or handle any firearm.
- While shooting at the range, members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the lead weapons instructor.
- Members shall not clean, repair, load or unload a firearm anywhere in the Department, except within designated areas of the range or authorized weapon clearing area.
- Shotguns or rifles removed from vehicles shall be loaded and unloaded in the parking lot and outside of the vehicle with all safe handling guidelines adhered to.
- Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked. No one shall carry firearms into the Temporary Detention Facility. It shall be the responsibility of the releasing officer to ensure that persons from outside agencies do not enter the Temporary Detention Facility with a firearm.
- Members shall not use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon or firearm from the armory, except with approval of a supervisor.
- Any weapon authorized by the Department to be carried on- or off-duty that is malfunctioning needing service shall not be carried. It shall be promptly presented to the Weapons Training Unit for inspection. Any weapon determined to be in need of repair or service during an inspection by the Weapons Training Unit will be immediately removed from service. If the weapon is the officer’s primary duty firearm, a replacement weapon will be issued to the officer until the duty firearm is serviceable.

307.7.4 INSPECTION AND STORAGE

Handguns shall be inspected regularly and upon access or possession by another person. Shotguns and rifles shall be inspected at the beginning of the shift by the member to whom the weapon is issued. The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. Inspection of the shotgun and rifle shall be done while standing outside of the patrol vehicle. All firearms shall be pointed in a safe direction or into clearing barrels.

All firearms shall be safely stored and secured at the end of the shift. Handguns may remain loaded if they are secured in an appropriate holster. Shotguns and rifles to be returned to Property shall
Firearms

be unloaded in a safe manner outside the building and then stored in the appropriate equipment storage room.

307.7.5 STORAGE AT HOME
Members shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit department-issued firearms to be handled by anyone not authorized by the Department to do so. Members should be aware that negligent storage of a firearm could result in civil and criminal liability (Penal Code § 25100).

307.7.6 STORAGE IN VEHICLES
When leaving a handgun in an unattended vehicle, members shall ensure that it is locked in the trunk, or in a locked container that is placed out of view, or in a locked container that is permanently affixed to the vehicle’s interior and not in plain view, or in a locked toolbox or utility box permanently affixed to the vehicle (Penal Code § 16850; Penal Code § 25140; Penal Code § 25452).

If the vehicle does not have a trunk or a locked container, then the firearm should be locked within the center utility console that can be locked with a padlock, keylock, combination lock, or other similar locking device (Penal Code § 25140).

Officers are exempt from these requirements during circumstances requiring immediate aid or action in the course of official duties (Penal Code § 25140).

307.7.7 ALCOHOL AND DRUGS
Weapons shall not be carried by any officer who has consumed any amount of an alcoholic beverage or has taken any drug that would tend to adversely affect the officer’s senses or judgment.

307.8 FIREARMS TRAINING AND QUALIFICATIONS
All sworn personnel are required to qualify annually with their duty weapon, scoring at least 80 percent on the approved range qualification course. The Weapons Training Unit shall keep accurate records of qualifications, repairs, maintenance and other range training. In addition to regular qualification schedules, the Weapons Training Unit shall be responsible for providing all sworn personnel with regular practical training designed to simulate field situations.

307.8.1 WEAPONS TRAINING AND QUALIFICATION STANDARDS
Each course will be taught from an approved lesson plan, which will outline training and qualification goals as well as a description of the drills and support items used for the training and or qualification.

Each officer must perform each task to a level that demonstrates their understanding and ability to perform the assigned task. The course instructor will determine when the officer has met the standard to receive a passing score on a particular task. When an officer has met all of the
standards for a course, the officer will be given an overall score of “pass.” The passing score for marksmanship will be set at 80 percent.

The results of the training or qualification will be recorded on a score sheet, which will be filed with the Weapons Training Unit. The score sheet will document the training content, officer scores, and weapon and support equipment information.

307.8.2 REMEDIATION AND RETRAINING
Officers will be personally tutored by a Weapons Training Unit instructor on any deficient areas until they can demonstrate a clear understanding and ability to perform the specific task or skill. In the event that an officer cannot master that task or skill through remediation during the course of fire, the Weapons Training Unit will mutually determine the level of importance of the task or skill and determine whether further retraining is required.

Any corrective action will be carried out in a timely manner, documented, and coordinated with the training supervisor and the officer’s supervisor.

307.8.3 NON-QUALIFICATION
If any officer is unable to qualify for any reason, including injury, illness, duty status or scheduling conflict, that officer shall submit a memorandum to his/her immediate supervisor and the Weapons Training Unit prior to the end of the required shooting period.

Sworn members who fail to qualify on their first shooting attempt shall be provided remedial training and will be subject to the following requirements:

(a) Additional range assignments may be required until consistent firearm proficiency is demonstrated.

(b) Members shall be given credit for a range qualification after a qualifying score is obtained.

(c) No range credit will be given for the following:
   
   (a) Unauthorized range make-up
   
   (b) Failure to qualify after remedial training

Members who repeatedly fail to qualify will be removed from field assignment and appropriate disciplinary action may follow.

307.8.4 PATROL RIFLE TRAINING
Officers shall not carry or utilize the police rifle unless they have successfully completed Department approved training. Officers wanting to carry a tactical rifle must have completed an approved tactical rifle user's and qualification course, with a passing score, conducted by a certified tactical rifle instructor no more than two years prior to being authorized to carry the police rifle. Officers shall thereafter be required to successfully complete department approved bi-annual training and qualification.
Firearms

Any officer who fails to successfully complete bi-annual training and qualifications within a calendar year will no longer be authorized to carry the tactical rifle. Successful completion of the deficient sessions and re-qualification will be required before authorization to carry the tactical rifle is re-instated.

307.9 REPORT OF FIREARM DISCHARGE
Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Shootings and Deaths Policy. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

In all other cases, written reports shall be made as follows:

(a) If on-duty at the time of the incident, the member shall file a written report with his/her Division Commander or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed by a supervisor.

(b) If off-duty at the time of the incident, a written report shall be submitted or recorded statement provided no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

307.9.1 DESTRUCTION OF ANIMALS
Officers are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective. A licensed psychotherapist shall be provided by the Department to each involved officer, or any other employee involved in the destruction of an animal, upon request.

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, officers should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, TASER® device, oleoresin capsicum (OC) spray, animal control officer). Nothing in this policy shall prohibit any officer from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

307.9.2 INJURED ANIMALS
With the approval of a supervisor, an officer may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical.

Stray or abandoned injured animals that may be moved or taken to an available veterinarian should not be euthanized. With supervisor approval, abandoned injured animals (with the exception of dogs and cats) may only be euthanized after a reasonable search to locate the owner has been made. Injured dogs and cats found without their owners shall be taken to an appropriate
veterinarian for determination of whether they should be treated or humanely destroyed (Penal Code § 597.1).

307.9.3 WARNING AND OTHER SHOTS
Generally, warning shots or shots fired for the purpose of summoning aid are discouraged and may not be discharged unless the officer reasonably believes that they appear necessary, effective and reasonably safe.

307.10 RANGE OPERATIONS
The range will be under the exclusive control of the Weapons Training Unit instructor. The Weapons Training Unit instructor will maintain a roster of all members attending the range and will maintain that roster along with the score sheets to document who completed training.

Failure of any officer to sign in and out may result in non-qualification. The range shall remain operational and accessible to Department members during hours established by the Department.

The range will be open for officers to do additional training outside of department mandatory training. If the range is not being used for department training, officers may shoot as long as a Weapons Training Unit instructor or other officer is present.

307.11 FLYING WHILE ARMED
The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to officers who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.219):

(a) Officers wishing to fly while armed must be flying in an official capacity.

(b) Officers must carry their department identification card which must contain a full-face photograph, the officer’s signature and the signature of the Chief of Police or the official seal of the Department. Officers must present this identification to airline officials when requested. The officer should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver license, passport).

(c) The Anaheim Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer’s travel. If approved, TSA will send the Anaheim Police Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message on the day of travel to airport personnel as authorization to travel while armed.

(d) An official letter signed by the Chief of Police or his/her designee authorizing armed travel may also accompany the officer. The letter must outline the officer’s need to fly armed, detail his/her itinerary, and should include that the officer has completed the mandatory TSA training for a law enforcement officer flying while armed.

(e) Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the department-appointed instructor.
Firearms

(f) It is the officer’s responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier’s check-in counter.

(g) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. Officers must keep the firearm concealed on their persons at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.

(h) Officers should not surrender their firearms but should try to resolve any problems through the flight captain, ground security manager, or other management representative of the air carrier.

(i) Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

307.12 CARRYING FIREARMS OUT OF STATE
Qualified, active, full-time officers and qualified retired officers (see Policy Manual § 220) of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B and C):

(a) The officer shall carry his/her Anaheim Police Department identification card.

(b) Qualified retired officers shall also carry certification of having met firearms qualification within the past 12 months.

(c) The officer is not the subject of any current disciplinary action.

(d) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.

(e) The officer will remain subject to this and all other department policies (including qualifying and training).

Officers are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park. Federal authority may not shield an officer from arrest and prosecution in such locally restricted areas.

Visiting active and retired law enforcement officers from other states are subject to all requirements set forth in 18 USC § 926B and C.
Vehicle Pursuits

308.1 PURPOSE AND SCOPE
Vehicle pursuits expose innocent citizens, law enforcement officers and fleeing violators to the risk of serious injury or death. The primary purpose of this policy is to provide officers with guidance in balancing the safety of the public and themselves against law enforcement’s duty to apprehend violators of the law. Another purpose of this policy is to reduce the potential for pursuit-related collisions. Vehicular pursuits require officers to exhibit a high degree of common sense and sound judgment. Officers must not forget that the immediate apprehension of a suspect is generally not more important than the safety of the public and pursuing officers.

Deciding whether to pursue a motor vehicle is a critical decision that must be made quickly and under difficult and unpredictable circumstances. In recognizing the potential risk to public safety created by vehicular pursuits, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a vehicular pursuit because of the risk involved. This includes circumstances where department policy would permit the initiation or continuation of the pursuit. It is recognized that vehicular pursuits are not always predictable and decisions made pursuant to this policy will be evaluated according to the totality of the circumstances reasonably available at the time of the pursuit.

Officers must remember that the most important factors to the successful conclusion of a pursuit are proper self-discipline and sound professional judgment. Officer’s conduct during the course of a pursuit must be objectively reasonable; that is, what a reasonable officer would do under the circumstances. An unreasonable individual’s desire to apprehend a fleeing suspect at all costs has no place in professional law enforcement.

308.1.1 VEHICLE PURSUIT DEFINED
A vehicle pursuit is an event involving one or more law enforcement officers attempting to apprehend a suspect, who is attempting to avoid arrest while operating a motor vehicle by using high-speed driving or other evasive tactics, such as driving off a highway, turning suddenly, or driving in a legal manner but willfully failing to yield to an officer’s signal to stop.

308.2 OFFICER RESPONSIBILITIES
It shall be the policy of this department that a vehicle pursuit shall be conducted only with red light and siren as required by Vehicle Code § 21055 for exemption from compliance with the rules of the road. The following policy is established to provide officers with guidelines for driving with due regard and caution for the safety of all persons using the highway as required by Vehicle Code § 21056.

308.2.1 WHEN TO INITIATE A PURSUIT
Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect is attempting to evade arrest or detention by fleeing in a vehicle.
The following factors individually and collectively shall be considered in deciding whether to initiate a pursuit:

(a) Seriousness of the known or reasonably suspected crime and its relationship to community safety.

(b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists and others.

(c) Apparent nature of the fleeing suspects (e.g., whether the suspects represent a serious threat to public safety).

(d) The identity of the suspects has been verified and there is comparatively minimal risk in allowing the suspects to be apprehended at a later time.

(e) Safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic and the speed of the pursuit relative to these factors.

(f) Pursuing officers familiarity with the area of the pursuit, the quality of radio communications between the pursuing units and the dispatcher/supervisor and the driving capabilities of the pursuing officers under the conditions of the pursuit.

(g) Weather, traffic and road conditions that substantially increase the danger of the pursuit beyond the worth of apprehending the suspect.

(h) Performance capabilities of the vehicles used in the pursuit in relation to the speeds and other conditions of the pursuit.

(i) Vehicle speeds.

(j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).

(k) Availability of other resources such as helicopter assistance.

(l) The police unit is carrying passengers other than police officers. Pursuits should not be undertaken with a prisoner in the police vehicle.

308.2.2 WHEN TO TERMINATE A PURSUIT
Pursuits should be discontinued whenever the totality of objective circumstances known or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect’s escape.

The factors listed in When to Initiate a Pursuit of this policy are expressly included herein and will apply equally to the decision to discontinue as well as the decision to initiate a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists and themselves when electing to continue a pursuit.
Vehicle Pursuits

In the context of this policy, the term “terminate” shall be construed to mean discontinue or to stop chasing the fleeing vehicle.

In addition to the factors listed in When to Initiate a Pursuit of this policy, the following factors should also be considered in deciding whether to terminate a pursuit:

(a) Distance between the pursuing officers and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time and/or distance.

(b) Pursued vehicle’s location is no longer definitely known.

(c) Officer’s pursuit vehicle sustains any type of damage that renders it unsafe to drive.

(d) Extended pursuits of violators for misdemeanors not involving violence or risk of serious harm (independent of the pursuit) are discouraged.

(e) There are hazards to uninvolved bystanders or motorists.

(f) If the identity of the offender is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit, officers should strongly consider discontinuing the pursuit and apprehending the offender at a later time.

(g) Pursuit is terminated by a supervisor.

308.2.3 SPEED LIMITS

The speed of a pursuit is a factor that should be evaluated on a continuing basis by the officer and supervisor. Evaluation of vehicle speeds shall take into consideration public safety, officer safety and the safety of the occupants of the fleeing vehicle.

Should high vehicle speeds be reached during a pursuit, officers and supervisors shall also consider these factors when determining the reasonableness of the speed of the pursuit:

(a) Pursuit speeds have become unreasonably unsafe for the surrounding conditions.

(b) Pursuit speeds have exceeded the driving ability of the officer.

(c) Pursuit speeds are beyond the capabilities of the pursuit vehicle thus making its operation unsafe.

308.3 PURSUIT UNITS

Pursuit units should be limited to three vehicles (two units and a supervisor); however, the number of units involved will vary with the circumstances. An officer or supervisor may request additional units to join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the suspects. All other officers should stay out of the pursuit, but should remain alert to its progress and location. Any officer who drops out of a pursuit may then, if necessary, proceed to the termination point at legal speeds, following the appropriate rules of the road.
Vehicle Pursuits

308.3.1 MOTORCYCLE OFFICERS AND DUAL PURPOSE POLICE VEHICLES
In the event a police motorcycle or a dual-purpose unmarked police vehicle* becomes engaged in a vehicle pursuit, the involved officer(s) shall terminate their involvement in the pursuit immediately upon arrival of a sufficient number of distinctively marked police vehicles or any police helicopter.

*A dual-purpose vehicle is an unmarked vehicle equipped with emergency lighting equipment clearly visible to the front and rear, and a siren.

308.3.2 VEHICLES WITHOUT EMERGENCY EQUIPMENT
Vehicles not equipped with red light and siren are generally prohibited from initiating or joining in any pursuit. Officers in such vehicles, however, may become involved in emergency activities involving serious crimes or life threatening situations. Those officers should terminate their involvement in any pursuit immediately upon arrival of a sufficient number of emergency police vehicles or any police helicopter. The exemptions provided by Vehicle Code § 21055 do not apply to officers using vehicles without emergency equipment.

308.3.3 PRIMARY UNIT RESPONSIBILITIES
The initial pursuing unit will be designated as the primary pursuit unit and will be responsible for the conduct of the pursuit unless it is unable to remain reasonably close enough to the violator’s vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspects without unreasonable danger to him/herself or other persons.

Notify the Communications Center that a vehicle pursuit has been initiated and as soon as practicable provide information including, but not limited to:

(a) Reason for the pursuit.
(b) Location and direction of travel.
(c) Speed of the fleeing vehicle.
(d) Description of the fleeing vehicle and license number, if known.
(e) Number of known occupants.
(f) The identity or description of the known occupants.
(g) Information concerning the use of firearms, threat of force, injuries, hostages or other unusual hazards.

Unless relieved by a supervisor or secondary unit, the officer in the primary unit shall be responsible for the broadcasting of the progress of the pursuit. Unless practical circumstances indicate otherwise, and in order to concentrate on pursuit driving, the primary officer should relinquish the responsibility of broadcasting the progress of the pursuit to a secondary unit or aircraft joining the pursuit.

308.3.4 SECONDARY UNITS RESPONSIBILITIES
The second officer in the pursuit is responsible for the following:
Vehicle Pursuits

(a) The officer in the secondary unit should immediately notify the dispatcher of entry into the pursuit.

(b) Remain a safe distance behind the primary unit unless directed to assume the role of primary officer, or if the primary unit is unable to continue the pursuit.

(c) The secondary officer should be responsible for broadcasting the progress of the pursuit unless the situation indicates otherwise.

308.3.5 PURSUIT DRIVING TACTICS
The decision to use specific driving tactics requires the same assessment of considerations outlined in the factors to be considered concerning pursuit initiation and termination. The following are tactics for units involved in the pursuit:

(a) Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to maneuvers by the fleeing vehicle.

(b) Because intersections can present increased risks, the following tactics should be considered:
   1. Available units not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.
   2. Pursuing units should exercise due caution when proceeding through controlled intersections.

(c) As a general rule, officers should not pursue a vehicle driving left of center (wrong way) on a freeway. In the event that the pursued vehicle does so, the following tactics should be considered:
   1. Requesting assistance from an air unit.
   2. Maintaining visual contact with the pursued vehicle by paralleling it on the correct side of the roadway.
   3. Requesting other units to observe exits available to the suspects.

(d) Notifying the California Highway Patrol (CHP) and/or other jurisdictional agency if it appears that the pursuit may enter their jurisdiction.

(e) Officers involved in a pursuit should not attempt to pass other units unless the situation indicates otherwise or they are requested to do so by the primary unit.

308.3.6 TACTICS/PROCEDURES FOR UNITS NOT INVOLVED IN THE PURSUIT
There should be no paralleling of the pursuit route. Officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Officers should remain in their assigned area and should not become involved with the pursuit unless directed otherwise by a supervisor.
**Vehicle Pursuits**

Non-pursuing personnel needed at the termination of the pursuit should respond in a non-emergency manner, observing the rules of the road.

All authorized units in the pursuit shall operate under emergency conditions with red lights and sirens.

308.3.7 PURSUIT TRAILING

In the event the initiating unit from this agency either relinquishes control of the pursuit to another unit or jurisdiction, that initiating unit may, with permission of a supervisor, trail the pursuit to the termination point in order to provide necessary information and assistance for the arrest of the suspects.

The term trail means to follow the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing unit will maintain sufficient distance from the pursuit units so as to clearly indicate an absence of participation in the pursuit.

308.3.8 AIRCRAFT ASSISTANCE

When available, aircraft assistance should be requested. Once the air unit has established visual contact with the pursued vehicle, it should assume control over the pursuit. The primary and secondary ground units should consider the participation of aircraft assistance when determining whether to continue the pursuit.

The air unit should coordinate the activities of resources on the ground, report progress of the pursuit and provide officers and supervisors with details of upcoming traffic congestion, road hazards, or other pertinent information to evaluate whether or not to continue the pursuit. If ground units are not within visual contact and the air unit determines that it is unsafe to continue the pursuit, the air unit has the authority to terminate the pursuit.

308.4 SUPERVISORY CONTROL AND RESPONSIBILITY

It is the policy of this department that available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department.

The field supervisor of the officer initiating the pursuit, or if unavailable, the nearest field supervisor will be responsible for the following:

(a) Upon becoming aware of a pursuit, immediately ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit in order to ensure that the pursuit is conducted within established department guidelines.

(b) Engaging in the pursuit, when appropriate, to provide on-scene supervision.

(c) Exercising management and control of the pursuit even if not engaged in it.

(d) Ensuring that no more than the number of required police units needed are involved in the pursuit under the guidelines set forth in this policy.
Vehicle Pursuits

(e) Directing that the pursuit be terminated if, in his/her judgment, it is unjustified to continue the pursuit under the guidelines of this policy.

(f) Ensuring that aircraft are requested if available.

(g) Ensuring that the proper radio channel is being used.

(h) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this agency.

(i) Controlling and managing APD units when a pursuit enters another jurisdiction.

(j) Preparing post-pursuit critique and analysis of the pursuit for training purposes.

308.4.1 WATCH COMMANDER RESPONSIBILITY
Upon becoming aware that a pursuit has been initiated, the Watch Commander should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The Watch Commander has the final responsibility for the coordination, control and termination of a vehicle pursuit and shall be in overall command.

The Watch Commander shall review all pertinent reports for content and forward to the Division Commander.

308.5 COMMUNICATIONS
If the pursuit is confined within the City limits, radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or communications dispatcher. If the pursuit leaves the jurisdiction of this department or such is imminent, involved units should, whenever available, switch radio communications to an emergency channel most accessible by participating agencies and units.

308.5.1 COMMUNICATION CENTER RESPONSIBILITIES
Upon notification that a pursuit has been initiated, the Communications Center will:

(a) Coordinate pursuit communications of the involved units and personnel.

(b) Notify and coordinate with other involved or affected agencies as practicable.

(c) Ensure that a field supervisor is notified of the pursuit.

(d) Assign an incident number and log all pursuit activities.

(e) Broadcast pursuit updates as well as other pertinent information as necessary.

(f) Notify the Watch Commander as soon as practicable.

308.5.2 LOSS OF PURSUED VEHICLE
When the pursued vehicle is lost, the primary unit should broadcast pertinent information to assist other units in locating suspects. The primary unit will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.
308.6 INTER-JURISDICTIONAL CONSIDERATIONS

When a pursuit enters another agency's jurisdiction, the primary officer or supervisor, taking into consideration distance traveled, unfamiliarity with the area and other pertinent facts, should determine whether to request the other agency to assume the pursuit. Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary officer or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether such jurisdiction is expected to assist.

308.6.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

Units originally involved will discontinue the pursuit when advised that another agency has assumed the pursuit and assistance of the Anaheim Police Department is no longer needed. Upon discontinuing the pursuit, the primary unit may proceed upon request, with or at the direction of a supervisor, to the termination point to assist in the investigation.

The role and responsibilities of officers at the termination of a pursuit initiated by this department shall be coordinated with appropriate consideration of the units from the agency assuming the pursuit.

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific. Because of communication limitations between local agencies and CHP units, a request for CHP assistance will mean that they will assume responsibilities for the pursuit. For the same reasons, when a pursuit leaves the freeway and a request for assistance is made to this department, the CHP should relinquish control.

308.6.2 PURSUITS EXTENDING INTO THIS JURISDICTION

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Units from this department should not join a pursuit unless specifically requested to do so by the agency whose officers are in pursuit. The exception to this is when a single unit from the initiating agency is in pursuit. Under this circumstance, a unit from this department may join the pursuit until sufficient units from the initiating agency join the pursuit.

When a request is made for this department to assist or take over a pursuit from another agency that has entered this jurisdiction, the supervisor should consider these additional following factors:

(a) Ability to maintain the pursuit
(b) Circumstances serious enough to continue the pursuit
(c) Adequate staffing to continue the pursuit
(d) The public's safety within this jurisdiction
(e) Safety of the pursuing officers

As soon as practicable, a supervisor or the Watch Commander should review a request for assistance from another agency. The Watch Commander or supervisor, after consideration of the above factors, may decline to assist in, or assume the other agency's pursuit.
Vehicle Pursuits

Assistance to a pursuing allied agency by officers of this department will terminate at the City limits provided that the pursuing officers have sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

In the event that a pursuit from another agency terminates within this jurisdiction, officers shall provide appropriate assistance to officers from the allied agency including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

308.7 PURSUIT INTERVENTION
Pursuit intervention tactics are an attempt to terminate the ability of a suspect to continue to flee in a motor vehicle through application of technology, spikes or tack strips, blocking or vehicle intercept, boxing-in, pursuit intervention technique (PIT), ramming or roadblock procedures. (See below for definitions)

308.7.1 WHEN USE IS AUTHORIZED
In deciding whether to use pursuit intervention tactics, officers/supervisors should balance the risks of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the officers and persons in or on the pursued vehicle. With these risks in mind, the decision to use any pursuit intervention tactic should be reasonable in light of the circumstances confronting the officer at the time of the decision.

It is imperative that officers act within the bounds of legality, good judgment and accepted practices.

This department recognizes pursuits are dynamic and constantly changing. Varying factors such as location, speed, and/or logistical circumstances present opportunities that would otherwise be lost with even a slight time delay. Therefore, officers should consider all factors, including but not limited to those listed below before initiating a pursuit:

(a) The circumstances are exigent
(b) The immediate action is likely to prevent harm to citizens or other officers
(c) The immediate use of a pursuit intervention tactic is likely to end or prevent a pursuit

308.7.2 DEFINITIONS
Blocking or vehicle intercept - A slow-speed coordinated maneuver where two or more patrol vehicles simultaneously intercept and block the movement of a suspect vehicle, the driver of which may be unaware of the impending enforcement stop, with the goal of containment and preventing a pursuit. Blocking is not a moving or stationary road block.

Boxing-in - A tactic designed to stop a violator’s vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

Pursuit Intervention Technique (PIT) - A low-speed maneuver designed to cause the suspect vehicle to spin out and terminate the pursuit.
Vehicle Pursuits

Ramming - The deliberate act of impacting a violator’s vehicle with another vehicle to functionally damage or otherwise force the violator’s vehicle to stop.

Roadblocks - A tactic designed to stop a violator’s vehicle by intentionally placing an emergency vehicle or other immovable object in the path of the violator’s vehicle.

Spikes or tack strips - A device that extends across the roadway designed to puncture the tires of the pursued vehicle.

308.7.3 INTERVENTION STANDARDS
Any pursuit intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the officers, the public or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of deadly force and subject to the requirements for such use. Officers shall consider these facts and requirements prior to deciding how, when, where and if an intervention tactic should be employed.

(a) Blocking or vehicle intercept should only be considered in cases involving felony suspects or impaired drivers who pose a threat to public safety when officers reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risks involved, this technique should only be employed by officers who have received training in such tactics after giving consideration to the following:

1. The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risks of injury or death to occupants of the suspect vehicle, officers, or other members of the public.
2. All other reasonable intervention techniques have failed or reasonably appear ineffective.
3. Employing the blocking maneuver does not unreasonably increase the risk to officer safety.
4. The target vehicle is stopped or traveling at a low speed.
5. At no time should civilian vehicles be used to deploy this technique.

(b) Only those officers trained in the use of the Pursuit Intervention Technique (PIT) will be authorized to use this procedure and only upon consideration of the circumstances and conditions presented at the time, including the potential for risk of injury to officers, the public and occupants of the pursued vehicle.

(c) Ramming a fleeing vehicle should be done only after other reasonable tactical means at the officer’s disposal have been exhausted. This tactic should be reserved for situations where there does not appear to be another reasonable alternative method. This policy is an administrative guide to direct officers in their decision-making process before ramming another vehicle. When ramming is used as a means to stop a fleeing vehicle, one or more of the following factors should be present:
1. The suspect is an actual or suspected felon who reasonably appears to represent a serious threat to the public if not apprehended.

2. The suspect is driving with willful or wanton disregard for the safety of other persons or is driving in a reckless and life-endangering manner.

3. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of ramming is not authorized.

(d) As with all intervention techniques, pursuing officers should obtain supervisor approval before attempting to box a suspect vehicle during a pursuit. The use of such a technique must be carefully coordinated with all involved units, taking into consideration the circumstances and conditions presented at the time as well as the potential risk of injury to officers, the public and occupants of the pursued vehicle.

(e) The use of spike strips should be approved in advance by a supervisor and deployed only when it is reasonably certain that only the pursued vehicle will be affected by their use. Officers should carefully consider the limitations of such devices as well as the potential risks to officers, the public and occupants of the pursued vehicle. If the pursued vehicle is a motorcycle, a vehicle transporting hazardous materials, or a school bus transporting children, officers and supervisors should weigh the potential consequences against the need to immediately stop the vehicle.

(f) Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor and only then under extraordinary conditions when all other reasonable intervention techniques have failed or reasonably appear ineffective and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to occupants of the pursued vehicle, officers or other members of the public.

308.7.4 CAPTURE OF SUSPECTS
Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force, which reasonably appears necessary under the circumstances, to properly perform their lawful duties.

Unless relieved by a supervisor, the primary officer should coordinate efforts to apprehend the suspects following the pursuit. Officers should consider safety of the public and the involved officers when formulating plans to contain and capture the suspects.

308.7.5 USE OF PURSUIT INTERVENTION BY MARKED CANINE UNITS
Police canine units play a critical role in apprehending wanted suspects who refuse to comply with commands or who lead officers in a pursuit. Use of a pursuit intervention
Vehicle Pursuits

technique (P.I.T. maneuver), or legal intervention (boxing in, ramming, disabling, etc.) could disable the canine vehicle, place the unsecured service dog at risk of injury, and ultimately limit their effectiveness in apprehending the suspect(s) once the pursuit terminates.

Therefore, absent circumstances which require immediate intervention on the part of the canine unit, the canine unit is not permitted to employ pursuit intervention techniques, or any other legal intervention action including but not limited to: ramming, boxing in, disabling, etc.

308.8 REPORTING REQUIREMENTS
The following reports should be completed upon conclusion of all pursuits:

(a) The primary officer should complete appropriate crime/arrest reports.

(b) The sergeant overseeing the pursuit shall ensure that an Allied Agency Vehicle Pursuit Report (form CHP 187A) is filed with the CHP not later than 30 days following the pursuit (Vehicle Code § 14602.1). The sergeant should complete as much of the required information on the form as is known and forward the report to the for review and distribution.

(c) After first obtaining the available information, the sergeant overseeing the pursuit shall promptly complete a Pursuit Critique, briefly summarizing the pursuit, and submit it to his/her manager. This critique should minimally contain the following information:

1. Date and time of pursuit
2. Length of pursuit
3. Involved units and officers
4. Initial reason for pursuit
5. Starting and termination points
6. Disposition (arrest, citation), including arrestee information if applicable
7. Injuries and/or property damage
8. Medical treatment
9. Name of supervisor at scene
10. A preliminary determination whether the pursuit appears to be in compliance with this policy and whether additional review or follow-up is warranted

308.8.1 REGULAR AND PERIODIC PURSUIT TRAINING
In addition to initial and supplementary Police Officer Standard Training (POST) training on pursuits required by Penal Code § 13519.8, all sworn members of this department will participate no less than annually in regular and periodic department training addressing this policy and the importance of vehicle safety and protecting the public at all times, including a recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others (Vehicle Code § 17004.7(d)).
Vehicle Pursuits

308.8.2 POLICY REVIEW
Each sworn member of this department shall certify in writing that they have received, read and understand this policy initially and upon any amendments.

308.9 APPLICATION OF VEHICLE PURSUIT POLICY
This policy is expressly written and adopted pursuant to the provisions of Vehicle Code § 17004.7, with additional input from the POST Vehicle Pursuit Guidelines.
Officer Response to Calls

309.1 PURPOSE AND SCOPE
This policy provides for the safe and appropriate response to emergency and non-emergency situations whether dispatched or self-initiated.

309.2 RESPONSE TO CALLS
Officers dispatched "Code-3" shall consider the call an emergency response and proceed immediately. Officers responding Code-3 shall continuously operate emergency lighting equipment, including at minimum a steady forward facing red light, and shall sound the siren as reasonably necessary pursuant to Vehicle Code § 21055.

Responding with emergency light(s) and siren does not relieve the officer of the duty to continue to drive with due regard for the safety of all persons. The use of any other warning equipment without a red light and siren does not provide any exemption from the Vehicle Code.

Officers should only respond Code-3 when so dispatched or when circumstances reasonably indicate an emergency response is required. Officers not authorized to respond Code-3 shall observe all traffic laws and proceed without the use of emergency lights and siren.

309.3 REQUESTING EMERGENCY ASSISTANCE
Requests for emergency assistance should be limited to those situations where the involved personnel reasonably believe that there is an immediate threat to the safety of officers, or assistance is needed to prevent imminent serious harm to a citizen. In any event, where a situation has stabilized and emergency response is not required, the requesting officer shall immediately notify the Communications Center.

If circumstances permit, the requesting officer should give the following information:

- The unit number
- The location
- The reason for the request and type of emergency
- The number of units required

309.3.1 NUMBER OF UNITS ASSIGNED
Generally, the number of units responding to an emergency call Code-3 should be reasonable based on the circumstances and nature of the emergency call. The Watch Commander or the field supervisor may dictate the number of units responding.

309.4 INITIATING CODE 3 RESPONSE
If an officer believes a Code-3 response to any call is appropriate, the officer shall notify Communications Center if/when it is safe and practical to do so. Generally, the number of units responding to an emergency call Code-3 should be reasonable based on the circumstances
Officer Response to Calls

and nature of the emergency call. Should an officer believe a Code-3 response is appropriate, Communications Center shall be notified and the Watch Commander or field supervisor will make a determination as to the appropriate number of units responding Code-3.

309.5 RESPONSIBILITIES OF RESPONDING OFFICERS

Officers shall exercise sound judgment and care with due regard for life and property when responding to an emergency call. Officers shall reduce speed at all street intersections to such a degree that they shall have complete control of the vehicle.

The decision to continue a Code-3 response is at the discretion of the officer. If, in the officer's judgment, the roadway conditions or traffic congestion does not permit such a response without unreasonable risk, the officer may elect to respond to the call without the use of red lights and siren at the legal speed limit. In such an event, the officer should immediately notify the Communications Center. An officer shall also discontinue the Code-3 response when directed by a supervisor.

Upon receiving authorization or determining a Code-3 response is appropriate, an officer shall immediately give the location from which he/she is responding.

309.6 COMMUNICATIONS RESPONSIBILITIES

A dispatcher shall assign a Code-3 response when an officer requests emergency assistance or available information reasonably indicates that the public is threatened with serious injury or death and immediate police response is needed. In all other circumstances, the dispatcher shall obtain authorization from the Watch Commander or a field supervisor prior to assigning units Code-3. The dispatcher shall:

(a) Attempt to assign the closest available unit to the location requiring assistance
(b) Immediately notify the Watch Commander
(c) Confirm the location from which the unit is responding
(d) Notify and coordinate allied emergency services (e.g., fire and ambulance)
(e) Continue to obtain and broadcast information as necessary concerning the response and monitor the situation until it is stabilized or terminated
(f) Control all radio communications during the emergency and coordinate assistance under the direction of the Watch Commander or field supervisor

309.7 SUPERVISORY RESPONSIBILITIES

Upon being notified that a Code-3 response has been initiated, the Watch Commander or the field supervisor shall verify the following:

(a) The proper response has been initiated
(b) No more than those units reasonably necessary under the circumstances are involved in the response
(c) Affected outside jurisdictions are being notified as practical

The field supervisor shall monitor the response until it has been stabilized or terminated and assert control by directing units into or out of the response if necessary. If, in the supervisor’s judgment, the circumstances require additional units to be assigned a Code-3 response, the supervisor may do so.

It is the supervisor’s responsibility to terminate a Code-3 response that, in his/her judgment is inappropriate due to the circumstances.

When making the decision to authorize a Code-3 response, the Watch Commander or the field supervisor should consider the following:

- The type of call
- The necessity of a timely response
- Traffic and roadway conditions
- The location of the responding units

309.8 FAILURE OF EMERGENCY EQUIPMENT

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the Code-3 response and respond accordingly. In all cases, the officer shall notify the Watch Commander, field supervisor, or the Communications Center of the equipment failure so that another unit may be assigned to the emergency response.
Canines

310.1 PURPOSE AND SCOPE
This policy establishes guidelines for the use of canines to augment police services in the community, including but not limited to locating individuals and contraband and apprehending criminal offenders.

310.2 POLICY
It is the policy of the Anaheim Police Department that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

310.3 ASSIGNMENT
Canine teams should be assigned to assist and supplement the Field Services Division to function primarily in assist or cover assignments. However, they may be assigned by the Watch Commander to other functions, such as routine calls for service, based on the current operational needs.

Canine teams should generally not be assigned to handle routine matters that will take them out of service for extended periods of time. If such assignment is necessary, it should only be made with the approval of the Watch Commander.

310.4 CANINE COORDINATOR
The canine coordinator shall be appointed by and directly responsible to the Field Services Division or the authorized designee.

The responsibilities of the coordinator include, but are not limited to:

(a) Reviewing all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program.
(b) Maintaining a liaison with the vendor kennel.
(c) Maintaining a liaison with command staff and functional supervisors.
(d) Maintaining a liaison with other agency canine coordinators.
(e) Maintaining accurate records to document canine activities.
(f) Recommending and overseeing the procurement of equipment and services for the teams of handlers and canines.
(g) Scheduling all canine-related activities.
(h) Ensuring the canine teams are scheduled for regular training to maximize their capabilities.
310.5 REQUESTS FOR CANINE TEAMS

Field Services Division members are encouraged to request the use of a canine. Requests for a canine team from department units outside of the Field Services Division shall be reviewed by the Watch Commander.

310.5.1 OUTSIDE AGENCY REQUEST

All requests for canine assistance from outside agencies must be approved by the Watch Commander and are subject to the following:

(a) Canine teams shall not be used for any assignment that is not consistent with this policy.

(b) The canine handler shall have the authority to decline a request for any specific assignment that he/she deems unsuitable.

(c) Calling out off-duty canine teams is discouraged.

(d) It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.

(e) It shall be the responsibility of the canine handler to complete all necessary reports or as directed.

310.5.2 PUBLIC DEMONSTRATION

All public requests for a canine team shall be reviewed and, if appropriate, approved by the canine coordinator prior to making any resource commitment. The canine coordinator is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety protocols. Canine handlers shall not demonstrate any apprehension work unless authorized to do so by the canine coordinator.

310.5.3 CARE AND MAINTENANCE OF CANINE TEAM VEHICLES

(a) Each Canine Team is assigned a vehicle to be used for City of Anaheim business only.

(b) Canine vehicles shall be kept at the Police Department or be garaged or stored within a fenced area, so as to be completely out of public view at the home of the Canine Officer. The structure or area containing the vehicle shall be secured when the vehicle is unattended.

(c) It is the responsibility of the Canine Officer to insure the care and maintenance of the Canine vehicle. Regular service intervals, as scheduled by Fleet Maintenance, will be met. Canine vehicles will be kept clean and in good repair at all times. Any damage caused by a Canine to the vehicle shall be reported to the Canine Detail Supervisor.

(d) Only markings approved by the Department shall be displayed on Canine Vehicles.

(e) The Canine Team Trainer may transport a canine when necessary in a Police Department vehicle, also utilizing an approved transportation kennel.
Canines

310.6  APPREHENSION GUIDELINES
A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes that the individual has committed, is committing, or is threatening to commit any serious offense and if any of the following conditions exist:

(a) There is a reasonable belief the suspect poses an imminent threat of violence or serious harm to the public, any officer, or the handler.

(b) The suspect is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.

(c) The suspect is believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of officers or the public.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to use a canine.

Absent a reasonable belief that a suspect has committed, is committing, or is threatening to commit a serious offense, mere flight from a pursuing officer, without any of the above conditions, shall not serve as the basis for the use of a canine to apprehend a suspect.

Use of a canine to locate and apprehend a suspect wanted for a lesser criminal offense than those identified above requires approval from the Watch Commander. Absent a change in circumstances that presents an imminent threat to officers, the canine or the public, such canine use should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual.

In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the canine as soon as it becomes reasonably practicable.

If the canine has apprehended the suspect with a secure bite, and the handler believes that the suspect no longer poses a threat, the handler should promptly command the canine to release the suspect.

310.6.1  PREPARATION FOR DEPLOYMENT
Prior to the use of a canine to search for or apprehend any suspect, the canine handler and/or the supervisor on-scene should carefully consider all pertinent information reasonably available at the time. The information should include but is not limited to:

(a) The nature and seriousness of the suspected offense.

(b) Whether violence or weapons were used or are anticipated.

(c) The degree of resistance or threatened resistance, if any, the suspect has shown.

(d) The suspect’s known or perceived age.

(e) The potential for injury to officers or the public caused by the suspect if the canine is not utilized.
Canines

(f) Any potential danger to the public and/or other officers at the scene if the canine is released.

(g) The potential for the suspect to escape or flee if the canine is not utilized.

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury.

It is the canine handler’s responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable. The canine handler shall have the authority to decline the use of the canine whenever he/she deems deployment is unsuitable.

A supervisor who is sufficiently apprised of the situation may prohibit deploying the canine.

Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

310.6.2 WARNINGS AND ANNOUNCEMENTS

Unless it would increase the risk of injury or escape, a clearly audible warning announcing that a canine will be used if the suspect does not surrender should be made prior to releasing a canine. The handler should allow a reasonable time for a suspect to surrender and should quiet the canine momentarily to listen for any verbal response to the warning. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary.

If a warning is not to be given, the canine handler, when practicable, should first advise the supervisor of his/her decision before releasing the canine. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why.

310.6.3 REPORTING DEPLOYMENTS, BITES, AND INJURIES

Handlers should document canine deployments in a canine use report. Whenever a canine deployment results in a bite or causes injury to an intended suspect, a supervisor should be promptly notified and the injuries documented in the canine use report. The injured person shall be promptly treated by Emergency Medical Services personnel and, if appropriate, transported to an appropriate medical facility for further treatment. The deployment and injuries should also be included in any related incident or arrest report.

Any unintended bite or injury caused by a canine, whether on- or off-duty, shall be promptly reported to the canine coordinator. Unintended bites or injuries caused by a canine should be documented in an administrative report, not in a canine use report.

If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual’s injured and uninjured areas shall be photographed as soon as practicable after first tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current department evidence procedures. The photographs shall be retained until the criminal proceeding is completed and the time for any related civil proceeding has expired.
Canines

Canines used by law enforcement agencies are generally exempt from impoundment and reporting requirements. However, the canine shall be made available for examination at any reasonable time if requested by the local health department. The canine handler shall also notify the local health department if the canine exhibits any abnormal behavior after a bite (Health and Safety Code § 121685).

310.7 NON-APPREHENSION GUIDELINES
Properly trained canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention). The canine handler is responsible for determining the canine’s suitability for such assignments based on the conditions and the particular abilities of the canine. When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply:

(a) Absent a change in circumstances that presents an imminent threat to officers, the canine, or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.

(b) Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

(c) Throughout the deployment, the handler should periodically give verbal assurances that the canine will not bite or hurt the individual and encourage the individual to make him/herself known.

(d) Once the individual has been located, the handler should place the canine in a down-stay or otherwise secure it as soon as reasonably practicable.

310.7.1 ARTICLE DETECTION
A canine trained to find objects or property related to a person or crime may be used to locate or identify articles. A canine search should be conducted in a manner that minimizes the likelihood of unintended bites or injuries.

310.7.2 NARCOTICS DETECTION
A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including:

(a) The search of vehicles, buildings, bags, and other articles.

(b) Assisting in the search for narcotics during a search warrant service.

(c) Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause.

A narcotics-detection trained canine will not be used to search a person for narcotics unless the canine is trained to passively indicate the presence of narcotics.
310.7.3 BOMB/EXPLOSIVE DETECTION
Because of the high risk of danger to the public and officers when a bomb or other explosive device is suspected, the use of a canine team trained in explosive detection may be considered. When available, an explosive-detection canine team may be used in accordance with current law and under certain circumstances, including:

(a) Assisting in the search of a building, structure, area, vehicle, or article where an actual or suspected explosive device has been reported or located.
(b) Assisting with searches at transportation facilities and vehicles (e.g., buses, airplanes, trains).
(c) Preventive searches at special events, VIP visits, official buildings, and other restricted areas. Searches of individuals should remain minimally intrusive and shall be strictly limited to the purpose of detecting explosives.
(d) Assisting in the search of scenes where an explosion has occurred and an explosive device or secondary explosive device is suspected.

At no time will an explosive-detection trained canine be used to render a suspected device safe or clear.

310.8 HANDLER SELECTION
The minimum qualifications for the assignment of canine handler include:

(a) An officer who is currently off probation.
(b) Residing in an adequately fenced single-family residence (minimum 5-foot-high fence with locking gates).
(c) A garage that can be secured and can accommodate a canine vehicle.
(d) Living within 30 minutes travel time from the Anaheim City limits.
(e) Agreeing to be assigned to the position for a minimum of three years.

310.9 HANDLER RESPONSIBILITIES
The canine handler shall ultimately be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, affection, and living conditions.

The canine handler will be responsible for the following:

(a) Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.
(b) The handler shall maintain all department equipment under his/her control in a clean and serviceable condition.
(c) When not in service, the handler shall maintain the canine vehicle in a locked garage, away from public view.
(d) When a handler is off-duty for an extended number of days, the assigned canine vehicle should be stored at the Anaheim Police Department facility.
Canines

(e) Handlers shall permit the canine coordinator to conduct spontaneous on-site inspections of affected areas of their homes as well as their canine vehicles to verify that conditions and equipment conform to this policy.

(f) Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the canine coordinator as soon as possible.

(g) When off-duty, the canine shall be in a kennel provided by the City at the home of the handler. When a canine is kenneled at the handler’s home, the gate shall be secured with a lock. When off-duty, the canine may be let out of the kennel while under the direct control of the handler.

(h) The canine should be permitted to socialize in the home with the handler’s family for short periods of time and under the direct supervision of the handler.

(i) Under no circumstances will the canine be lodged at another location unless approved by the canine coordinator or Watch Commander.

(j) When off-duty, the handler shall not involve the canine in any law enforcement activity or official conduct unless approved in advance by the canine coordinator or Watch Commander.

(k) Whenever a canine handler is off-duty for an extended number of days, it may be necessary to temporarily relocate the canine. In those situations, the handler shall give reasonable notice to the canine coordinator so that appropriate arrangements can be made.

310.9.1 CANINE IN PUBLIC AREAS
The canine should be kept on a leash when in areas that allow access to the public. Exceptions to this rule would include specific law enforcement operations for which the canine is trained.

(a) A canine shall not be left unattended in any area to which the public may have access.

(b) When the canine vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the canine. The handler shall also ensure that the unattended vehicle remains inhabitable for the canine.

310.10 HANDLER COMPENSATION
The canine handler shall be available for call-out under conditions specified by the canine coordinator.

The canine handler shall be compensated for time spent in the care, feeding, grooming, and other needs of the canine in accordance with the Fair Labor Standards Act (FLSA), and according to the terms of the collective bargaining agreement (29 USC § 207).

310.11 CANINE INJURY AND MEDICAL CARE
In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the canine coordinator or Watch Commander as soon as practicable and appropriately documented.
Canines

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained in the handler’s personnel file.

310.12 TRAINING
Before assignment in the field, each canine team shall be trained and certified to meet current POST guidelines or other recognized and approved certification standards. Cross-trained canine teams or those canine teams trained exclusively for the detection of narcotics and/or explosives also shall be trained and certified by the California Narcotic Canine Association (CNCA) or other recognized and approved certification standards established for their particular skills.

The canine coordinator shall be responsible for scheduling periodic training for all department members in order to familiarize them with how to conduct themselves in the presence of department canines. Because canines may be exposed to dangerous substances such as opioids, as resources are available, the canine coordinator should also schedule periodic training for the canine handlers about the risks of exposure and treatment for it.

All canine training shall be conducted while on-duty unless otherwise approved by the canine coordinator or Watch Commander.

310.12.1 CONTINUED TRAINING
Each canine team shall thereafter be recertified to a current POST, CNCA, or other recognized and approved certification standards on an annual basis. Additional training considerations are as follows:

(a) Canine teams should receive training as defined in the current contract with the Anaheim Police Department canine training provider.

(b) Canine handlers are encouraged to engage in additional training with approval of the canine coordinator.

(c) To ensure that all training is consistent, no handler, trainer, or outside vendor is authorized to train to a standard that is not reviewed and approved by the Department.

310.12.2 FAILURE TO SUCCESSFULLY COMPLETE TRAINING
Any canine team failing to graduate or obtain certification shall not be deployed in the field for tasks the team is not certified to perform until graduation or certification is achieved. When reasonably practicable, pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties.

310.12.3 TRAINING RECORDS
All canine training records shall be maintained in the canine handler’s and the canine’s training file.

310.12.4 TRAINING AIDS
Training aids are required to effectively train and maintain the skills of canines. Officers possessing, using or transporting controlled substances or explosives for canine training
purposes must comply with federal and state requirements. Alternatively, the Anaheim Police Department may work with outside trainers with the applicable licenses or permits.

310.12.5 CONTROLLED SUBSTANCE TRAINING AIDS

Officers acting in the performance of their official duties may possess or transfer controlled substances for the purpose of narcotics-detection canine training in compliance with state and federal laws (Health & Safety Code § 11367.5; 21 USC § 823(f)).

The Chief of Police or the authorized designee may authorize a member to seek a court order to allow controlled substances seized by the Anaheim Police Department to be possessed by the member or a narcotics-detection canine trainer who is working under the direction of this department for training purposes, provided the controlled substances are no longer needed as criminal evidence.

As an alternative, the Chief of Police or the authorized designee may request narcotics training aids from the Drug Enforcement Administration (DEA).

These procedures are not required if the canine handler uses commercially available synthetic substances that are not controlled narcotics.

310.12.6 CONTROLLED SUBSTANCE PROCEDURES

Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of the canine’s accidental ingestion of these controlled substances, the following procedures shall be strictly followed:

(a) All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler or trainer.

(b) The weight and test results shall be recorded and maintained by this department.

(c) Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.

(d) All controlled substance training samples will be inspected, weighed, and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the canine coordinator with a copy forwarded to the dispensing agency.

(e) All controlled substance training samples will be stored in locked, airtight, and watertight cases at all times, except during training. The locked cases shall be secured in the trunk of the canine handler’s assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.

(f) The canine coordinator shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.

(g) Any unusable controlled substance training samples shall be returned to the Property and Evidence Detail or to the dispensing agency.

(h) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.
310.12.7 EXPLOSIVE TRAINING AIDS
Officers may possess, transport, store, or use explosives or destructive devices in compliance with state and federal laws (Penal Code § 18800; 18 USC § 842; 27 CFR 555.41).

Explosive training aids designed specifically for canine teams should be used whenever feasible. Due to the safety concerns in the handling and transportation of explosives, inert or non-hazardous training aids should be employed whenever feasible. The use of explosives or destructive devices for training aids by canine teams is subject to the following:

(a) All explosive training aids, when not in use, shall be properly stored in a secure facility appropriate for the type of materials.

(b) An inventory ledger shall be maintained to document the type and quantity of explosive training aids that are stored.

(c) The canine coordinator shall be responsible for verifying the explosive training aids on hand against the inventory ledger once each quarter.

(d) Only members of the canine team shall have access to the explosive training aids storage facility.

(e) A primary and secondary custodian will be designated to minimize the possibility of loss of explosive training aids during and after the training. Generally, the handler will be designated as the primary custodian while the trainer or authorized second person on-scene will be designated as the secondary custodian.

(f) Any lost or damaged explosive training aids shall be promptly reported to the canine coordinator, who will determine if any further action will be necessary. Any loss of explosives will be reported to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).
Domestic Violence

311.1 PURPOSE AND SCOPE
The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic violence through vigorous enforcement and to address domestic violence as a serious crime against society. The policy specifically addresses the commitment of this department to take enforcement action when appropriate, to provide assistance to victims and to guide officers in the investigation of domestic violence.

311.1.1 DEFINITIONS
Definitions related to this policy include:

Court order - All forms of orders related to domestic violence that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

311.2 POLICY
The Anaheim Police Department's response to incidents of domestic violence and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic violence is criminal behavior. It is also the policy of this department to facilitate victims' and offenders' access to appropriate civil remedies and community resources whenever feasible.

311.3 OFFICER SAFETY
The investigation of domestic violence cases often places officers in emotionally charged and sometimes highly dangerous environments. No provision of this policy is intended to supersede the responsibility of all officers to exercise due caution and reasonable care in providing for the safety of any officers and parties involved.

311.4 INVESTIGATIONS
The following guidelines should be followed by officers when investigating domestic violence cases:

(a) Calls of reported, threatened, imminent, or ongoing domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.

(b) When practicable, officers should obtain and document statements from the victim, the suspect, and any witnesses, including children, in or around the household or location of occurrence.

(c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.
Domestic Violence

(d) When practicable and legally permitted, video or audio record all significant statements and observations.

(e) All injuries should be photographed, regardless of severity, taking care to preserve the victim’s personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Investigations Division in the event that the injuries later become visible.

(f) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.

(g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement, and make an arrest or seek an arrest warrant if appropriate.

(h) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence. If the domestic violence involved threats of bodily harm, any firearm discovered in plain view or pursuant to consent or other lawful search must be taken into temporary custody (Penal Code § 18250).

(i) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order, and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.

(j) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:

1. Whether the suspect lives on the premises with the victim.
2. Claims by the suspect that the victim provoked or perpetuated the violence.
3. The potential financial or child custody consequences of arrest.
4. The physical or emotional state of either party.
5. Use of drugs or alcohol by either party.
6. Denial that the abuse occurred where evidence indicates otherwise.
7. A request by the victim not to arrest the suspect.
8. Location of the incident (public/private).
9. Speculation that the complainant may not follow through with the prosecution.
10. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or marital status of the victim or suspect.
11. The social status, community status, or professional position of the victim or suspect.
311.4.1 IF A SUSPECT IS ARRESTED
If a suspect is arrested, officers should:
   (a) Advise the victim that there is no guarantee the suspect will remain in custody.
   (b) Provide the victim’s contact information to the jail staff to enable notification of the victim upon the suspect’s release from jail.
   (c) Advise the victim whether any type of court order will be in effect when the suspect is released from jail.

311.4.2 IF NO ARREST IS MADE
If no arrest is made, the officer should:
   (a) Advise the parties of any options, including but not limited to:
      1. Voluntary separation of the parties.
      2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness unit).
   (b) Document the resolution in a report.

311.5 VICTIM ASSISTANCE
Victims may be traumatized or confused. Officers should:
   (a) Recognize that a victim’s behavior and actions may be affected.
   (b) Provide the victim with the department’s domestic violence information handout, even if the incident may not rise to the level of a crime.
   (c) Alert the victim to any available victim advocates, shelters and community resources.
   (d) Stand by for a reasonable amount of time when an involved person requests law enforcement assistance while removing essential items of personal property.
   (e) Seek medical assistance as soon as practicable for the victim if he/she has sustained injury or complains of pain.
   (f) Ask the victim whether he/she has a safe place to stay. Assist in arranging to transport the victim to an alternate shelter if the victim expresses a concern for his/her safety or if the officer determines that a need exists.
   (g) Make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
   (h) Seek or assist the victim in obtaining an emergency order if appropriate.

An officer shall advise an individual protected by a Canadian domestic violence protection order of available local victim services (Family Code § 6452).

311.6 DISPATCH ASSISTANCE
All calls of domestic violence, including incomplete 9-1-1 calls, should be dispatched as soon as practicable.
Domestic Violence

Dispatchers are not required to verify the validity of a court order before responding to a request for assistance. Officers should request that dispatchers check whether any of the involved persons are subject to the terms of a court order.

311.7 FOREIGN COURT ORDERS
Various types of orders may be issued in domestic violence cases. Any foreign court order properly issued by a court of another state, Indian tribe, or territory shall be enforced by officers as if it were the order of a court in this state. An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court or foreign order shall be enforced, regardless of whether the order has been properly registered with this state (Family Code § 6403).

Canadian domestic violence protection orders shall also be enforced in the same manner as if issued in this state (Family Code § 6452).

311.8 VERIFICATION OF COURT ORDERS
Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, officers should carefully review the actual order when available, and where appropriate and practicable:

(a) Ask the subject of the order about his/her notice or receipt of the order, his/her knowledge of its terms and efforts to respond to the order.
   1. If a determination is made that a valid foreign order cannot be enforced because the subject has not been notified or served the order, the officer shall inform the subject of the order, make a reasonable effort to serve the order upon the subject, and allow the subject a reasonable opportunity to comply with the order before enforcing the order. Verbal notice of the terms of the order is sufficient notice (Family Code § 6403).

(b) Check available records or databases that may show the status or conditions of the order.
   1. Registration or filing of an order in California is not required for the enforcement of a valid foreign order (Family Code § 6403).

(c) Contact the issuing court to verify the validity of the order.

(d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

Officers should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Officers should contact a supervisor for clarification when needed.
Domestic Violence

311.9 LEGAL MANDATES AND RELEVANT LAWS
California law provides for the following:

311.9.1 STANDARDS FOR ARRESTS
Officers investigating a domestic violence report should consider the following:

(a) An arrest should be made when there is probable cause to believe that a felony or misdemeanor domestic violence offense has been committed (Penal Code § 13701). Any decision to not arrest an adult when there is probable cause to do so requires supervisor approval.

1. Officers are only authorized to make an arrest without a warrant for a misdemeanor domestic violence offense if the officer makes the arrest as soon as probable cause arises (Penal Code § 836).

(b) An officer responding to a domestic violence call who cannot make an arrest will advise the victim of his/her right to make a private person’s arrest. The advisement should be made out of the presence of the suspect and shall include advising the victim how to safely execute the arrest. Officers shall not dissuade victims from making a lawful private person’s arrest. Officers should refer to the provisions in the Private Persons Arrests Policy for options regarding the disposition of private person’s arrests (Penal Code § 836(b)).

(c) Officers shall not cite and release a person for the following offenses (Penal Code § 853.6(a)(3)):

1. Penal Code § 243(e)(1) (battery against spouse, cohabitant)
2. Penal Code § 273.5 (corporal injury on spouse, cohabitant, fiancé/fiancée, person of a previous dating or engagement relationship, mother/father of the offender’s child)
3. Penal Code § 273.6 (violation of protective order) if violence or threats of violence have occurred or the suspect has gone to the workplace or residence of the protected party
4. Penal Code § 646.9 (stalking)
5. Other serious or violent felonies specified in Penal Code § 1270.1

(d) In responding to domestic violence incidents, including mutual protective order violations, officers should generally be reluctant to make dual arrests. Officers shall make reasonable efforts to identify the dominant aggressor in any incident. The dominant aggressor is the person who has been determined to be the most significant, rather than the first, aggressor (Penal Code § 13701). In identifying the dominant aggressor, an officer shall consider:

1. The intent of the law to protect victims of domestic violence from continuing abuse.
2. The threats creating fear of physical injury.
3. The history of domestic violence between the persons involved.
4. Whether either person acted in self-defense.
Domestic Violence

(e) An arrest shall be made when there is probable cause to believe that a violation of a domestic violence court order has been committed (Penal Code § 13701; Penal Code § 836), regardless of whether the offense was committed in the officer’s presence. After arrest, the officer shall confirm that a copy of the order has been registered, unless the victim provides a copy (Penal Code § 836).

311.9.2 COURT ORDERS

(a) An officer who obtains an emergency protective order from the court shall serve it on the restrained person if the person can be reasonably located, and shall provide the person protected or the person’s parent/guardian with a copy of the order. The officer shall file a copy with the court as soon as practicable and shall have the order entered into the computer database system for protective and restraining orders maintained by the Department of Justice (Family Code § 6271; Penal Code § 646.91).

(b) At the request of the petitioner, an officer at the scene of a reported domestic violence incident shall serve a court order on a restrained person (Family Code § 6383; Penal Code § 13710).

(c) Any officer serving a protective order that indicates that the respondent possesses weapons or ammunition shall request that the firearm/ammunition be immediately surrendered (Family Code § 6389(c)(2)).

(d) During the service of a protective order any firearm discovered in plain view or pursuant to consent or other lawful search shall be taken into temporary custody (Penal Code § 18250).

(e) If a valid Canadian order cannot be enforced because the person subject to the order has not been notified or served with the order, the officer shall notify the protected individual that reasonable efforts shall be made to contact the person subject to the order. The officer shall make a reasonable effort to inform the person subject to the order of the existence and terms of the order and provide him/her with a record of the order, if available, and shall allow the person a reasonable opportunity to comply with the order before taking enforcement action (Family Code § 6452).

311.9.3 PUBLIC ACCESS TO POLICY

A copy of this domestic violence policy will be provided to members of the public upon request (Penal Code § 13701).

311.9.4 REPORTS AND RECORDS

(a) A written report shall be completed on all incidents of domestic violence. All such reports should be documented on the appropriate form, which includes information and notations specific to domestic violence incidents as required by Penal Code § 13730.

(b) Reporting officers should provide the victim with the case number of the report. The case number may be placed in the space provided on the domestic violence victim information handout provided to the victim. If the case number is not immediately available, an explanation should be given regarding how the victim can obtain the information at a later time.
Domestic Violence

(c) Officers who seize any firearm or other deadly weapon in a domestic violence incident shall issue the individual possessing such weapon a receipt that includes the name and residential mailing address of the owner or person who possessed the weapon and notice of where the weapon may be recovered, along with the applicable time limit for recovery (Penal Code § 18250; Penal Code § 18255; Penal Code § 33800; Family Code § 6389(c)(2)).

311.9.5 RECORD-KEEPING AND DATA COLLECTION
This department shall maintain records of court orders related to domestic violence and the service status of each (Penal Code § 13710), as well as records on the number of domestic violence related calls reported to the Department, including whether weapons were used in the incident or whether the incident involved strangulation or suffocation (Penal Code § 13730). This information is to be reported to the Attorney General monthly. It shall be the responsibility of the Records Manager to maintain and report this information as required.

311.9.6 DECLARATION IN SUPPORT OF BAIL INCREASE
Any officer who makes a warrantless arrest for a felony or misdemeanor violation of a domestic violence restraining order shall evaluate the totality of the circumstances to determine whether reasonable cause exists to seek an increased bail amount. If there is reasonable cause to believe that the scheduled bail amount is insufficient to assure the arrestee’s appearance or to protect the victim or family member of a victim, the officer shall prepare a declaration in support of increased bail (Penal Code § 1269c).
Search and Seizure

312.1 PURPOSE AND SCOPE
Both the federal and state Constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Anaheim Police Department personnel to consider when dealing with search and seizure issues.

312.2 POLICY
It is the policy of the Anaheim Police Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

In accordance with the Training Policy, the Department will provide relevant and current training to officers as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

312.3 SEARCHES
The U.S. Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Vehicle searches under certain circumstances
- Exigent circumstances

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property, and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and his/her familiarity with clearly established rights as determined by case law.

Whenever practicable, officers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.
312.4 SEARCH PROTOCOL
Although conditions will vary and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

(a) Members of this department will strive to conduct searches with dignity and courtesy.

(b) Officers should explain to the person being searched the reason for the search and how the search will be conducted.

(c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.

(d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.

(e) When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, the following guidelines should be followed:

1. Another officer or a supervisor should witness the search.

2. The officer should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.

312.5 DOCUMENTATION
Officers are responsible to document any search and to ensure that any required reports are sufficient including, at minimum, documentation of the following:

• Reason for the search

• Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)

• What, if any, injuries or damage occurred

• All steps taken to secure property

• The results of the search, including a description of any property or contraband seized

• If the person searched is the opposite sex, any efforts to summon an officer of the same sex as the person being searched and the identification of any witness officer

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and department policy have been met.
Prisoner Escort in the Police Department

313.1 PURPOSE AND SCOPE
This Department Policy is to provide members of this Department with direction when escorting prisoners and/or detainees throughout the building.

313.2 ESCORTING PRISONERS/DETAINEES
During business hours, Monday Friday, 6 A.M. to 6 P.M. (After hours, 6 P.M. to 6 A.M., weekends and holidays being the possible exception) all arrested or detained persons, juvenile or adult, requiring further investigation by any detail or specialized unit, shall not be escorted via the first floor main hallway of the Main Police building to the second floor. All prisoner escorts shall be done utilizing the door nearest the Detention Facility and the loading and unloading bay for building entry. Prisoners or detainees will then be escorted to the second floor for further investigation via the elevator or rear stairwell located adjacent to the doorway into the Detention Facility.

Any juvenile not in need of interviewing related to an investigation may be escorted via the main hallway directly to the Patrol Officer's Report Writing Room and processed. Should it be later determined an interview will be required and it is within normal business hours, the juvenile shall be escorted to the rear area of the building and taken via the elevator or stairwell to the second floor.

All in-custodies being escorted shall be within immediate reach of the escorting officer or physically assisted by the accompanying officer. Under no circumstances shall any prisoner walk ahead or behind an escorting officer. Any prisoner being escorted shall be on the side opposite of the officer's firearm.
Temporary Custody of Juveniles

314.1 PURPOSE AND SCOPE
This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Anaheim Police Department (34 USC § 11133).

Guidance regarding contacting juveniles at schools or who may be victims is provided in the Child Abuse Policy.

314.1.1 DEFINITIONS
Definitions related to this policy include:

**Juvenile non-offender** - An abused, neglected, dependent, or alien juvenile who may be legally held for his/her own safety or welfare. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for his/her protection or for purposes of reuniting the juvenile with a parent, guardian, or other responsible person. Juveniles 11 years of age or younger are considered juvenile non-offenders even if they have committed an offense that would subject an adult to arrest.

**Juvenile offender** - A juvenile 12 to 17 years of age who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense) (Penal Code § 602). It also includes an offense under Penal Code § 29610 for underage possession of a handgun or concealable firearm (28 CFR 31.303).

**Non-secure custody** - When a juvenile is held in the presence of an officer or other custody employee at all times and is not placed in a locked room, cell, or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation (Welfare and Institutions Code § 207.1(d); 15 CCR 1150).

**Safety checks** - Direct, visual observation personally by a member of this department performed at random intervals within time frames prescribed in this policy to provide for the health and welfare of juveniles in temporary custody.

**Secure custody** - When a juvenile offender is held in a locked room, a set of rooms, or a cell. Secure custody also includes being physically secured to a stationary object (15 CCR 1146).

Examples of secure custody include:

(a) A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.

(b) A juvenile handcuffed to a rail.

(c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.
Temporary Custody of Juveniles

(d) A juvenile being processed in a secure booking area when a non-secure booking area is available.

(e) A juvenile left alone in a secure booking area after being photographed and fingerprinted.

(f) A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.

(g) A juvenile placed in a room that is capable of being locked or contains a fixed object designed for cuffing or restricting movement.

Sight and sound separation - Located or arranged to prevent physical, visual, or auditory contact.

Status offender - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include running away, underage possession of tobacco, curfew violation, and truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender. This includes the habitually disobedient or truant juvenile under Welfare and Institutions Code § 601 and any juvenile suspected of an offense that would not subject an adult to arrest (e.g., fine-only offense).

314.2 POLICY
The Anaheim Police Department is committed to releasing juveniles from temporary custody as soon as reasonably practicable and keeping juveniles safe while they are in temporary custody at the Anaheim Police Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer, or release.

314.3 JUVENILES WHO SHOULD NOT BE HELD
Juveniles who exhibit any of the following conditions should not be held at the Anaheim Police Department:

(a) Unconscious
(b) Seriously injured
(c) A known suicide risk or obviously severely emotionally disturbed
(d) Significantly intoxicated except when approved by the Watch Commander. A medical clearance shall be obtained for minors who are under the influence of drugs, alcohol, or any other intoxicating substance to the extent that they are unable to care for themselves (15 CCR 1151).
(e) Extremely violent or continuously violent

Officers taking custody of a juvenile who exhibits any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and notify a supervisor of the situation (15 CCR 1142; 15 CCR 1151).

These juveniles should not be held at the Anaheim Police Department unless they have been evaluated by a qualified medical and/or mental health professional (15 CCR 1142).
If the officer taking custody of the juvenile believes the juvenile may be a suicide risk, the juvenile shall be under continuous direct supervision until evaluation, release, or a transfer is completed (15 CCR 1142).

314.3.1 EMERGENCY MEDICAL CARE OF JUVENILES IN CUSTODY
When emergency medical attention is required for a juvenile, medical assistance will be called immediately. The Watch Commander shall be notified of the need for medical attention for the juvenile. Department members should administer first aid as applicable (15 CCR 1142).

314.3.2 SUICIDE PREVENTION OF JUVENILES IN CUSTODY
Department members should be alert to potential symptoms based upon exhibited behavior that may indicate the juvenile is a suicide risk. These symptoms may include depression, refusal to communicate, verbally threatening to kill him/herself, or any unusual behavior which may indicate the juvenile may harm him/herself while in either secure or non-secure custody (15 CCR 1142).

314.4 CUSTODY OF JUVENILES
Officers should take custody of a juvenile and temporarily hold the juvenile at the Anaheim Police Department when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile that is suspected of being a victim.

No juvenile should be held in temporary custody at the Anaheim Police Department without authorization of the arresting officer’s supervisor or the Watch Commander. Juveniles taken into custody shall be held in non-secure custody unless otherwise authorized by this policy.

Any juvenile taken into custody shall be released to the care of the juvenile’s parent or other responsible adult or transferred to a juvenile custody facility or to other authority as soon as practicable and in no event shall a juvenile be held beyond six hours from the time of his/her entry into the Anaheim Police Department (34 USC § 11133; Welfare and Institutions Code § 207.1(d)).

314.4.1 CUSTODY OF JUVENILE NON-OFFENDERS
Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the Anaheim Police Department. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders shall not be held in secure custody (34 USC § 11133; Welfare and Institutions Code § 206).

Juveniles 11 years of age or younger who have committed an offense that would subject an adult to arrest may be held in non-secure custody for the offenses listed in Welfare and Institutions Code § 602(b) (murder and the sexual assault offenses) and should be referred to a probation officer for a placement determination.

314.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS
Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, officers may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to
Temporary Custody of Juveniles

the station to await a parent). Juvenile status offenders shall not be held in secure custody (34 USC § 11133).

314.4.3 CUSTODY OF JUVENILE OFFENDERS
Juvenile offenders should be held in non-secure custody while at the Anaheim Police Department unless another form of custody is authorized by this policy or is necessary due to exigent circumstances.

Generally, a juvenile offender may be taken into custody when authorized by a court order or when there is probable cause to believe the juvenile has committed an offense that would subject an adult to arrest (Welfare and Institutions Code § 625).

A juvenile offender who is 14 years of age or older and suspected of using a firearm in violation of Welfare and Institutions Code § 625.3 shall be transported to a juvenile facility.

A juvenile offender suspected of committing murder or a sex offense that may subject a juvenile to criminal jurisdiction under Welfare and Institutions Code § 602(b), or a serious or violent felony should be referred to a probation officer for a decision on further detention.

In all other cases the juvenile offender may be:

(a) Released upon warning or citation.
(b) Released to a parent or other responsible adult after processing at the Department.
(c) Referred to a probation officer for a decision regarding whether to transport the juvenile offender to a juvenile facility.
(d) Transported to his/her home or to the place where the juvenile offender was taken into custody (Welfare and Institutions Code § 207.2).

In determining which disposition is appropriate, the investigating officer or supervisor shall prefer the alternative that least restricts the juvenile’s freedom of movement, provided that alternative is compatible with the best interests of the juvenile and the community (Welfare and Institutions Code § 626).

Whenever a juvenile offender under the age of 14 is taken into custody, the officer should take reasonable steps to verify and document the child's ability to differentiate between right and wrong, particularly in relation to the alleged offense (Penal Code § 26).

314.5 ADVISEMENTS
Officers shall take immediate steps to notify the juvenile’s parent, guardian, or a responsible relative that the juvenile is in custody, the location where the juvenile is being held, and the intended disposition (Welfare and Institutions Code § 627).

Whenever a juvenile is taken into temporary custody, he/she shall be given the Miranda rights advisement regardless of whether questioning is intended (Welfare and Institutions Code § 625).
Temporary Custody of Juveniles

Anytime a juvenile offender is placed in secure custody, he/she shall be informed of the purpose of the secure custody, the length of time the secure custody is expected to last, and of the maximum six-hour limitation (Welfare and Institutions Code § 207.1(d)).

Juveniles taken into custody for an offense shall immediately be advised (or at least within one hour from being taken into custody, if possible) that they may make three telephone calls: one call completed to his/her parent or guardian; one to a responsible relative or his/her employer; and another call completed to an attorney. The calls shall be at no expense to the juvenile when completed to telephone numbers within the local calling area. Juveniles should be asked whether they are a caregiver and provided two more phone calls in the same manner as provided to adults in the Temporary Custody of Adults Policy (Welfare and Institutions Code § 627; Penal Code § 851.5).

314.6 JUVENILE CUSTODY LOGS

Any time a juvenile is held in custody at the Department, the custody shall be promptly and properly documented in the juvenile custody log, including:

(a) Identifying information about the juvenile.
(b) Date and time of arrival and release from the Anaheim Police Department (15 CCR 1150).
(c) Watch Commander notification and approval to temporarily hold the juvenile.
(d) Any charges for which the juvenile is being held and classification of the juvenile as a juvenile offender, status offender, or non-offender.
(e) Any changes in status (e.g., emergency situations, unusual incidents).
(f) Time of all safety checks.
(g) Any medical and other screening requested and completed (15 CCR 1142).
(h) Circumstances that justify any secure custody (Welfare and Institutions Code § 207.1(d); 15 CCR 1145).
(i) Any other information that may be required by other authorities, such as compliance inspectors or a local juvenile court authority.

The Watch Commander shall initial the log to approve the custody, including any secure custody, and shall also initial the log when the juvenile is released.

314.7 NO-CONTACT REQUIREMENTS

Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Department (34 USC § 11133; Welfare and Institutions Code § 207.1(d); Welfare and Institutions Code § 208; 15 CCR 1144). There should also be sight and sound separation between non-offenders and juvenile and status offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile is being fingerprinted and/or photographed in booking), a member of the Anaheim Police Department
Temporary Custody of Juveniles

(trained in the supervision of persons in custody) shall maintain a constant, immediate, side-by-side presence with the juvenile or the adult to minimize any contact. If inadvertent or accidental contact does occur, reasonable efforts shall be taken to end the contact (15 CCR 1144).

314.8 TEMPORARY CUSTODY REQUIREMENTS

Members and supervisors assigned to monitor or process any juvenile at the Anaheim Police Department shall ensure the following:

(a) The Watch Commander should be notified if it is anticipated that a juvenile may need to remain at the Anaheim Police Department more than four hours. This will enable the Watch Commander to ensure no juvenile is held at the Anaheim Police Department more than six hours.

(b) A staff member of the same sex shall supervise personal hygiene activities and care, such as changing clothing or using the restroom, without direct observation to allow for privacy.

(c) Personal safety checks and significant incidents/activities shall be noted on the log.

(d) Juveniles in custody are informed that they will be monitored at all times, except when using the toilet.
   1. There shall be no viewing devices, such as peep holes or mirrors, of which the juvenile is not aware.
   2. This does not apply to surreptitious and legally obtained recorded interrogations.

(e) Juveniles shall have reasonable access to toilets and wash basins (15 CCR 1143).

(f) Food shall be provided if a juvenile has not eaten within the past four hours or is otherwise in need of nourishment, including any special diet required for the health of the juvenile (15 CCR 1143).

(g) Juveniles shall have reasonable access to a drinking fountain or water (15 CCR 1143).

(h) Juveniles shall have reasonable opportunities to stand and stretch, particularly if handcuffed or restrained in any way.

(i) Juveniles shall have privacy during family, guardian, and/or lawyer visits (15 CCR 1143).

(j) Juveniles shall be permitted to remain in their personal clothing unless the clothing is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody (15 CCR 1143).

(k) Blankets shall be provided as reasonably necessary (15 CCR 1143).
   1. The supervisor should ensure that there is an adequate supply of clean blankets.

(l) Adequate shelter, heat, light, and ventilation should be provided without compromising security or enabling escape.

(m) Juveniles shall have adequate furnishings, including suitable chairs or benches.
Temporary Custody of Juveniles

(n) Juveniles shall have the right to the same number of telephone calls as an adult in temporary custody.

(o) No discipline may be administered to any juvenile, nor may juveniles be subjected to corporal or unusual punishment, humiliation, or mental abuse (15 CCR 1142).

314.9 RELIGIOUS ACCOMMODATION
Juveniles have the right to the same religious accommodation as adults in temporary custody (see the Temporary Custody of Adults Policy).

314.10 USE OF RESTRAINT DEVICES
Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile offender may be handcuffed at the Anaheim Police Department when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening (15 CCR 1142).

Other restraints shall only be used after less restrictive measures have failed and with the approval of the Watch Commander. Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others (15 CCR 1142).

Juveniles in restraints shall be kept away from other unrestrained juveniles or monitored in such a way as to protect the juvenile from abuse (15 CCR 1142).

314.11 PERSONAL PROPERTY
The officer taking custody of a juvenile offender or status offender at the Anaheim Police Department shall ensure a thorough search of the juvenile’s property is made and all property is removed from the juvenile, especially those items that could compromise safety, such as pens, pencils, and belts.

The personal property of a juvenile should be placed in a property bag. The property should be inventoried in the juvenile’s presence and sealed into the bag. The property should be kept in a monitored or secure location until the juvenile is released from the custody of the Anaheim Police Department.

314.12 SECURE CUSTODY
Only juvenile offenders 14 years of age or older may be placed in secure custody (Welfare and Institutions Code § 207; 15 CCR 1145). Watch Commander approval is required before placing a juvenile offender in secure custody.

Secure custody should only be used for juvenile offenders when there is a reasonable belief that the juvenile is a serious risk of harm to him/herself or others. Factors to be considered when determining if the juvenile offender presents a serious security risk to him/herself or others include the following (15 CCR 1145):

(a) Age, maturity and delinquent history
Temporary Custody of Juveniles

(b) Severity of offense for which the juvenile was taken into custody
(c) The juvenile offender’s behavior
(d) Availability of staff to provide adequate supervision or protection of the juvenile offender
(e) Age, type, and number of other individuals in custody at the facility
(f) Except as necessary to ensure their safety or the safety of others, juveniles shall not be housed in secure detention at any special event venue including Anaheim Stadium, the Honda Center of Anaheim or Downtown Disney facilities.

Members of this department shall not use secure custody for convenience when non-secure custody is, or later becomes, a reasonable option (15 CCR 1145).

When practicable and when no locked enclosure is available, handcuffing one hand of a juvenile offender to a fixed object while otherwise maintaining the juvenile in non-secure custody should be considered as the method of secure custody. An employee must be present at all times to ensure the juvenile’s safety while secured to a stationary object (15 CCR 1148).

Juveniles shall not be secured to a stationary object for more than 60 minutes. Supervisor approval is required to secure a juvenile to a stationary object for longer than 60 minutes and every 30 minutes thereafter (15 CCR 1148). Supervisor approval should be documented.

The decision for securing a minor to a stationary object for longer than 60 minutes and every 30 minutes thereafter shall be based upon the best interests of the juvenile offender (15 CCR 1148).

314.12.1 LOCKED ENCLOSURES
A thorough inspection of the area shall be conducted before placing a juvenile into the enclosure. A second inspection shall be conducted after removing the juvenile. Any damage noted to the room should be photographed and documented in the crime report.

The following requirements shall apply to a juvenile offender who is held inside a locked enclosure:

(a) The juvenile shall constantly be monitored by an audio/video system during the entire custody.
(b) Juveniles shall have constant auditory access to department members (15 CCR 1147).
(c) Initial placement into and removal from a locked enclosure shall be logged (Welfare and Institutions Code § 207.1(d)).
(d) Unscheduled safety checks to provide for the health and welfare of the juvenile by a staff member, no less than once every 15 minutes, shall occur (15 CCR 1147; 15 CCR 1151).

1. All safety checks shall be logged.
Temporary Custody of Juveniles

2. The safety check should involve questioning the juvenile as to his/her well-being (sleeping juveniles or apparently sleeping juveniles should be awakened).

3. Requests or concerns of the juvenile should be logged.
   (e) Males and females shall not be placed in the same locked room (15 CCR 1147).
   (f) Juvenile offenders should be separated according to severity of the crime (e.g., felony or misdemeanor).
   (g) Restrained juveniles shall not be mixed in a cell or room with unrestrained juveniles.

314.13 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY OF A JUVENILE
The Watch Commander will ensure procedures are in place to address the suicide attempt, death or serious injury of any juvenile held at the Anaheim Police Department (15 CCR 1142; 15 CCR 1047). The procedures will address:
   (a) Immediate notification of the on-duty supervisor, Chief of Police and Investigations Division Supervisor.
   (b) Notification of the parent, guardian or person standing in loco parentis, of the juvenile.
   (c) Notification of the appropriate prosecutor.
   (d) Notification of the City attorney.
   (e) Notification to the coroner.
   (f) Notification of the juvenile court.
   (g) In the case of a death, providing a report to the Attorney General under Government Code § 12525 within 10 calendar days of the death, and forwarding the same report to the Board of State and Community Corrections within the same time frame (15 CCR 1046).
   (h) A medical and operational review of deaths and suicide attempts pursuant to 15 CCR 1046.
   (i) Evidence preservation.

314.14 INTERVIEWING OR INTERROGATING JUVENILE SUSPECTS
No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent to an interview or interrogation.

Prior to conducting a custodial interrogation, including the waiver of *Miranda* rights, an officer shall permit a juvenile 15 years of age or younger to consult with legal counsel in person, by telephone, or by video conference. The consultation may not be waived by the juvenile. The requirement to consult with legal counsel does not apply when (Welfare and Institutions Code § 625.6):
   (a) Information is necessary to protect life or property from an imminent threat.
   (b) The questions are limited to what is reasonably necessary to obtain the information relating to the threat.
Temporary Custody of Juveniles

314.14.1 MANDATORY RECORDINGS OF JUVENILES
Any interrogation of an individual under 18 years of age who is in custody and suspected of committing murder shall be audio and video recorded when the interview takes place at a department facility, jail, detention facility, or other fixed place of detention. The recording shall include the entire interview and a *Miranda* advisement preceding the interrogation (Penal Code § 859.5).

This recording is not mandatory when (Penal Code § 859.5):

(a) Recording is not feasible because of exigent circumstances that are later documented in a report.

(b) The individual refuses to have the interrogation recorded, including a refusal any time during the interrogation, and the refusal is documented in a report. If feasible, the refusal shall be electronically recorded.

(c) The custodial interrogation occurred in another state by law enforcement officers of that state, unless the interrogation was conducted with the intent to avoid the requirements of Penal Code § 859.5.

(d) The interrogation occurs when no member conducting the interrogation has a reason to believe that the individual may have committed murder. Continued custodial interrogation concerning that offense shall be electronically recorded if the interrogating member develops a reason to believe the individual committed murder.

(e) The interrogation would disclose the identity of a confidential informant or would jeopardize the safety of an officer, the individual being interrogated, or another individual. Such circumstances shall be documented in a report.

(f) A recording device fails despite reasonable maintenance and the timely repair or replacement is not feasible.

(g) The questions are part of a routine processing or booking, and are not an interrogation.

(h) The suspect is in custody for murder and the interrogation is unrelated to a murder. However, if any information concerning a murder is mentioned during the interrogation, the remainder of the interrogation shall be recorded.

These recordings shall be retained until a conviction is final and all direct and habeas corpus appeals are exhausted, a court no longer has any jurisdiction over the individual, or the prosecution for that offense is barred (Penal Code § 859.5; Welfare and Institutions Code § 626.8).

314.15 FORMAL BOOKING
No juvenile offender shall be formally booked without the authorization of the arresting officer's supervisor, or in his/her absence, the Watch Commander.

Any juvenile 14 years of age or older who is taken into custody for a felony, or any juvenile whose acts amount to a sex crime, shall be booked, fingerprinted, and photographed.

For all other acts defined as crimes, juveniles may be booked, fingerprinted or photographed upon the approval from the Watch Commander or Investigations Division supervisor, giving due consideration to the following:
Temporary Custody of Juveniles

(a) The gravity of the offense
(b) The past record of the offender
(c) The age of the offender

314.16 RELEASE OF INFORMATION CONCERNING JUVENILES
Court decisions and legislation have combined to carefully specify situations in which information may be given out or exchanged when a case involves a juvenile. Members of this department shall not divulge any information regarding juveniles unless they are certain of the legal authority to do so.

A copy of the current policy of the juvenile court concerning authorized release of information and appropriate acknowledgment forms shall be kept with copies of this procedure in the Anaheim Police Department Policy Manual. Such releases are authorized by Welfare and Institutions Code § 827.

Welfare and Institutions Code § 828 authorizes the release of certain information to other agencies. It shall be the responsibility of the Records Manager and the appropriate Investigations Division supervisors to ensure that personnel of those bureaus act within legal guidelines.

314.17 BOARD OF STATE AND COMMUNITY CORRECTIONS CERTIFICATION
The Field Services Division Commander shall coordinate the procedures related to the custody of juveniles held at the Anaheim Police Department and ensure any required certification is maintained (Welfare and Institution Code § 210.2).
Adult Abuse

315.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for Anaheim Police Department members as required by law.

315.1.1 DEFINITIONS
Definitions related to this policy include:

Adult abuse - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult’s care, or any other act that would mandate reporting or notification to a social service agency or law enforcement (Penal Code § 368).

Abuse of an elder (age 65 or older) or dependent adult - Physical abuse, neglect, financial abuse, abandonment, isolation, abduction, or other treatment with resulting physical harm or pain or mental suffering; or the deprivation by a care custodian of goods or services that are necessary to avoid physical harm or mental suffering. Neglect includes self-neglect (Welfare and Institutions Code § 15610.07; Penal Code § 368.5).

315.2 POLICY
The Anaheim Police Department will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

315.3 INVESTIGATIONS AND REPORTING
All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

(a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse victim is contacted.

(b) Any relevant statements the victim may have made and to whom he/she made the statements.

(c) If a person is taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.

(d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.

(e) Whether the victim was transported for medical treatment or a medical examination.

(f) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.
(g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.

(h) Previous addresses of the victim and suspect.

(i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim’s environment.

(j) Results of investigations shall be provided to those agencies (Adult Protective Services (APS), long-term ombudsman) that referred or reported the adult abuse (Welfare and Institutions Code § 15640(f)).

(k) Whether a death involved the End of Life Option Act:
   1. Whether or not assistance was provided to the person beyond that allowed by law (Health and Safety Code § 443.14)
   2. Whether an individual knowingly altered or forged a request for an aid-in-dying drug to end a person’s life without his/her authorization, or concealed or destroyed a withdrawal or rescission of a request for an aid-in-dying drug (Health and Safety Code § 443.17)
   3. Whether coercion or undue influence was exerted on the person to request or ingest an aid-in-dying drug or to destroy a withdrawal or rescission of a request for such medication (Health and Safety Code § 443.17)
   4. Whether an aid-in-dying drug was administered to a person without his/her knowledge or consent (Health and Safety Code § 443.17).

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

315.4 QUALIFIED INVESTIGATORS
Qualified investigators should be available to investigate cases of adult abuse. These investigators should:

(a) Conduct interviews in appropriate interview facilities.

(b) Be familiar with forensic interview techniques specific to adult abuse investigations.

(c) Present all cases of alleged adult abuse to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed.

(e) Provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.

(f) Participate in or coordinate with multidisciplinary investigative teams as applicable (Welfare and Institutions Code § 15610.55).

315.5 MANDATORY NOTIFICATION
Members of the Anaheim Police Department shall notify the local office of the California Department of Social Services (CDSS) APS agency when they reasonably suspect, have
observed, or have knowledge of an incident that reasonably appears to be abuse of an elder (age 65 or older) or dependent adult, or are told by an elder or dependent adult that he/she has experienced abuse (Welfare and Institutions Code § 15630(b)).

Notification shall be made by telephone as soon as practicable and a written report shall be provided within two working days as provided in Welfare and Institutions Code § 15630(b)(c)).

A dependent adult is an individual, regardless of whether the individual lives independently, between 18 and 64 years of age who has physical or mental limitations that restrict his/her ability to carry out normal activities or to protect his/her rights, including but not limited to persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age. This also includes those admitted as inpatients to a 24-hour health facility, as defined in state law (Welfare and Institutions Code § 15610.23).

Notification shall also be made to the following agencies as soon as practicable or as provided below (Welfare and Institutions Code § 15630):

(a) If the abuse is physical abuse and occurred in a long-term care facility (not a state mental health hospital or a state developmental center) notification shall be made as follows (Welfare and Institutions Code § 15630(b)(1)):

1. If there is serious bodily injury, notification shall be made by telephone and, within two hours, a written report shall be made to the local ombudsman and the corresponding licensing agency.

2. If there is physical abuse and no serious bodily injury, notification shall be made by telephone and, within 24 hours, a written report shall be made to the local ombudsman and the corresponding licensing agency.

3. If the abuse is allegedly caused by a resident with dementia and there is no serious bodily injury, notification shall be made by telephone and a written report to the local ombudsman within 24 hours.

4. When a report of abuse is received by the Department, the local ombudsman shall be called to coordinate efforts to provide the most immediate and appropriate response (Welfare and Institutions Code § 15630(b)).

(b) If the abuse is in a long-term care facility (not a state mental health or a state developmental center) and is other than physical abuse, a telephone report and a written report shall be made to the local ombudsman as soon as practicable (Welfare and Institutions Code § 15630(b)).

(c) The California Department of Public Health (DPH) shall be notified of all known or suspected abuse in a long-term care facility.

(d) The SDSS shall be notified of all known or suspected abuse occurring in a residential care facility for the elderly or in an adult day program.

(e) If the abuse occurred in an adult day health care center, DPH and the California Department of Aging shall be notified.

(f) The Bureau of Medi-Cal Fraud and Elder Abuse shall be notified of all abuse that constitutes criminal activity in a long-term care facility.
(g) The District Attorney’s office shall be notified of all cases of physical abuse and financial abuse in a long-term care facility.

(h) If the abuse occurred at a state mental hospital or a state developmental center, notification shall be made to the designated investigators of the California Department of State Hospitals or the California Department of Developmental Services as soon as practicable but no later than two hours after law enforcement becomes aware of the abuse (Welfare and Institutions Code § 15630(b)).

1. When a report of abuse is received by the Department, investigation efforts shall be coordinated with the designated investigators of the California Department of State Hospitals or the California Department of Developmental Services (Welfare and Institutions Code § 15630(b)).

(i) If during an investigation it is determined that the adult abuse is being committed by a licensed health practitioner as identified in Welfare and Institutions Code § 15640(b), the appropriate licensing agency shall be immediately notified (Welfare and Institutions Code 15640(b)).

(j) When the Department receives a report of abuse, neglect or abandonment of an elder or dependent adult alleged to have occurred in a long-term care facility, the licensing agency shall be notified by telephone as soon as practicable (Welfare and Institutions Code § 15640(e)).

The Investigations Division supervisor is responsible for ensuring that proper notifications have occurred to the District Attorney’s Office and any other regulatory agency that may be applicable based upon where the abuse took place (e.g., care facility, hospital) per Welfare and Institutions Code § 15630(b).

Notification is not required for a person who was merely present when a person self-administered a prescribed aid-in-dying drug or a person prepared an aid-in-dying drug so long as the person did not assist the individual in ingesting the aid-in-dying drug (Health and Safety Code § 443.14; Health and Safety Code § 443.18).

315.5.1 NOTIFICATION PROCEDURE
Notification should include the following information, if known (Welfare and Institutions Code § 15630(e)):

(a) The name of the person making the report.
(b) The name and age of the elder or dependent adult.
(c) The present location of the elder or dependent adult.
(d) The names and addresses of family members or any other adult responsible for the care of the elder or dependent adult.
(e) The nature and extent of the condition of the elder or dependent adult.
(f) The date of incident.
(g) Any other information, including information that led the person to suspect elder or dependent adult abuse.
315.6 PROTECTIVE CUSTODY
Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the officer should make reasonable attempts to contact APS. Generally, removal of an adult abuse victim from his/her family, guardian or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the officer should take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction. If this is not a reasonable option, the officer shall ensure that the adult is delivered to APS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking an adult abuse victim into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking the adult into protective custody.

When adult abuse victims are under state control, have a state-appointed guardian or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

315.6.1 EMERGENCY PROTECTIVE ORDERS
In any situation which an officer reasonably believes that an elder or dependent adult is in immediate and present danger of abuse based on an allegation of a recent incident of abuse or threat of abuse (other than financial abuse alone), the officer may seek an emergency protective order against the person alleged to have committed or threatened such abuse (Family Code § 6250(d)).

315.7 INTERVIEWS

315.7.1 PRELIMINARY INTERVIEWS
Absent extenuating circumstances or impracticality, officers should audio record the preliminary interview with a suspected adult abuse victim. Officers should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available.

315.7.2 DETAINING VICTIMS FOR INTERVIEWS
An officer should not detain an adult involuntarily who is suspected of being a victim of abuse solely for the purpose of an interview or physical exam without his/her consent or the consent of a guardian unless one of the following applies:
Adult Abuse

(a) Exigent circumstances exist, such as:
   1. A reasonable belief that medical issues of the adult need to be addressed immediately.
   2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.
   3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.

(b) A court order or warrant has been issued.

315.8 MEDICAL EXAMINATIONS
When an adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the adult. The officer should also arrange for the adult’s transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the adult for a medical examination, the supervisor should consider other government agencies or services that may obtain a court order for such an examination.

315.9 DRUG-ENDANGERED VICTIMS
A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking or use of narcotics.

315.9.1 OFFICER RESPONSIBILITIES
Officers responding to a drug lab or other narcotics crime scene where an adult abuse victim is present or where there is evidence that an adult abuse victim lives should:

(a) Document the environmental, medical, social and other conditions of the adult, using photography as appropriate and the checklist or form developed for this purpose.

(b) Notify the Investigations Division supervisor so an interagency response can begin.

315.9.2 SUPERVISOR RESPONSIBILITIES
The Investigations Division supervisor should:

(a) Work with professionals from the appropriate agencies, including APS, other law enforcement agencies, medical service providers and local prosecutors, to develop community specific procedures for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.

(b) Activate any available interagency response when an officer notifies the Investigations Division supervisor that he/she has responded to a drug lab or other narcotics crime
Adult Abuse

scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives.

(c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the adult.

315.10 TRAINING
The Department should provide training on best practices in adult abuse investigations to members tasked with investigating these cases. The training should include:

(a) Participating in multidisciplinary investigations, as appropriate.
(b) Conducting interviews.
(c) Availability of therapy services for adults and families.
(d) Availability of specialized forensic medical exams.
(e) Cultural competence (including interpretive services) related to adult abuse investigations.
(f) Availability of victim advocates or other support.

315.11 RECORDS BUREAU RESPONSIBILITIES
The Records Section is responsible for:

(a) Providing a copy of the adult abuse report to the APS, ombudsman or other agency as applicable within two working days or as required by law (Welfare and Institutions Code § 15630; Welfare and Institutions Code § 15640(c)).

(b) Retaining the original adult abuse report with the initial case file.

315.12 JURISDICTION
The Anaheim Police Department has concurrent jurisdiction with state law enforcement agencies when investigating elder and dependent adult abuse and all other crimes against elder victims and victims with disabilities (Penal Code § 368.5).

Adult protective services agencies and local long-term care ombudsman programs also have jurisdiction within their statutory authority to investigate elder and dependent adult abuse and criminal neglect and may assist in criminal investigations upon request in such cases. However, this department will retain responsibility for the criminal investigations (Penal Code § 368.5).

315.13 RELEVANT STATUTES
Penal Code § 368 (c)

Any person who knows or reasonably should know that a person is an elder or dependent adult and who, under circumstances or conditions other than those likely to produce great bodily harm or death, willfully causes or permits any elder or dependent adult to suffer, or inflicts thereon unjustifiable physical pain or mental suffering, or having the care or custody of any elder or
Adult Abuse

dependent adult, willfully causes or permits the person or health of the elder or dependent adult to be injured or willfully causes or permits the elder or dependent adult to be placed in a situation in which his or her person or health may be endangered, is guilty of a misdemeanor.

Penal Code § 368 (f)

(f) A person who commits the false imprisonment of an elder or a dependent adult by the use of violence, menace, fraud, or deceit is punishable by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years.

Welfare and Institutions Code § 15610.05

“Abandonment” means the desertion or willful forsaking of an elder or a dependent adult by anyone having care or custody of that person under circumstances in which a reasonable person would continue to provide care and custody.

Welfare and Institutions Code § 15610.06

“Abduction” means the removal from this state and the restraint from returning to this state, or the restraint from returning to this state, of any elder or dependent adult who does not have the capacity to consent to the removal from this state and the restraint from returning to this state, or the restraint from returning to this state, as well as the removal from this state or the restraint from returning to this state, of any conservatee without the consent of the conservator or the court.

Welfare and Institutions Code § 15610.30

(a) “Financial abuse” of an elder or dependent adult occurs when a person or entity does any of the following:

(1) Takes, secretes, appropriates, obtains, or retains real or personal property of an elder or dependent adult for a wrongful use or with intent to defraud, or both.

(2) Assists in taking, secreting, appropriating, obtaining, or retaining real or personal property of an elder or dependent adult for a wrongful use or with intent to defraud, or both.

(3) Takes, secretes, appropriates, obtains, or retains, or assists in taking, secreting, appropriating, obtaining, or retaining, real or personal property of an elder or dependent adult by undue influence, as defined in Section 15610.70.

(b) A person or entity shall be deemed to have taken, secreted, appropriated, obtained, or retained property for a wrongful use if, among other things, the person or entity takes, secretes, appropriates, obtains, or retains the property and the person or entity knew or should have known that this conduct is likely to be harmful to the elder or dependent adult.

(c) For purposes of this section, a person or entity takes, secretes, appropriates, obtains, or retains real or personal property when an elder or dependent adult is deprived of any property right, including by means of an agreement, donative transfer, or testamentary bequest, regardless of whether the property is held directly or by a representative of an elder or dependent adult.
Adult Abuse

(d) For purposes of this section, “representative” means a person or entity that is either of the following:

(1) A conservator, trustee, or other representative of the estate of an elder or dependent adult.

(2) An attorney-in-fact of an elder or dependent adult who acts within the authority of the power of attorney.

Welfare and Institutions Code § 15610.43

(a) “Isolation” means any of the following:

(1) Acts intentionally committed for the purpose of preventing, and that do serve to prevent, an elder or dependent adult from receiving his or her mail or telephone calls.

(2) Telling a caller or prospective visitor that an elder or dependent adult is not present, or does not wish to talk with the caller, or does not wish to meet with the visitor where the statement is false, is contrary to the express wishes of the elder or the dependent adult, whether he or she is competent or not, and is made for the purpose of preventing the elder or dependent adult from having contact with family, friends, or concerned persons.

(3) False imprisonment, as defined in Section 236 of the Penal Code.

(4) Physical restraint of an elder or dependent adult, for the purpose of preventing the elder or dependent adult from meeting with visitors.

(b) The acts set forth in subdivision (a) shall be subject to a rebuttable presumption that they do not constitute isolation if they are performed pursuant to the instructions of a physician and surgeon licensed to practice medicine in the state, who is caring for the elder or dependent adult at the time the instructions are given, and who gives the instructions as part of his or her medical care.

(c) The acts set forth in subdivision (a) shall not constitute isolation if they are performed in response to a reasonably perceived threat of danger to property or physical safe

Welfare and Institutions Code § 15610.57

(a) “Neglect” means either of the following:

(1) The negligent failure of any person having the care or custody of an elder or a dependent adult to exercise that degree of care that a reasonable person in a like position would exercise.

(2) The negligent failure of an elder or dependent adult to exercise that degree of self care that a reasonable person in a like position would exercise.

(b) Neglect includes, but is not limited to, all of the following:

(1) Failure to assist in personal hygiene, or in the provision of food, clothing, or shelter.

(2) Failure to provide medical care for physical and mental health needs. No person shall be deemed neglected or abused for the sole reason that he or she voluntarily relies on treatment by spiritual means through prayer alone in lieu of medical treatment.
Adult Abuse

(3) Failure to protect from health and safety hazards.
(4) Failure to prevent malnutrition or dehydration.
(5) Failure of an elder or dependent adult to satisfy the needs specified in paragraphs (1) to (4), inclusive, for himself or herself as a result of poor cognitive functioning, mental limitation, substance abuse, or chronic poor health.

Welfare and Institutions Code § 15610.63

15610.63. “Physical abuse” means any of the following:

(a) Assault, as defined in Section 240 of the Penal Code.
(b) Battery, as defined in Section 242 of the Penal Code.
(c) Assault with a deadly weapon or force likely to produce great bodily injury, as defined in Section 245 of the Penal Code.
(d) Unreasonable physical constraint, or prolonged or continual deprivation of food or water.
(e) Sexual assault, that means any of the following:
   (1) Sexual battery, as defined in Section 243.4 of the Penal Code.
   (2) Rape, as defined in Section 261 of the Penal Code.
   (3) Rape in concert, as described in Section 264.1 of the Penal Code.
   (4) Spousal rape, as defined in Section 262 of the Penal Code.
   (5) Incest, as defined in Section 285 of the Penal Code.
   (6) Sodomy, as defined in Section 286 of the Penal Code.
   (7) Oral copulation, as defined in Section 287 or former Section 288a of the Penal Code.
   (8) Sexual penetration, as defined in Section 289 of the Penal Code.
   (9) Lewd or lascivious acts as defined in paragraph (2) of subdivision (b) of Section 288 of the Penal Code.
(f) Use of a physical or chemical restraint or psychotropic medication under any of the following conditions:
   (1) For punishment.
   (2) For a period beyond that for which the medication was ordered pursuant to the instructions of a physician and surgeon licensed in the State of California, who is providing medical care to the elder or dependent adult at the time the instructions are given.
   (3) For any purpose not authorized by the physician and surgeon.
Discriminatory Harassment

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

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

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

316.3 DEFINITIONS
Definitions related to this policy include:

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

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

Conduct that may, under certain circumstances, constitute discriminatory harassment can include making derogatory comments; making crude and offensive statements or remarks; making slurs or off-color jokes, stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or department equipment and/or systems to transmit or receive offensive material, statements, or pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.
316.3.2   SEXUAL HARASSMENT
The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person’s sex.

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

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

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

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

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

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

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

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

316.4   RESPONSIBILITIES
This policy applies to all department personnel. All members shall follow the intent of these guidelines in a manner that reflects department policy, professional standards, and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory, or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to the member’s immediate supervisor may bypass the chain of command and make the report to a higher-ranking supervisor or manager. Complaints may also be filed with the Chief of Police, the Director of Human Services, or the City Manager.

Any member who believes, in good faith, that the member has been discriminated against, harassed, or subjected to retaliation, or who has observed harassment, discrimination, or
Discriminatory Harassment

retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

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

316.4.1 SUPERVISOR RESPONSIBILITIES
The responsibilities of supervisors and managers shall include but are not limited to:

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

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

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

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

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

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

316.4.2 SUPERVISOR’S ROLE
Supervisors and managers shall be aware of the following:

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

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

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

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

316.5 INVESTIGATION OF COMPLAINTS
Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved member should take prompt and reasonable steps to mitigate or eliminate
Discriminatory Harassment

any continuing abusive or hostile work environment. It is the policy of the Department that all complaints of discrimination, retaliation, or harassment shall be fully documented and promptly and thoroughly investigated.

316.5.1 SUPERVISOR RESOLUTION
Members who believe they are experiencing discrimination, harassment, or retaliation should be encouraged to inform the individual that the behavior is unwelcome, offensive, unprofessional, or inappropriate. However, if the member feels uncomfortable or threatened or has difficulty expressing the member’s concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

316.5.2 FORMAL INVESTIGATION
If the complaint cannot be satisfactorily resolved through the supervisory resolution process, a formal investigation will be conducted.

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

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

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

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

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

(a) Approve by the Chief of Police, the City Manager, or the Director of Human Services, depending on the ranks of the involved parties.
Discriminatory Harassment

(b) Maintained in accordance with the department’s established records retention schedule.

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

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

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

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

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

(a) Supervisory employees shall receive two hours of classroom or other effective interactive training and education within six months of assuming a supervisory position.

(b) All other employees shall receive one hour of classroom or other effective interactive training and education within six months of their employment or sooner for seasonal or temporary employees as described in Government Code § 12950.1.

(c) All employees shall receive refresher training every two years thereafter.

If the required training is to be provided by DFEH online training courses, the Training Sergeant should ensure that employees are provided the link or website address to the training course (Government Code § 12950).

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

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

317.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Anaheim Police Department members are required to notify the county Child Protective Services (CPS) of suspected child abuse.

317.1.1 DEFINITIONS
Definitions related to this policy include:

**Child** - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

**Child abuse** - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child’s care or any other act that would mandate notification to a social service agency or law enforcement (Penal Code § 11165.9; Penal Code § 11166).

317.2 POLICY
The Anaheim Police Department will investigate all reported incidents of alleged criminal child abuse and ensure CPS is notified as required by law.

317.3 MANDATORY NOTIFICATION
The child protection agency shall be notified when (Penal Code § 11166):

(a) There is a known or suspected instance of child abuse or neglect reported, which is alleged to have occurred as a result of the action of a person responsible for the child’s welfare, or

(b) A person responsible for the child's welfare fails to adequately protect the child from abuse when the person knew or reasonably should have known that the child was in danger of abuse.

The District Attorney’s office shall be notified in all instances of known or suspected child abuse or neglect reported to this department. Reports only involving neglect by a person, who has the care or custody of a child, to provide adequate food, clothing, shelter, medical care or supervision where no physical injury to the child has occurred should not be reported to the District Attorney (Penal Code § 11166).

When the abuse or neglect occurs at a licensed facility or is alleged to have resulted from the actions of a person who is required to have a state license (e.g., foster homes, group homes, day care), notification shall also be made to the California Department of Social Services or other applicable licensing authority (Penal Code 11166.1; Penal Code 11166.2).

For purposes of notification, the abuse or neglect includes physical injury or death inflicted by other than accidental means upon a child by another person; sexual abuse (Penal Code § 11165.1);
neglect (Penal Code § 11165.2); the willful harming or injuring of a child or the endangering of the
person or health of a child (Penal Code § 11165.3); and unlawful corporal punishment or injury
(Penal Code § 11165.4). Child abuse or neglect does not include a mutual affray between minors,
nor does it include an injury caused by the reasonable and necessary force used by a peace
officer acting within the course and scope of his/her employment as a peace officer.

317.3.1 NOTIFICATION PROCEDURE
Notification should occur as follows (Penal Code § 11166):

(a) Notification shall be made immediately, or as soon as practicable, by telephone, fax
or electronic transmission.

(b) A written follow-up report should be forwarded within 36 hours of receiving the
information concerning the incident.

317.4 QUALIFIED INVESTIGATORS
Qualified investigators should be available for child abuse investigations. These investigators
should:

(a) Conduct interviews in child appropriate interview facilities.

(b) Be familiar with forensic interview techniques specific to child abuse investigations.

(c) Present all cases of alleged child abuse to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies and school
administrators as needed.

(e) Provide referrals to therapy services, victim advocates, guardians and support for the
child and family as appropriate.

(f) Participate in or coordinate with multidisciplinary investigative teams as applicable
(Welfare and Institutions Code § 18961.7).

317.5 INVESTIGATIONS AND REPORTING
In all reported or suspected cases of child abuse, a report will be written. Officers shall write a
report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as
applicable:

(a) The overall basis for the contact. This should be done by the investigating officer in all
circumstances where a suspected child abuse victim was contacted.

(b) The exigent circumstances that existed if officers interviewed the child victim without
the presence of a parent or guardian.

(c) Any relevant statements the child may have made and to whom he/she made the
statements.
(d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.

(e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.

(f) Whether the child victim was transported for medical treatment or a medical examination.

(g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.

(h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.

(i) Previous addresses of the victim and suspect.

(j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim’s environment.

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

317.5.1 EXTRA JURISDICTIONAL REPORTS
If a report of known or suspected child abuse or neglect that is alleged to have occurred outside this jurisdiction is received, department members shall ensure that the caller is immediately transferred to the agency with proper jurisdiction for the investigation of the case. If the caller cannot be successfully transferred to the appropriate agency, a report shall be taken and immediately referred by telephone, fax or electronic transfer to the agency with proper jurisdiction (Penal Code 11165.9).

317.6 PROTECTIVE CUSTODY
Before taking any child into protective custody, the officer should make reasonable attempts to contact CPS. Generally, removal of a child from his/her family, guardian or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian, unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to CPS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.
Children may only be removed from a parent or guardian in the following situations when a court order cannot reasonably be obtained in a timely manner (Welfare and Institutions Code § 305):

(a) The officer reasonably believes the child is a person described in Welfare and Institutions Code § 300, or a commercially exploited child under Penal Code § 647 and Penal Code § 653.22, and further has good cause to believe that any of the following conditions exist:

1. The child has an immediate need for medical care.
2. The child is in immediate danger of physical or sexual abuse.
3. The physical environment or the fact that the child is left unattended poses an immediate threat to the child’s health or safety. In the case of a child left unattended, the officer shall first attempt to locate and determine if a responsible parent or guardian is available and capable of assuming custody before taking the child into protective custody.

(b) The officer reasonably believes the child requires protective custody under the provisions of Penal Code § 279.6, in one of the following circumstances:

1. It reasonably appears to the officer that a person is likely to conceal the child, flee the jurisdiction with the child or, by flight or concealment, evade the authority of the court.
2. There is no lawful custodian available to take custody of the child.
3. There are conflicting custody orders or conflicting claims to custody and the parties cannot agree which party should take custody of the child.
4. The child is an abducted child.

(c) The child is in the company of, or under the control of, a person arrested for Penal Code § 278 (Detainment or concealment of child from legal custodian) or Penal Code § 278.5 (Deprivation of custody of a child or right to visitation) (Penal Code § 279.6).

A child taken into protective custody shall be delivered to CPS unless otherwise directed by court order.

317.6.1 CALIFORNIA SAFELY SURRENDERED BABY LAW
An individual having lawful custody of an infant less than 72 hours old is not guilty of abandonment if the individual voluntarily surrenders physical custody of the infant to personnel on-duty at a safe-surrender site, such as a hospital or fire department (Penal Code § 271.5). The law requires the surrender site to notify CPS.

317.6.2 NEWBORNS TESTING POSITIVE FOR DRUGS
Under certain circumstances, officers can be prohibited from taking a newborn who is the subject of a proposed adoption into protective custody, even when the newborn has tested positive for illegal drugs or the birth mother tested positive for illegal drugs.
Child Abuse

Officers shall instead follow the provisions of Welfare and Institutions Code § 305.6 to ensure that the newborn is placed with the adoptive parents when it is appropriate.

317.7 INTERVIEWS

317.7.1 PRELIMINARY INTERVIEWS
Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims. Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

317.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW
An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

(a) Existent circumstances exist, such as:
   1. A reasonable belief that medical issues of the child need to be addressed immediately.
   2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
   3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.

(b) A court order or warrant has been issued.

317.7.3 INTERVIEWS AT A SCHOOL
Any student at school who is a suspected victim of child abuse shall be afforded the option of being interviewed in private or selecting any qualified available adult member of the school staff to be present. The purpose of the staff member’s presence is to provide comfort and support. The staff member shall not participate in the interview. The selection of a staff member should be such that it does not burden the school with costs or hardship (Penal Code § 11174.3).

317.8 MEDICAL EXAMINATIONS
If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child’s transportation to the appropriate medical facility. The officer will need to fill out the Medical Report - Suspected Child Sexual Abuse form, (OCJP form 925) prior to the doctor doing the examination.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent
circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

### 317.9 DRUG-ENDANGERED CHILDREN
A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

#### 317.9.1 SUPERVISOR RESPONSIBILITIES
The Investigations Division supervisor should:

- (a) Work with professionals from the appropriate agencies, including CPS, other law enforcement agencies, medical service providers and local prosecutors to develop community specific procedures for responding to situations where there are children endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.

- (b) Activate any available interagency response when an officer notifies the Investigations Division supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.

- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the child.

#### 317.9.2 OFFICER RESPONSIBILITIES
Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

- (a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.

- (b) Notify the Investigations Division supervisor so an interagency response can begin.

### 317.10 STATE MANDATES AND OTHER RELEVANT LAWS
California requires or permits the following:

#### 317.10.1 RELEASE OF REPORTS
Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (Penal Code 841.5; Penal Code § 11167.5).

#### 317.10.2 REQUESTS FOR REMOVAL FROM THE CHILD ABUSE CENTRAL INDEX (CACI)
Any person whose name has been forwarded to the California Department of Justice (DOJ) for placement in California’s CACI, as a result of an investigation, may request that his/her name...
Child Abuse

be removed from the CACI list. Requests shall not qualify for consideration if there is an active case, ongoing investigation or pending prosecution that precipitated the entry to CACI (Penal Code § 11169). All requests for removal shall be submitted in writing by the requesting person and promptly routed to the CACI hearing officer.

317.10.3 CACI HEARING OFFICER
The Investigations Division supervisor will normally serve as the hearing officer but must not be actively connected with the case that resulted in the person’s name being submitted to CACI. Upon receiving a qualified request for removal, the hearing officer shall promptly schedule a hearing to take place during normal business hours and provide written notification of the time and place of the hearing to the requesting party.

317.10.4 CACI HEARING PROCEDURES
The hearing is an informal process where the person requesting removal from the CACI list will be permitted to present relevant evidence (e.g., certified copy of an acquittal, factual finding of innocence) as to why his/her name should be removed. The person requesting the hearing may record the hearing at his/her own expense.

Formal rules of evidence will not apply and the hearing officer may consider, in addition to evidence submitted by the person requesting the hearing, any relevant information including, but not limited to, the following:

(a) Case reports including any supplemental reports
(b) Statements by investigators
(c) Statements from representatives of the District Attorney’s Office
(d) Statements by representatives of a child protective agency who may be familiar with the case

After considering all information presented, the hearing officer shall make a determination as to whether the requesting party’s name should be removed from the CACI list. Such determination shall be based on a finding that the allegations in the investigation are not substantiated (Penal Code § 11169).

If, after considering the evidence, the hearing officer finds that the allegations are not substantiated, he/she shall cause a request to be completed and forwarded to the DOJ that the person’s name be removed from the CACI list. A copy of the hearing results and the request for removal will be attached to the case reports.

The findings of the hearing officer shall be considered final and binding.

317.10.5 CHILD DEATH REVIEW TEAM
This department should cooperate with any interagency child death review team investigation (Penal Code § 11174.32).
317.11 TRAINING

The Department should provide training on best practices in child abuse investigations to members
 tasked with investigating these cases. The training should include:

(a) Participating in multidisciplinary investigations, as appropriate.

(b) Conducting forensic interviews.

(c) Availability of therapy services for children and families.

(d) Availability of specialized forensic medical exams.

(e) Cultural competence (including interpretive services) related to child abuse
 investigations.

(f) Availability of victim advocate or guardian ad litem support.
Missing Persons

318.1 PURPOSE AND SCOPE
This policy provides guidance for handling missing person investigations.

318.1.1 DEFINITIONS
At risk - Includes, but is not limited to (Penal Code § 14215):

• A victim of a crime or foul play.
• A person missing and in need of medical attention.
• A missing person with no pattern of running away or disappearing.
• A missing person who may be the victim of parental abduction.
• A mentally impaired missing person, including cognitively impaired or developmentally disabled.

Missing person - Any person who is reported missing to law enforcement when the person’s location is unknown. This includes a child who has been taken, detained, concealed, enticed away or kept by a parent in violation of the law (Penal Code § 277 et seq.). It also includes any child who is missing voluntarily, involuntarily or under circumstances that do not conform to his/her ordinary habits or behavior, and who may be in need of assistance (Penal Code § 14215).

Missing person networks - Databases or computer networks available to law enforcement and that are suitable for information related to missing persons investigations. These include the National Crime Information Center (NCIC), the California Law Enforcement Telecommunications System (CLETS), Missing Person System (MPS) and the Unidentified Persons System (UPS).

318.2 POLICY
The Anaheim Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The Anaheim Police Department gives missing person cases priority over property-related cases and will not require any time frame to pass before beginning a missing person investigation (Penal Code § 14211).

318.2.1 INVESTIGATION DILIGENCE
Members of this department shall accept any report, including any telephonic report, of a missing person, including runaways, without delay and shall give priority to the handling of these reports over the handling of reports relating to crimes involving property. (Penal Code § 14205). The required actions include the following:

(a) Make an assessment of reasonable steps to be taken to locate the person

(b) If the missing person is under 16-years of age, or there is evidence the person is at-risk, the Department shall broadcast over the radio a "be-on-the-lookout" transmission without delay within this jurisdiction
Missing Persons

The agency having jurisdiction over the missing person's residence normally will handle the case after the initial report is taken, however Department members may assist in the investigation on a person who was last seen in this jurisdiction.

318.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS
The Investigations supervisor should ensure the forms and kits are developed and available in accordance with this policy, state law, federal law and the California Peace Officer Standards and Training (POST) Missing Persons Investigations guidelines, including:

- Department report form for use in missing person cases
- Missing person investigation checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation (Penal Code § 13519.07)
- Missing person school notification form
- Medical records release form from the California Department of Justice
- California DOJ missing person forms as appropriate
- Biological sample collection kits

318.3.1 TRANSMITTING REPORTS TO OTHER JURISDICTIONS
When the Anaheim Police Department takes a missing person report on a person who lives outside of this jurisdiction, it is the handling officer or Department employee's responsibility to promptly notify and forward a copy of the report to the agency having jurisdiction over the missing person's residence and where the missing person was last seen. Records Bureau personnel can be used to assist with the notification. If the missing person is under 16 or there is evidence that the person may be at-risk, the reports must also be forwarded within 24 hours to the jurisdiction of the agency where the missing person was last seen. (Penal Code § 14205(c))

318.3.2 TELETYPE NOTIFICATIONS
When a missing person is under the age of 21, Records Bureau personnel shall send a teletype to the Department of Justice and the National Crime Information Center within two hours after accepting the report (42 U.S.C. 5779(a) and 42 U.S.C. 5780(3)).

318.3.3 AT-RISK REQUIREMENTS
If a missing person is under 18 years of age and at-risk or under 16 years of age and missing for more than 14 days, the handling detective shall immediately submit to the dentist, physician/surgeon, or medical facility the signed request for dental or skeletal X-rays or both (Cal. Penal Code § 14206(a)(2)).

In all cases the handling detective may confer with the coroner or medical examiners and may submit reports including the dental/skeletal X-rays within 24 hours to the Attorney General's office for submission to the National Crime Information Center.
318.3.4 MISSING MORE THAN 45 DAYS
(Penal Code 14206(b) states the detective may check with the appropriate coroner the coroner shall cooperate with the law enforcement agency.)

The assigned detective should verify and update the required missing person databases within 60 days of the original entry of the missing person into the systems and within 45 days thereafter until the missing person is located. The initial follow-up entry shall not exceed 60 days from the date of original entry. The assigned detective must also make reasonable efforts to locate the missing person and document these efforts with a supplemental report at least every 45 days. These reasonable efforts will include, if the missing person is under the age of 21, maintaining a close liaison with the National Center for Missing and Exploited Children (42 U.S.C. § 5780(4)(a)).

318.4 ACCEPTANCE OF REPORTS
Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay (Penal Code § 14211). This can be accomplished by accepting the report via telephone or in-person and initiating the investigation. Those members who do not take such reports or who are unable to render immediate assistance shall promptly dispatch or alert a member who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any other question of jurisdiction (Penal Code § 14211).

318.5 INITIAL INVESTIGATION
Officers or other members conducting the initial investigation of a missing person should take the following investigative actions, as applicable:

(a) Respond to a dispatched call for service as soon as practicable.

(b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.

(c) Notify a supervisor immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both (see the Public Alerts Policy).

(d) Broadcast a "Be on the Look-Out" (BOLO) bulletin if the person is under 21 years of age or there is evidence that the missing person is at risk. The BOLO should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 21 years of age or may be at risk (Penal Code § 14211).

(e) Ensure that entries are made into the appropriate missing person networks as follows:

1. Immediately, when the missing person is at risk.

2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.

(f) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.
Missing Persons

(g) Collect and/or review:
   1. A photograph and a fingerprint card of the missing person, if available.
   2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
   3. Any documents that may assist in the investigation, such as court orders regarding custody.
   4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).

(h) When circumstances permit and if appropriate, attempt to determine the missing person's location through his/her telecommunications carrier.

(i) Contact the appropriate agency if the report relates to a previously made missing person report and another agency is actively investigating that report. When this is not practical, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.

318.6 REPORT PROCEDURES AND ROUTING

Education Code § 49068.6 requires law enforcement to notify the school in which the missing child is enrolled within 10 days. The school shall "flag" a missing child's record and immediately notify law enforcement of an inquiry or request for the missing child's records.

318.7 INVESTIGATIONS DIVISION FOLLOW-UP

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

(a) Shall ensure that the missing person’s school is notified within 10 days if the missing person is a juvenile.
   1. The notice shall be in writing and should also include a photograph (Education Code § 49068.6).
   2. The investigator should meet with school officials regarding the notice as appropriate to stress the importance of including the notice in the child’s student file, along with contact information if the school receives a call requesting the transfer of the missing child’s files to another school.

(b) Should recontact the reporting person and/or other witnesses within 30 days of the initial report and within 30 days thereafter to determine if any additional information has become available via the reporting party.

(c) Should consider contacting other agencies involved in the case to determine if any additional information is available.
Missing Persons

(d) Shall verify and update CLETS, NCIC and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308).

(e) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.

(f) Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children® (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).

(g) Should make appropriate inquiry with the Coroner.

(h) Should obtain and forward medical and dental records, photos, X-rays and biological samples pursuant to Penal Code § 14212 and Penal Code § 14250.

(i) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not previously been obtained and forward the photograph to California DOJ (Penal Code § 14210) and enter the photograph into applicable missing person networks (34 USC § 41308).

(j) Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).

(k) In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 586).

318.8 MISSING PERSONS RECORD PURGING

According to the Department of Justice Missing Persons procedure, there are no policies either requiring the indefinite retention or prohibiting the removal of records from MUPS without the missing person being located.

Missing person cases that are 10 years or older, that meet a defined criteria, shall be purged from MUPS and the case closed.

Defined Criteria for purging from MUPS:

- Missing person is over 18 years of age
- No medical risk factors
- No extenuating circumstances
- No indication of any related crime or suspicious activity
- No current address or contact information available in Law Enforcement data files on the missing person, reporting party or any other witness listed on the report.
- A search of the AFIS system met with negative results
- All available investigative leads have been exhausted
Missing Persons

A check list of the available law enforcement data files shall be established to document the inquiry results and shall be retained with the case file. All cases submitted for purge shall be reviewed by both the Family Protection Sergeant and the Orange County Family Justice Center Bureau Commander for final approval.
Public Alerts

319.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

319.2 POLICY
Public alerts may be employed using the Emergency Alert System (EAS), local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system’s individual criteria.

319.3 RESPONSIBILITIES
319.3.1 EMPLOYEE RESPONSIBILITIES
Employees of the Anaheim Police Department should notify their supervisor, Watch Commander or Investigations Division Supervisor as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person or gathering information.

319.3.2 SUPERVISOR RESPONSIBILITIES
A supervisor apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the Chief of Police, the appropriate Division Commander and the Public Information Officer when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for the following:

(a) Updating alerts
(b) Canceling alerts
(c) Ensuring all appropriate reports are completed
(d) Preparing an after-action evaluation of the investigation to be forwarded to the Division Commander

319.4 AMBER ALERTS
The AMBER Alert™ Program is a voluntary partnership between law enforcement agencies, broadcasters, transportation agencies and the wireless industry, to activate urgent bulletins in child abduction cases.

319.4.1 CRITERIA FOR AMBER ALERT
The following conditions must be met before activating an AMBER Alert (Government Code § 8594(a)):
Public Alerts

(a) A child has been abducted or taken by anyone, including but not limited to a custodial parent or guardian.
(b) The victim is 17 years of age or younger, or has a proven mental or physical disability.
(c) The victim is in imminent danger of serious injury or death.
(d) There is information available that, if provided to the public, could assist in the child’s safe recovery.

319.4.2 PROCEDURE FOR AMBER ALERT
The supervisor in charge will ensure the following:

(a) An initial press release is prepared that includes all available information that might aid in locating the child:
   1. The child’s identity, age and description
   2. Photograph if available
   3. The suspect’s identity, age and description, if known
   4. Pertinent vehicle description
   5. Detail regarding location of incident, direction of travel, potential destinations, if known
   6. Name and telephone number of the Public Information Officer or other authorized individual to handle media liaison
   7. A telephone number for the public to call with leads or information
(b) The local California Highway Patrol communications center should be contacted to initiate a multi-regional or statewide EAS broadcast, following any policies and procedures developed by CHP (Government Code § 8594).
(c) The press release information is forwarded to the Sheriff’s Department Emergency Communications Bureau so that general broadcasts can be made to local law enforcement agencies.
(d) Information regarding the missing person should be entered into the California Law Enforcement Telecommunication System (CLETS).
(e) Information regarding the missing person should be entered into the California Department of Justice Missing and Unidentified Persons System (MUPS)/National Crime Information Center (NCIC).
(f) The following resources should be considered as circumstances dictate:
   1. The local FBI office
   2. National Center for Missing and Exploited Children (NCMEC)

319.5 BLUE ALERTS
Blue Alerts may be issued when an officer is killed, injured or assaulted and the suspect may pose a threat to the public or other law enforcement personnel.
319.5.1 CRITERIA FOR BLUE ALERTS
All of the following conditions must be met before activating a Blue Alert (Government Code § 8594.5):

(a) A law enforcement officer has been killed, suffered serious bodily injury or has been assaulted with a deadly weapon, and the suspect has fled the scene of the offense.

(b) The investigating law enforcement agency has determined that the suspect poses an imminent threat to the public or other law enforcement personnel.

(c) A detailed description of the suspect’s vehicle or license plate is available for broadcast.

(d) Public dissemination of available information may help avert further harm or accelerate apprehension of the suspect.

319.5.2 PROCEDURE FOR BLUE ALERT
The supervisor in charge should ensure the following:

(a) An initial press release is prepared that includes all available information that might aid in locating the suspect:
   1. The license number and/or any other available description or photograph of the vehicle
   2. Photograph, description and/or identification of the suspect
   3. The suspect’s identity, age and description, if known
   4. Detail regarding location of incident, direction of travel, potential destinations, if known
   5. Name and telephone number of the Public Information Officer or other authorized individual to handle media liaison
   6. A telephone number for the public to call with leads or information

(b) The local California Highway Patrol communications center is contacted to initiate a multi-regional or statewide EAS broadcast.

(c) The information in the press release is forwarded to the Sheriff’s Department Emergency Communications Bureau so that general broadcasts can be made to local law enforcement agencies.

(d) The following resources should be considered as circumstances dictate:
   1. Entry into the California Law Enforcement Telecommunication System (CLETS)
   2. The FBI local office

319.6 SILVER ALERTS
Silver Alerts® is an emergency notification system for people who are 65 years of age or older, developmentally disabled or cognitively impaired and have been reported missing (Government Code § 8594.10).
Public Alerts

319.6.1 CRITERIA FOR SILVER ALERTS
All of the following conditions must be met before activating a Silver Alert (Government Code § 8594.10):

(a) The missing person is 65 years of age or older, developmentally disabled or cognitively impaired.
(b) The department has utilized all available local resources.
(c) The investigating officer or supervisor has determined that the person is missing under unexplained or suspicious circumstances.
(d) The investigating officer or supervisor believes that the person is in danger because of age, health, mental or physical disability, environment or weather conditions, that the person is in the company of a potentially dangerous person, or that there are other factors indicating that the person may be in peril.
(e) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

319.6.2 PROCEDURE FOR SILVER ALERT
Requests for a Silver Alert shall be made through the California Highway Patrol (Government Code § 8594.10).

319.7 ADDITIONAL ALERTS FOR PUBLIC SAFETY EMERGENCIES
Additional public safety emergency alerts may be authorized that utilize wireless emergency alert system (WEA) and emergency alert system (EAS) equipment for alerting and warning the public to protect lives and save property (Government Code § 8593.7).

319.7.1 CRITERIA
Public safety emergency alerts may be issued to alert or warn the public about events including but not limited to:

(a) Evacuation orders (including evacuation routes, shelter information, key information).
(b) Shelter-in-place guidance due to severe weather.
(c) Terrorist threats.
(d) HazMat incidents.

319.7.2 PROCEDURE
Public safety emergency alerts should be activated by following the guidelines issued by the Office of Emergency Services (Government Code § 8593.7).

319.8 MUTUAL AID
The experiences of other law enforcement jurisdictions that have implemented similar plans indicate a public alert will generate a high volume of telephone calls to the handling agency.
Public Alerts

The Sheriff’s Department emergency communications facilities and staff can be made available in the event of a high call volume.

If the Watch Commander or Investigations Division Supervisor elects to use the services of the Sheriff’s Department, the following will apply:

(a) Notify the Sheriff’s Department Watch Commander of the incident and the request for assistance. He/she will provide you with a telephone number for the public to call.

(b) In the press release, direct the public to the telephone number provided by the Sheriff’s Department Watch Commander.

(c) The Public Information Officer will continue to handle all press releases and media inquiries. Any press inquiries received by the Sheriff’s Department will be referred back to this department.

The Anaheim Police Department shall assign a minimum of two detectives/officers to respond to the Sheriff’s Department emergency communications facility to screen and relay information and any clues received from incoming calls. As circumstances dictate, more staff resources from the handling law enforcement agency may be necessary to assist the staff at the emergency communications facility.
Victim and Witness Assistance

320.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

320.2 POLICY
The Anaheim Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The members of the Anaheim Police Department will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

320.3 CRIME VICTIM LIAISON
The Chief of Police shall appoint a member of the Department to serve as the crime victim liaison (2 CCR 649.36). The crime victim liaison will be the point of contact for individuals requiring further assistance or information from the Anaheim Police Department regarding benefits from crime victim resources. This person shall also be responsible for maintaining compliance with all legal mandates related to crime victims and/or witnesses.

320.3.1 CRIME VICTIM LIAISON DUTIES
The crime victim liaison is specifically tasked with the following:

(a) Developing and implementing written procedures for notifying and providing forms for filing with the California Victim Compensation Board (CalVCB) to crime victims, their dependents, or family. Access to information or an application for victim compensation shall not be denied based on the victim’s or derivative victim’s designation as a gang member, associate, or affiliate, or on the person’s documentation or immigration status (Government Code § 13962; 2 CCR 649.35; 2 CCR 649.36).

(b) Responding to inquiries concerning the procedures for filing a claim with CalVCB (2 CCR 649.36).

(c) Providing copies of crime reports requested by CalVCB or victim witness assistance centers. Disclosure of reports must comply with the Records Maintenance and Release Policy.

(d) Annually providing CalVCB with his/her contact information (Government Code § 13962).

(e) Developing in consultation with sexual assault experts a sexual assault victim card explaining the rights of victims under California law (Penal Code § 680.2).

1. Ensuring that sufficient copies of the rights of sexual assault victim card are provided to each provider of medical evidentiary examinations or physical examinations arising out of sexual assault in the Anaheim Police Department jurisdiction (Penal Code § 680.2).
320.4 CRIME VICTIMS
Officers should provide all victims with the applicable victim information handouts.

Officers should never guarantee a victim’s safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Officers should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct him/her to the proper written department material or available victim resources.

320.4.1 VICTIMS OF HUMAN TRAFFICKING
Officers investigating or receiving a report involving a victim of human trafficking shall inform the victim, or the victim’s parent or guardian if the victim is a minor, that upon the request of the victim the names and images of the victim and his/her immediate family members may be withheld from becoming a matter of public record until the conclusion of the investigation or prosecution (Penal Code § 293).

320.5 VICTIM INFORMATION
The Administration Supervisor shall ensure that victim information handouts are available and current. These should include as appropriate:

   (a) Shelters and other community resources for victims of domestic violence.
   (b) Community resources for victims of sexual assault.
   (c) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage, and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109; Penal Code § 13823.95(a)).
   (d) An explanation that victims of sexual assault who seek a standardized medical evidentiary examination shall not be required to participate or agree to participate in the criminal justice system, either prior to the examination or at any other time (Penal Code § 13823.95(b)).
   (e) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.
   (f) A clear explanation of relevant court orders and how they can be obtained.
   (g) Information regarding available compensation for qualifying victims of crime (Government Code § 13962).
   (h) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender’s custody status and to register for automatic notification when a person is released from jail.
   (i) Notice regarding U visa and T visa application processes.
   (j) Resources available for victims of identity theft.
(k) A place for the officer’s name, badge number, and any applicable case or incident number.

(l) The “Victims of Domestic Violence” card (to include Marsy’s Law flyer (APD 587)) containing the names, phone numbers, or local county hotlines of local shelters for battered women and rape victim counseling centers within the county and their 24-hour counseling service telephone numbers (Penal Code § 264.2).

(m) The rights of sexual assault victims card with the required information as provided in Penal Code § 680.2.

(n) Any additional information required by state law (Penal Code § 13701; Penal Code § 679.02; Penal Code § 679.04; Penal Code § 679.05; Penal Code § 679.026).

320.6 WITNESSES

Officers should never guarantee a witness’ safety from future harm or that his/her identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.
Hate Crimes

321.1 PURPOSE AND SCOPE
This policy is designed to assist in identifying and handling crimes motivated by hate or other bias toward individuals and groups with legally defined protected characteristics, to define appropriate steps for assisting victims, and to provide a guide to conducting related investigations. It outlines the general policy framework for prevention, response, accessing assistance, victim assistance and follow-up, and reporting as related to law enforcement’s role in handling hate crimes. It also serves as a declaration that hate crimes are taken seriously and demonstrates how the Anaheim Police Department may best use its resources to investigate and solve an offense, in addition to building community trust and increasing police legitimacy (Penal Code § 13519.6).

321.1.1 DEFINITION AND LAWS
In accordance with Penal Code § 422.55; Penal Code § 422.56; Penal Code § 422.6; and Penal Code § 422.87, for purposes of all other state law, unless an explicit provision of law or the context clearly requires a different meaning, the following shall apply:

Bias motivation - Bias motivation is a pre-existing negative attitude toward actual or perceived characteristics referenced in Penal Code § 422.55. Depending on the circumstances of each case, bias motivation may include but is not limited to hatred, animosity, resentment, revulsion, contempt, unreasonable fear, paranoia, callousness, thrill-seeking, desire for social dominance, desire for social bonding with those of one’s “own kind,” or a perception of the vulnerability of the victim due to the victim being perceived as being weak, worthless, or fair game because of a protected characteristic, including but not limited to disability or gender.

Disability - Disability includes mental disability and physical disability as defined in Government Code § 12926, regardless of whether those disabilities are temporary, permanent, congenital, or acquired by heredity, accident, injury, advanced age, or illness.

Disability bias - In recognizing suspected disability-bias hate crimes, officers should consider whether there is any indication that the perpetrator was motivated by hostility or other bias, occasioned by factors such as but not limited to dislike of persons who arouse fear or guilt, a perception that persons with disabilities are inferior and therefore “deserving victims,” a fear of persons whose visible traits are perceived as being disturbing to others, or resentment of those who need, demand, or receive alternative educational, physical, or social accommodations.

In recognizing suspected disability-bias hate crimes, officers should consider whether there is any indication that the perpetrator perceived the victim to be vulnerable and, if so, if this perception is grounded, in whole or in part, in anti-disability bias. This includes but is not limited to situations where a perpetrator targets a person with a particular perceived disability while avoiding other vulnerable-appearing persons, such as inebriated persons or persons with perceived disabilities different from those of the victim. Such circumstances could be evidence that the perpetrator’s motivations included bias against persons with the perceived disability of the victim and that the crime must be reported as a suspected hate crime and not a mere crime of opportunity.
Hate Crimes

Gender - Gender means sex and includes a person's gender identity and gender expression.

Gender expression - Gender expression means a person's gender-related appearance and behavior, whether or not stereotypically associated with the person's assigned sex at birth.

Gender identity - Gender identity means each person's internal understanding of their gender, or the perception of a person's gender identity, which may include male, female, a combination of male and female, neither male nor female, a gender different from the person's sex assigned at birth, or transgender (2 CCR § 11030).

Hate crime - “Hate crime” includes but is not limited to a violation of Penal Code § 422.6, and means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

(a) Disability
(b) Gender
(c) Nationality
(d) Race or ethnicity
(e) Religion
(f) Sexual orientation
(g) Association with a person or group with one or more of these actual or perceived characteristics:
   1. “Association with a person or group with these actual or perceived characteristics” includes advocacy for, identification with, or being on the ground owned or rented by, or adjacent to, any of the following: a community center, educational facility, family, individual, office, meeting hall, place of worship, private institution, public agency, library, or other entity, group, or person that has, or is identified with people who have, one or more of those characteristics listed in the definition of “hate crime” under paragraphs 1 to 6, inclusive, of Penal Code § 422.55(a).

Note: A “hate crime” need not be motivated by hate but may be motivated by any bias against a protected characteristic.

Hate incident - A hate incident is an action or behavior motivated by hate or bias but legally protected by the First Amendment right to freedom of expression. Examples of hate incidents include:

- Name-calling
- Insults and epithets
- Distributing hate material in public places
- Displaying hate material on your own property
Hate Crimes

Hate speech - The First Amendment to the U.S. Constitution protects most speech, even when it is disagreeable, offensive, or hurtful. The following types of speech are generally not protected:

- Fighting words
- True threats
- Perjury
- Blackmail
- Incitement to lawless action
- Conspiracy
- Solicitation to commit any crime

In whole or in part - “In whole or in part because of” means that the bias motivation must be a cause in fact of the offense whether or not other causes also exist. When multiple concurrent motives exist, the prohibited bias must be a substantial factor in bringing about the particular result. There is no requirement that the bias be a main factor, or that a crime would not have been committed but for the actual or perceived characteristic.

Nationality - Nationality includes citizenship, country of origin, and national origin.

Race or ethnicity - Race or ethnicity includes ancestry, color, and ethnic background.

Religion - Religion includes all aspects of religious belief, observance, and practice and includes agnosticism and atheism.

Sexual orientation - Sexual orientation means heterosexuality, homosexuality, or bisexuality.

Victim - Victim includes but is not limited to:

- Community center
- Educational facility
- Entity
- Family
- Group
- Individual
- Office
- Meeting hall
- Person
- Place of worship
- Private institution
- Public agency
Hate Crimes

- Library
- Other victim or intended victim of the offense

321.2 POLICY
It is the policy of this department to safeguard the rights of all individuals irrespective of their disability, gender, nationality, race or ethnicity, religion, sexual orientation, and/or association with a person or group with one or more of these actual or perceived characteristics. Any acts or threats of violence, property damage, harassment, intimidation, or other crimes motivated by hate or bias should be viewed very seriously and given high priority.

This department will employ reasonably available resources and vigorous law enforcement action to identify and arrest hate crime perpetrators. Also, recognizing the particular fears and distress typically suffered by victims, the potential for reprisal and escalation of violence, and the far-reaching negative consequences of these crimes on the community, this department should take all reasonable steps to attend to the security and related concerns of the immediate victims and their families as feasible.

All officers are required to be familiar with the policy and use reasonable diligence to carry out the policy unless directed by the Chief of Police or other command-level officer to whom the Chief of Police formally delegates this responsibility.

321.3 PLANNING AND PREVENTION
In order to facilitate the guidelines contained within this policy, department members will continuously work to build and strengthen relationships with the community, engage in dialogue, and provide education to the community about this policy. Department personnel are also encouraged to learn about the inherent issues concerning their communities in relation to hate crimes.

Although hate incidents are not criminal events, they can be indicators of, or precursors to, hate crimes. Hate incidents should be investigated and documented as part of an overall strategy to prevent hate crimes.

321.3.1 HATE CRIMES COORDINATOR
The Crimes Persons Commander will serve as the Hate Crimes Coordinator and ensure the responsibilities listed below are addressed by the appropriate sections within the police department. The responsibilities of the Hate Crimes Coordinator should include but not be limited to (Penal Code § 422.87):

(a) Meeting with residents in target communities to allay fears; emphasizing the department's concern over hate crimes and related incidents; reducing the potential for counter-violence; and providing safety, security, and crime-prevention information. Cultural diversity education and immersion programs (if available) could facilitate this process.

(b) Finding, evaluating, and monitoring public social media sources to identify possible suspects in reported hate crimes; to identify suspects or suspect groups in future hate...
crimes or hate incidents affecting individuals, groups, or communities that may be victimized; and to predict future hate-based events.

(c) Providing direct and referral assistance to the victim and the victim’s family.

(d) Conducting public meetings on hate crime threats and violence in general.

(e) Establishing relationships with formal community-based organizations and leaders.

(f) Expanding, where appropriate, preventive programs such as hate, bias, and crime-reduction seminars for students.

(g) Reviewing the Attorney General’s latest opinion on hate crime statistics and targets in order to prepare and plan for future crimes, specifically for Arab/Middle Eastern and Muslim communities (Penal Code § 13519.6(b)(8)).

(h) Providing orientation of and with communities of specific targeted victims such as immigrants, Muslims, Arabs, LGBTQ, black or African-American, Jewish, Sikh, and persons with disabilities.

(i) Coordinating with the Training Sergeant to include in a training plan recognition of hate crime bias characteristics, including information on general underreporting of hate crimes.

(j) Verifying a process is in place to provide this policy and related orders to officers in the field; and taking reasonable steps to rectify the situation if such a process is not in place.

(k) Taking reasonable steps to ensure hate crime data is provided to the Records Section for mandated reporting to the Department of Justice.

(l) Reporting any suspected multi-mission extremist crimes to the agency Terrorism Liaison Officer, the assigned designee, or other appropriate resource; and verifying that such data is transmitted to the Joint Regional Information Exchange System in accordance with the protocols of the Records Section Policy.

(m) Maintaining the department’s supply of up-to-date hate crimes brochures (Penal Code § 422.92; Penal Code § 422.87).

(n) Annually assessing this policy, including:

1. Keeping abreast of the Commission on Peace Officer Standards and Training (POST) model policy framework for hate crimes for revisions or additions, including definitions, responsibilities, training resources, and planning and prevention methods.

2. Analysis of the department’s data collection as well as the available outside data (e.g., annual California Attorney General’s report on hate crime) in preparation for and response to future hate crimes.

321.3.2 RELEASE OF INFORMATION
Establishing a relationship with stakeholders, before any incident occurs, to develop a network and protocol for disclosure often assists greatly in any disclosure.

The benefit of public disclosure of hate crime incidents includes:
Hate Crimes

(a) Dissemination of correct information.
(b) Assurance to affected communities or groups that the matter is being properly and promptly investigated.
(c) The ability to request information regarding the commission of the crimes from the victimized community.

Information or records relating to hate crimes subject to public disclosure shall be released as provided by the Records Maintenance and Release Policy or as allowed by law. In accordance with the Media Relations Policy, the supervisor, public information officer, or the authorized designee should be provided with information that can be responsibly reported to the media. When appropriate, the department spokesperson should reiterate that hate crimes will not be tolerated, will be investigated seriously, and will be prosecuted to the fullest extent of the law.

The Department should consider the following when releasing information to the public regarding hate crimes and hate incidents that have been reported within the jurisdiction:

- Inform community organizations in a timely manner when a community group has been the target of a hate crime.
- Inform the community of the impact of these crimes on the victim, the victim’s family, and the community, and of the assistance and compensation available to victims.
- Inform the community regarding hate crime law and the legal rights of, and remedies available to, victims of hate crimes.
- Provide the community with ongoing information regarding hate crimes and/or hate incidents.

321.4 RESPONSE, VICTIM ASSISTANCE, AND FOLLOW-UP

321.4.1 INITIAL RESPONSE

First responding officers should know the role of all department personnel as they relate to the department’s investigation of hate crimes and/or incidents. Responding officers should evaluate the need for additional assistance and, working with supervision and/or investigations, access needed assistance if applicable.

At the scene of a suspected hate or bias crime, officers should take preliminary actions reasonably deemed necessary, including but not limited to the following:

(a) Use agency checklist (per Penal Code § 422.87) to assist in the investigation of any hate crime (see Appendix).
(b) Stabilize the victims and request medical attention when necessary.
(c) Properly protect the safety of victims, witnesses, and perpetrators.
   1. Assist victims in seeking a Temporary Restraining Order (if applicable).
(d) Notify other appropriate personnel in the chain of command, depending on the nature and seriousness of the offense and its potential inflammatory and related impact on the community.
Hate Crimes

(e) Properly protect, preserve, and process the crime scene, and remove all physical evidence of the incident as soon as possible after the offense is documented. If evidence of an inflammatory nature cannot be physically removed, the property owner should be contacted to facilitate removal or covering as soon as reasonably possible. Department personnel should follow up with the property owner to determine if this was accomplished in a timely manner.

(f) Collect and photograph physical evidence or indicators of hate crimes such as:
   1. Hate literature.
   2. Spray paint cans.
   3. Threatening letters.
   4. Symbols used by hate groups.

(g) Identify criminal evidence on the victim.

(h) Request the assistance of translators or interpreters when needed to establish effective communication with witnesses, victims, or others as appropriate.

(i) Conduct a preliminary investigation and record pertinent information including but not limited to:
   1. Identity of suspected perpetrators.
   2. Identity of witnesses, including those no longer at the scene.
   3. The offer of victim confidentiality per Government Code § 5264.
   4. Prior occurrences in this area or with this victim.
   5. Statements made by suspects; exact wording is critical.
   6. The victim’s protected characteristics and determine if bias was a motivation “in whole or in part” in the commission of the crime.

(j) Adhere to Penal Code § 422.93, which protects hate crime victims and witnesses from being reported to federal immigration authorities if they have not committed any crime under state law.

(k) Provide information regarding immigration remedies available to victims of crime (e.g., U-Visa, T-Visa, S-Visa).

(l) Provide the department’s Hate Crimes Brochure (per Penal Code § 422.92) if asked, if necessary, or per policy.

(m) Utilize proper techniques for interviewing people with disabilities and be aware of and provide appropriate accommodations (e.g., ADA standards, Braille, visuals, translators for the deaf or hard of hearing).

321.4.2 INVESTIGATION

Investigators at the scene of, or performing follow-up investigation on, a suspected hate or bias crime or hate incident should take all actions deemed reasonably necessary, including but not limited to the following:

(a) Consider typologies of perpetrators of hate crimes and incidents, including but not limited to thrill, reactive/defensive, and mission (hard core).

(b) Utilize investigative techniques and methods to handle hate crimes or hate incidents in a professional manner.

(c) Utilize proper techniques for interviewing people with disabilities and be aware of and provide appropriate accommodations (e.g., ADA standards, Braille, visuals, translators for the deaf or hard of hearing).

(d) Properly investigate any report of a hate crime committed under the color of authority per Penal Code § 422.6 and Penal Code § 13519.6.

(e) Document physical evidence or indicators of hate crimes, in accordance with the provisions of the Property and Evidence Policy, such as:
   1. Hate literature.
   2. Spray paint cans.
   3. Threatening letters.
   4. Symbols used by hate groups.
   5. Desecration of religious symbols, objects, or buildings.

(f) Request the assistance of translators or interpreters when needed to establish effective communication.

(g) Conduct a preliminary investigation and record information regarding:
   1. Identity of suspected perpetrators.
   2. Identity of witnesses, including those no longer at the scene.
   4. Prior occurrences, in this area or with this victim.
   5. Statements made by suspects; exact wording is critical.
   6. Document the victim’s protected characteristics.

(h) Provide victim assistance and follow-up.

(i) Canvass the area for additional witnesses.

(j) Examine suspect’s social media activity for potential evidence of bias motivation.

(k) Coordinate the investigation with department, state, and regional intelligence operations. These sources can provide the investigator with an analysis of any patterns, organized hate groups, and suspects potentially involved in the offense.
Hate Crimes

(l) Coordinate the investigation with the crime scene investigation unit (if applicable) or other appropriate units of the Department.

(m) Determine if the incident should be classified as a hate crime.

(n) Take reasonable steps to provide appropriate assistance to hate crime victims, including the following measures:
   1. Contact victims periodically to determine whether they are receiving adequate and appropriate assistance.
   2. Provide ongoing information to victims about the status of the criminal investigation.
   3. Provide victims and any other interested persons the brochure on hate crimes per Penal Code § 422.92 and information on any local advocacy groups (if asked).


(p) Coordinate with other law enforcement agencies in the area to assess patterns of hate crimes and/or hate incidents, and determine if organized hate groups are involved.

321.4.3 SUPERVISION
The supervisor shall confer with the initial responding officer and take reasonable steps to ensure that necessary preliminary actions have been taken. The supervisor shall request any appropriate personnel necessary to accomplish the following:

(a) Provide immediate assistance to the crime victim by:
   1. Expressing the department’s official position on the importance of these cases and the measures that will be taken to apprehend the perpetrators.
   2. Expressing the department’s interest in protecting victims’ anonymity (confidentiality forms, Government Code § 6254) to the extent reasonably possible. Allow the victims to convey their immediate concerns and feelings.
   3. Identifying individuals or agencies that may provide victim assistance and support. Local victim assistance resources may include family members or close acquaintances, clergy, or a department chaplain, as well as community service agencies that provide shelter, food, clothing, child care, or other related services (per Penal Code § 422.92).

(b) Take reasonable steps to ensure that all relevant facts are documented on an incident and/or arrest report and make an initial determination as to whether the incident should be classified as a hate crime for federal and state bias-crimes reporting purposes.

(c) Notify other appropriate personnel in the chain of command, depending on the nature and seriousness of the offense and its potential inflammatory and related impact on the community.

(d) In cases of large-scale hate crime waves, or in circumstances where the potential exists for subsequent hate crimes or incidents, consider directing resources to protect vulnerable sites (such as assigning an officer to specific locations that could become targets).
Hate Crimes

(e) Verify hate crimes are being properly reported, including reporting to the Department of Justice, pursuant to Penal Code § 13023.

(f) Verify adherence to Penal Code § 422.93, which protects hate crime victims and witnesses from being reported to federal immigration authorities if they have not committed any crime under state law. Supervisors should also be aware of the immigration remedies available to victims of crime (e.g., U-Visa, T-Visa, S-Visa).

(g) Respond to and properly initiate an investigation of any reports of hate crimes committed under the color of authority.

(h) Provide appropriate assistance, including activating the California Department of Justice hate crime rapid response protocol if necessary. For additional information refer to the California Department of Justice website.

(i) Verify reporting of any suspected multi-mission extremist crimes to the agency Hate Crimes Coordinator.

(j) Make a final determination as to whether the incident should be classified as a hate crime and forward to the Chief of Police for approval.

321.5 TRAINING
All members of this department will receive POST-approved training on hate crime recognition and investigation as provided by Penal Code § 13519.6. Training should include (Penal Code § 422.87):

(a) Recognition of bias motivators such as ranges of attitudes and perceptions toward a specific characteristic or group, including disability bias and gender bias.

(b) Accurate reporting by officers, including information on the general underreporting of hate crimes.

(c) Distribution of hate crime brochures.

321.6 APPENDIX
See attachments:

Statutes and Legal Requirements.pdf
Hate Crime Checklist.pdf
Standards of Conduct

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

322.2 POLICY
The continued employment or appointment of every member of the Anaheim Police Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure of any employee to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

An employee’s off-duty conduct shall be governed by this policy to the extent that it is related to act(s) that may materially affect or arise from the employee’s ability to perform official duties or to the extent that it may be indicative of unfitness for his/her position.

322.3 DIRECTIVES AND ORDERS
Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification for declining to do so. This will include orders relayed from a supervisor by an employee of the same or lesser position.

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

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

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

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

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

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

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

(c) Directing a subordinate to violate a policy or directive, acquiescing in such a violation, or being indifferent to any such violation by a subordinate.

(d) The unequal or disparate exercise of authority toward any member for a malicious or other improper purpose.

Supervisors and managers may delegate appropriate portions of their responsibilities with the commensurate authority to subordinates. However, such delegation shall not relieve such supervisors or managers from accountability for the actions and accomplishments of their subordinate, nor the responsibility for their proper exercise of authority.

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

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

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

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

322.5.1 LAWS, RULES AND ORDERS

(a) Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or City manuals.

(b) Disobedience of any legal directive or order issued by any department member of a higher rank.

(c) Violation of federal, state, local or administrative laws, rules or regulations.

(d) Failure to immediately notify an uninvolved supervisor of a violation of the rules of conduct, policy, procedure, or any General or Special Order.

A conviction of, a guilty plea or a "no contest plea" to the violation of any law shall be conclusive evidence of a violation of this section, however a determination as to a violation of the law may be made absent any conviction.

322.5.2 ETHICS

(a) Using or disclosing one’s status as a member of the Anaheim Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.

(b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.

(c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member’s duties (lawful subpoena fees and authorized work permits excepted).

(d) Solicitation or acceptance from any person, business, or organization any gift (including money, tangible or intangible personal property, food, beverage, loan, promise, service, or entertainment) for the benefit of the employee or the Department, if it may reasonably be inferred that the person, business, or organization:

1. Seeks to influence action of an official nature or seeks to affect the performance or nonperformance of an official duty; or

2. Has an interest which may be substantially affected directly or indirectly by the performance or nonperformance of an official duty.

(e) Misappropriation or misuse of public funds, property, personnel or services.

(f) Any other failure to abide by the standards of ethical conduct.

322.5.3 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful.
Standards of Conduct

322.5.4 RELATIONSHIPS

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

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

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

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

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

322.5.5 ATTENDANCE

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

(b) Unexcused or unauthorized absence or tardiness.

(c) Excessive absenteeism or abuse of leave privileges.

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

322.5.6 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

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

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

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

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

(d) Loaning, selling, allowing unauthorized use, giving away or appropriating any Anaheim Police Department badge, uniform, identification card or department property for personal use, personal gain, or any other improper or unauthorized use or purpose.
Standards of Conduct

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

(f) Using any department address:
   (a) As a member’s personal mailing address; or
   (b) As the delivery address for personal goods or merchandise purchased by member's for personal reasons; or
   (c) As an address for the purpose of complying with Motor Vehicle Registration or Licensing provisions that is not pursuant to 1808.4 CVC.

(g) Failure to treat the official business of the Department as confidential.

(h) Dissemination of information regarding official business in violation of established department procedures.

322.5.7 EFFICIENCY

(a) Neglect of duty.

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

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

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

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

(f) Failure to maintain a contact telephone number for purposes of Department notifications.

(g) Failure to immediately report any changes of contact telephone number or address to the appropriate supervisor.

(h) Failure to submit all necessary reports and memos on time and in accordance with established Department procedures.

322.5.8 PERFORMANCE

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

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

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

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

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

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

1. While on department premises.
2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
3. Gambling activity undertaken as part of an officer official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.

(g) Improper political activity including:

(a) Unauthorized attendance while on-duty at official legislative or political sessions.
(b) Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or, on department property except as expressly authorized by City policy, the memorandum of understanding, or the Chief of Police.

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

(i) Knowingly enter or cause to be entered any information in reports, memorandums, or electronic communications that is:

(a) Inaccurate; or
(b) Incomplete; or
(c) False; or
(d) Improper

(j) Making any arrest, search, or seizure that an officer knows or should know is not in accordance with established laws and/or department procedures.

(k) Failure to be completely truthful at all times on all matters which pertain to an employee's duties, conduct, observations or official business of the Anaheim Police Department or other law enforcement agency or commission.

(l) Any act on- or off-duty that brings discredit to this department.
322.5.9 CONDUCT

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

(b) Using unreasonable and unwarranted force on a person encountered or a person under arrest.

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

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

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

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

(g) Failure to be tactful in the performance of duties, control temper, and exercise the utmost patience and discretion.

(h) Engaging in argumentative discussions even in the face of extreme provocation.

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

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

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

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

(m) Activity that is incompatible with a member’s conditions of employment or appointment as established by law or that violates a provision of any memorandum of understanding or contract which includes but not limited to fraud in securing the appointment or hire.

(n) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief of Police of such action.

(o) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.

(p) Mistreatment of persons who are in custody or failure to treat persons in custody in accordance with all laws and/or department procedures.

(q) Conducting a business transaction of any nature with a person held in custody by this Department regardless whether the transaction results in a benefit to the employee.
Standards of Conduct

322.5.10 SAFETY

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

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

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

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

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

(f) Failure to operate department vehicles in a safe or proper manner while on-duty or off-duty.

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

(h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

(i) Failure to carry firearms in accordance with all laws and/or department procedures.

(j) Failure to use weapons in accordance with all laws and/or department procedures.

322.5.11 INTOXICANTS

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

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

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

323.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems. This policy is meant to supplement City of Anaheim Administrative Regulation 155, not supersede it. The City’s established policies, administrative regulations and the law apply to all members while utilizing City resources, including but not limited to computers, services, printers, copiers, fax machines, scanners, software, Internet, phone systems, electronic communication systems (including the E-Mail System) and all other technology-related items (“City’s Technology”).

323.1.1 DEFINITIONS
Definitions related to this policy include:

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

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

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

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

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

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

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

The Department shall not require a member to disclose a personal username or password for accessing personal social media or to open a personal social website; however, the Department may request access when it is reasonably believed to be relevant to the investigation of allegations of work-related misconduct (Labor Code § 980).

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

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

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

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

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

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

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

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

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

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

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

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

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

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

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

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

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

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

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

324.1 PURPOSE AND SCOPE
Report preparation is a major part of each officer’s job. The purpose of reports is to document sufficient information to refresh the officer’s memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formalized training and on-the-job training.

324.1.1 REPORT PREPARATION
Employees should ensure that reports are sufficiently detailed for their purpose and free from errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads, or arrest reports where the suspect remains in custody should not be held.

Handwritten reports must be prepared legibly. If the report is not legible, the submitting employee will be required by the reviewing supervisor to promptly make corrections and resubmit the report. Employees who dictate reports shall use appropriate grammar, as content is not the responsibility of the typist. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense, and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee’s opinions should not be included in reports unless specifically identified as such.

324.2 REQUIRED REPORTING
Written reports are required in all of the following situations on the appropriate department approved form unless otherwise approved by a supervisor.

324.2.1 CRIMINAL ACTIVITY
When a member responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution. Activity to be documented in a written report includes:

(a) All arrests
(b) All felony crimes
(c) Non-Felony incidents involving threats or stalking behavior
(d) Situations covered by separate policy. These include:
   1. Use of Force Policy
2. Domestic Violence Policy
3. Child Abuse Policy
4. Adult Abuse Policy
5. Hate Crimes Policy
6. Suspicious Activity Reporting Policy
(e) All misdemeanor crimes where the victim desires a report

Misdemeanor crimes where the victim does not desire a report shall be documented using the department-approved alternative reporting method (e.g., dispatch log).

324.2.2 NON-CRIMINAL ACTIVITY
The following incidents shall be documented using the appropriate approved report or street check:

(a) Any time an officer intentionally or purposefully points a firearm at any person. When an officer utilizes the "low ready" position for a building search, perimeter position, felony car stop, or any other circumstance(s) where the "low ready" would be appropriate, they are not required to complete a report. For purpose of this policy, the "low ready" position is defined as a neutral position where the firearm is pointed off-target, not at a person, when an established threat has not been identified, which allows for a clear line of vision, and yet can quickly be raised to engage a threat

(b) Any use of force against any person by a member of this department (see the Use of Force Policy)

(c) Any firearm discharge (see the Firearms Policy)

(d) Anytime a person is reported missing, regardless of jurisdiction (see the Missing Persons Policy)

(e) Any found property or found evidence

(f) Any traffic collisions (see Traffic Collision Reporting Policy)

(g) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy

(h) All protective custody detentions

(i) Suspicious incidents that may place the public or others at risk

(j) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor

(k) If a person is restrained and released without an arrest, the officer shall document the details of the detention and the need for handcuffs or other restraints. Documentation of the incident shall be made to record the details of the detention, including the need for handcuffs and the name of the detainee in a General Offense report (GO) or Street Check (SC). If a person is arrested, the use of handcuffs or other restraints shall be documented in the related report (see the Handcuffing and Restraints Policy)
324.2.3 DEATH CASES
Death investigations require specific investigation methods depending on circumstances and should be handled in accordance with the Death Investigations Policy. The handling officer should notify and apprise a supervisor of the circumstances surrounding the incident to determine how to proceed. The following cases shall be appropriately investigated and documented using the approved report:

(a) Sudden or accidental deaths.
(b) Suicides.
(c) Homicide or suspected homicide.
(d) Unattended deaths (No physician or qualified hospice care in the 20 days preceding death).
(e) Found dead bodies or body parts.

324.2.4 INJURY OR DAMAGE BY CITY PERSONNEL
Reports shall be taken if an injury occurs that is a result of an act of a City employee. Additionally, reports shall be taken involving damage to City property or City equipment.

324.2.5 MISCELLANEOUS INJURIES
Any injury that is reported to this department shall require a report when:

(a) The injury is a result of drug overdose
(b) Attempted suicide
(c) The injury is major/serious, whereas death could result
(d) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event

The above reporting requirements are not intended to be all-inclusive. A supervisor may direct an employee to document any incident he/she deems necessary.

324.2.6 MANDATORY REPORTING OF JUVENILE GUNSHOT INJURIES
A report shall be taken when any incident in which a child 18 years or younger suffered an unintentional or self-inflicted gunshot wound. The Records Section shall notify the California Department of Public Health (CDPH) of the incident as required by CDPH (Penal Code § 23685).

324.2.7 ALTERNATE REPORTING FOR VICTIMS
Reports that may be submitted by the public via online or other self-completed reporting processes include:

(a) Lost property.
(b) Misdemeanor thefts of property, other than firearms or materials that threaten public safety, when there is no suspect information, serial number or ability to trace the item.
   1. Misdemeanor thefts of cellular telephones may be reported even though they have a serial number.

(c) Misdemeanor vandalism with no suspect information and no hate crime implications.

(d) Vehicle burglaries with no suspect information or evidence.

(e) Stolen vehicle attempts with no suspect information or evidence.

(f) Annoying telephone calls with no suspect information.

(g) Identity theft without an identifiable suspect.

(h) Online or email fraud solicitations without an identifiable suspect and if the financial loss classifies the crime as a misdemeanor.

(i) Hit-and-run vehicle collisions with no suspect or suspect vehicle.

(j) Supplemental property lists.

Members at the scene of one of the above incidents should not refer the reporting party to an alternate means of reporting without authorization from a supervisor. Members may refer victims to online victim assistance programs (e.g., Federal Communications Commission (FCC) website for identity theft, Internet Crime Complaint Center (IC3) website for computer crimes).

324.3 GENERAL POLICY OF EXPEDITIOUS REPORTING
In general, all officers and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

324.3.1 GENERAL POLICY OF HANDWRITTEN REPORTS
Some incidents and report forms lend themselves to block print rather than typing. In general, the narrative portion of those reports where an arrest is made or when there is a long narrative should be typed or dictated.

Supervisors may require, with the foregoing general policy in mind, block printing or typing of reports of any nature for department consistency.

324.3.2 GENERAL USE OF OTHER HANDWRITTEN FORMS
County, state and federal agency forms may be block printed as appropriate. In general, the form itself may make the requirement for typing apparent.

324.4 REPORT CORRECTIONS
Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor shall return the original report to the reporting employee for correction as soon as practical. It shall be the responsibility of the originating officer to ensure that any report returned for correction is processed in a timely manner.
324.5 REPORT CHANGES OR ALTERATIONS
Reports that have been approved by a supervisor and submitted to the Records Section for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to the Records Section may be corrected or modified by the authoring officer only with the knowledge and authorization of the reviewing supervisor.

324.6 ELECTRONIC SIGNATURES
The Anaheim Police Department has established an electronic signature procedure for use by all employees of the Anaheim Police Department. The Field Services Commander shall be responsible for maintaining the electronic signature system and ensuring that each employee creates a unique, confidential password for his/her electronic signature.

- Employees may only use their electronic signature for official reports or other official communications.
- Each employee shall be responsible for the security and use of his/her electronic signature and shall promptly notify a supervisor if the electronic signature has or may have been compromised or misused.
Media Relations

325.1 PURPOSE AND SCOPE
This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

325.2 RESPONSIBILITIES
The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police, however, in situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, Division Commanders, Watch Commanders and designated Public Information Officer(s) may prepare and release information to the media in accordance with this policy and the applicable law.

325.2.1 MEDIA REQUEST
Any media request for information or access to a law enforcement situation shall be referred to the designated department media representative, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, employees shall consider the following:

(a) At no time shall any employee of this department make any comment or release any official information to the media without prior approval from a supervisor or the designated department media representative;

(b) In situations involving multiple law enforcement agencies, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department;

(c) Under no circumstance should any member of this department make any comments to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police.

325.3 MEDIA ACCESS
Authorized members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions (Penal Code § 409.5(d)):

(a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.

(b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.

   1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should
be coordinated through the department Public Information Officer or other designated spokesperson.

2. Whenever the presence of media or other aircraft pose a threat to public or officer safety or significantly hampers incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Watch Commander. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration should be contacted (14 CFR 91.137).

(c) No member of this department who is under investigation shall be subjected to media visits or interviews without the consent of the involved employee (Government Code § 3303(e)).

(d) Media interviews with individuals who are in custody should not be permitted without the approval of the Chief of Police and the express consent of the person in custody.

A tactical operation should be handled in the same manner as a crime scene, except the news media shall be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a tactical operation in order to accommodate the news media. All comments to the media shall be coordinated through a supervisor or the Public Information Officer.

325.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

The Department will maintain a daily information log of significant law enforcement activities that shall be made available, upon request, to media representatives through the Watch Commander. This log will generally contain the following information:

(a) The date, time, location, case number, type of crime, extent of injury or loss, and names of individuals (except confidential informants) involved in crimes occurring within this jurisdiction unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation

(b) The date, time, location, case number, name, birth date and charges for each person arrested by this department unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation

(c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident subject to the restrictions of this policy and applicable law
At no time shall identifying information pertaining to a juvenile arrestee (13 years of age and under), victim or witness be publicly released without prior approval of a competent court.

The identity of a minor 14 years of age or older shall not be publicly disclosed unless the minor has been arrested for a serious felony and the release of such information has been approved by the Chief of Police or his designee (Welfare and Institutions Code 827.5).

Information concerning incidents involving certain sex crimes and other offenses set forth in Government Code § 6254(f) shall be restricted in accordance with applicable statutory provisions.

Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or otherwise cleared through the Coroner's Office.

Any requests for copies of related reports or additional information not contained in this log shall be referred to the designated department media representative, the custodian of records, or if unavailable, to the Watch Commander. Such requests will generally be processed in accordance with the provisions of the Public Records Act (Government Code § 6250, et seq.).

325.4.1 RESTRICTED INFORMATION

It shall be the responsibility of the authorized employee dealing with media requests to ensure that restricted information is not inappropriately released to the media by this department. When in doubt, authorized and available legal counsel should be obtained. Examples of such restricted information include, but are not limited to:

(a) Confidential peace officer personnel information (See Policy Manual § 1026)
   1. The identities of officers involved in shootings or other major incidents may only be released to the media pursuant to consent of the involved officer or upon a formal request filed and processed in accordance with the Public Records Act.

(b) Copies of traffic collision reports (except to the involved parties and their authorized representatives) (Vehicle Code § 20012)

(c) Criminal history information

(d) Information that would tend to endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation

(e) Information pertaining to pending litigation involving this department

(f) Information obtained in confidence

(g) Any information that is otherwise privileged or restricted under state or federal law. (Government Code § 6254(k)).
Court Appearance And Subpoenas

326.1 PURPOSE AND SCOPE
This procedure has been established to provide for the acceptance of subpoenas and to ensure that employees appear when subpoenaed, or are available to appear in court when requested and present a professional appearance.

326.1.1 DEFINITIONS
On-Call - When an employee has appeared in court, or is at the time on-duty, and has been told by a member of the court that he/she is free to leave the court or return to duty, subject to being available by phone or pager if called back.

Standby - When an employee receives a subpoena of a type which allows him or her to not appear in court, but remain available by phone or pager so that he or she may be directed to appear in court within a reasonable amount of time.

Trailing Status - When an employee remains on standby status for additional court sessions until notified otherwise.

Mandatory Appearance - Subpoenas marked as mandatory appearance require an employee's physical appearance in the specified court. Failure to timely appear in the specified court, either intentionally or by negligence, may result in disciplinary action.

326.2 COURT SUBPOENAS
Employees who receive subpoenas related to their employment with this department are subject to the provisions of this policy. Employees should be aware that their compliance is mandatory on all cases for which they have been properly subpoenaed, or properly notified. This policy applies to civil and criminal subpoenas. Employees are expected to cooperate with the prosecution to ensure the successful conclusion of a case.

326.2.1 SERVICE OF SUBPOENA
Service of a subpoena requiring the appearance of any department employee in connection with a matter arising out of the employee's course and scope of official duties may be accomplished by personal service on the employee or by delivery of two copies of the subpoena on the employee's supervisor or other authorized departmental agent (Government Code § 68097.1; Penal Code § 1328(c)). Subpoena service is also acceptable by courier or court liaison from the court to this department.

326.2.2 VALID SUBPOENAS
No subpoena shall be accepted for an employee of this department unless it has been properly served and verified to have originated from a recognized legal authority.
Court Appearance And Subpoenas

326.2.3 ACCEPTANCE OF SUBPOENA

(a) The Court Liaison Officer shall be authorized to accept service of a subpoena. (Penal Code § 1328(c)). The Court Liaison Officer shall maintain a chronological log of all Department subpoenas and provide a copy of the subpoena to each involved employee.

(b) The Court Liaison Clerk accepting a subpoena on behalf of another employee shall immediately check available schedules to determine the availability of the named employee for the date listed on the subpoena.

(c) Once a subpoena has been received by a Court Liaison employee, a copy of the subpoena shall be promptly provided to the individually named employee.

326.2.4 REFUSAL OF SUBPOENA

(a) Valid reasons for an individually named employee not accepting subpoenas include illness, previously approved training, and vacations, which are scheduled and approved, before receipt of the subpoena. Regular scheduled days off are not valid reasons for refusing the subpoena or missing court. If the subpoena has been received by the individually named employee from the subpoena clerk and a valid reason exists for refusing the subpoena, the subpoena shall be promptly returned to the subpoena clerk with a specified reason for refusal as well as the dates when the officer will become available. It shall then become the responsibility of the subpoena clerk to notify the assigned Deputy District Attorney or other attorney of record of the bona fide unavailability of the employee.

(b) If the Court Liaison Clerk knows that he/she will be unable to deliver a copy of the subpoena to the named employee within sufficient time for the named employee to comply with the subpoena, the Court Liaison Clerk may refuse to accept service.

(c) If a subpoena is presented for service to the Court Liaison Clerk less than five working days prior to the date listed for an appearance on a criminal case, or 15 days on a civil case, the Court Liaison Clerk may refuse to accept service. (Penal Code § 1328(d)).

(d) If, after initially accepting service of a subpoena, the Court Liaison Clerk determines that he/she will be unable to deliver a copy of the subpoena to the individually named employee within sufficient time for the named employee to comply with the subpoena, the Court Liaison Clerk shall notify the server or the attorney named on the subpoena of such not less than 48 hours prior to the date listed for the appearance. (Penal Code § 1328(f))

326.2.5 COURT STANDBY

To facilitate court standby agreements with the courts, employees are required to provide and maintain current information on their address and phone number with the Department. Employees are required to notify the Department within 24 hours of any change in residence address or home phone number, and to provide accurate and reasonably reliable means or methods for contact.

If an employee on standby changes his/her location during the day, the employee shall notify the Court Liaison Clerk of how he/she can be reached by telephone. Employees are required to
Court Appearance And Subpoenas

remain on standby each day the case is trailing. In a criminal case the Deputy District Attorney handling the case is the only person authorized to excuse an employee from standby status.

326.2.6 OFF-DUTY RELATED SUBPOENAS
Employees receiving valid subpoenas for actions taken off-duty not related to their employment with Anaheim Police Department shall comply with the requirements of the subpoena. Employees receiving these subpoenas are not compensated for their appearance and arrangements for time off shall be coordinated through their immediate supervisor.

326.2.7 FAILURE TO APPEAR
Any employee who fails to comply with the terms of any valid and properly served subpoena may be subject to discipline as well as court imposed civil and/or criminal sanctions.

326.3 CIVIL SUBPOENAS
The Department will compensate employees who appear in their official capacity on civil matters arising out of the employee's official duties as directed by the current Memorandum of Understanding. In such situations, the Department will also reimburse any officer for reasonable and necessary travel expenses.

The Department will receive reimbursement for the officer's compensation through the civil attorney of record who subpoenaed the officer.

326.3.1 PROCEDURE
To ensure that the officer is able to appear when required, that the officer is compensated for such appearance, and to protect the Department's right to reimbursement, officers shall follow the established procedures for the receipt of a civil subpoena.

326.3.2 CIVIL SUBPOENA ACCEPTANCE
Subpoenas shall not be accepted in a civil action in which the officer or Department is not a party without properly posted fees pursuant to Government Code § 68097.6.

326.3.3 PARTY MUST DEPOSIT FUNDS
The party in the civil action that seeks to subpoena an officer must deposit the statutory fee of $275 (Government Code § 68097.2) for each appearance before such subpoena will be accepted. Parties seeking to have the officer make multiple appearances must make an additional deposit in advance.

326.4 OVERTIME APPEARANCES
If the officer appeared on his/her off-duty time, he/she will be compensated in accordance with the current employee Memorandum of Understanding.

The overtime on such appearance will be paid from the time the officer left his/her residence until he/she returned.
326.5 COURTROOM PROTOCOL
Employees must be punctual when appearing in court and shall be prepared to proceed immediately with the case for which they are subpoenaed.

326.5.1 PREPARATION FOR TESTIMONY
Before the date of testifying, the subpoenaed officer shall request a copy of relevant reports and become familiar with their content in order to be prepared for court.

326.5.2 COURTROOM ATTIRE
Employees shall dress in uniform or business attire. Suitable business attire for men would consist of a coat, tie, and dress pants. Suitable business attire for female employees would consist of a dress jacket, dress blouse, and skirt or slacks.

326.6 COURTHOUSE DECORUM
Employees shall observe all rules of the court in which they are appearing, refrain from smoking or chewing gum in the courtroom, and shall remain alert to changes in the assigned courtroom where their matter is to be heard.

326.7 TESTIFYING AGAINST THE INTEREST OF THE PEOPLE OF THE STATE
Any member or employee who is subpoenaed to testify, who has agreed to testify, or who anticipates testifying or providing information on behalf of or at the request of any party other than the People of the State of California, any county, any city, or any of their officers and employees in which any of those entities are parties, will notify their immediate supervisor without delay. The supervisor will then notify the Chief of Police, District Attorney's Office in criminal cases, County Counsel or City Attorney, as may be indicated by the case.

This includes, but is not limited to the following situations:

(a) Providing testimony or information for the defense in any criminal trial or proceeding;

(b) Providing testimony or information for the plaintiff in a civil proceeding against any county, any city, or their officers and employees; or

(c) Providing testimony or information on behalf of or at the request of any party other than any County, city, or any county or city official in any administrative proceeding, including but not limited to personnel and/or disciplinary matter.
Reserve Officers

327.1 PURPOSE AND SCOPE
The Anaheim Police Department Reserve Unit was established to supplement and assist regular sworn police officers in their duties. This unit provides professional, sworn volunteer reserve officers who can augment regular staffing levels.

327.2 SELECTION AND APPOINTMENT OF POLICE RESERVE OFFICERS
The Anaheim Police Department shall endeavor to recruit and appoint to the Reserve Unit only those applicants who meet the high ethical, moral and professional standards set forth by this department.

327.2.1 PROCEDURE
All applicants shall be required to meet and pass the same pre-employment procedures as regular police officers before appointment.

Before appointment to the Police Reserve Unit, an applicant must have completed, or be in the process of completing, a POST approved basic academy or extended basic academy.

327.2.2 APPOINTMENT
Applicants who are selected for appointment to the Police Reserve Unit shall, on the recommendation of the Chief of Police, be sworn in by the Chief of Police and take a loyalty oath to observe and obey all of the laws of the land and to carry out their duties to the best of their ability.

327.2.3 COMPENSATION FOR POLICE RESERVE OFFICERS
Compensation for reserve officers is provided as follows:

All Reserve Officer appointees are issued uniforms and all designated attire and safety equipment. All property issued to the Reserve Officer shall be returned to the Department upon termination or resignation. Reserve Officers will be compensated at a rate of pay established by the Administrative Staff. In addition to their uniforms and hourly pay, Reserve Officers will also be compensated for any court appearances or extra duty assignments, meals while on duty, mileage driving to and from work and dry cleaning costs for the upkeep of their uniforms.

327.3 DUTIES OF RESERVE OFFICERS
Reserve officers assist regular officers in the enforcement of laws and in maintaining peace and order within the community. Assignments of reserve officers will usually be to augment the Field Services Division. Reserve officers may be assigned to other areas within the Department as needed. Reserve officers are required to work a minimum of 16 hours per month.

327.3.1 POLICY COMPLIANCE
Police reserve officers shall be required to adhere to all departmental policies and procedures. A copy of the policies and procedures will be made available to each reserve officer upon appointment and he/she shall become thoroughly familiar with these policies.
Whenever a rule, regulation, or guideline in this manual refers to a sworn regular full-time officer, it shall also apply to a sworn reserve officer unless by its nature it is inapplicable.

327.3.2 RESERVE OFFICER ASSIGNMENTS
All reserve officers will be assigned to duties by the Reserve Coordinator or his/her designee.

327.3.3 RESERVE COORDINATOR
The Chief of Police shall delegate the responsibility for administering the Reserve Officer Program to a Reserve Coordinator.

The Reserve Coordinator shall have the responsibility of, but not be limited to:

(a) Assignment of reserve personnel
(b) Conducting reserve meetings
(c) Establishing and maintaining a reserve call-out roster
(d) Maintaining and ensuring performance evaluations are completed
(e) Monitoring individual reserve officer performance
(f) Monitoring overall Reserve Program
(g) Maintaining liaison with other agency Reserve Coordinators

327.4 FIELD TRAINING
Penal Code § 832.6 requires Level II reserve officers, who have not been released from the immediate supervision requirement per the Completion of the Formal Training Process subsection, to work under the immediate supervision of a peace officer who possesses a Basic POST Certificate.

327.4.1 TRAINING OFFICERS
All Reserve Officers of this Department will receive their field training only from trained and certified Field Training Officers.

327.4.2 PRIMARY TRAINING OFFICER
Upon completion of the Academy, Reserve Officers will be assigned to a Field Training Officer selected from members of the FTO Program. The Reserve Officer will be assigned to work with his/her Field Training Officer during each phase of training.

327.4.3 FIELD TRAINING MANUAL
Each new reserve officer will be issued a Field Training Manual at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and/or skills necessary to properly function as an officer with the Anaheim Police Department. The reserve officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.
327.4.4 COMPLETION OF THE PRIMARY TRAINING PHASE
At the completion of the Primary Training Phase, (Phase I) the Primary Training Officer will meet with the Reserve Coordinator. The purpose of this meeting is to discuss the progress of the Reserve Officer in training. If the Reserve Officer has progressed satisfactorily, he/she will then proceed to phase two of the training. If he/she has not progressed satisfactorily, the Reserve Coordinator will determine the appropriate action to be taken. Additional training phases will follow until the Reserve Officer has successfully completed all five phases of training. The details of each phase of training are included in the Reserve Officer Training Manual and are not included in this policy statement.

327.4.5 COMPLETION OF THE FORMAL TRAINING PROCESS
When a Level I Reserve Officer has satisfactorily completed all five phases of formal training, he/she will have had a minimum of 640 hours of on-duty training. He/she will no longer be required to ride with a Training Officer. The Reserve Officer may now be assigned to ride with any officer for the remaining 400-hour requirement for a total of 640 hours before being considered for relief of immediate supervision. A Level II Reserve Officer is only required to obtain 375 hours of POST approved training.

327.5 SUPERVISION OF RESERVE OFFICERS
Reserve officers who have attained the status of Level II shall be under the immediate supervision of a regular sworn officer (Penal Code 832.6). The immediate supervision requirement shall also continue for reserve officers who have attained Level I status unless special authorization is received from the Reserve Coordinator with the approval of the Division Commander.

327.5.1 SPECIAL AUTHORIZATION REQUIREMENTS
Reserve officers certified as Level I may, with prior authorization of the Reserve Coordinator and on approval of the Division Commander, be relieved of the "immediate supervision" requirement. Level I reserve officers may function under the authority of Penal Code § 832.6(a)(1) only for the duration of the assignment or purpose for which the authorization was granted.

In the absence of the Reserve Coordinator and the Division Commander, the Watch Commander may assign a certified Level I reserve officer to function under the authority of Penal Code § 832.6(a)(1) for specific purposes and duration.

327.5.2 RESERVE OFFICER MEETINGS
All reserve officer meetings will be scheduled and conducted by the Reserve Coordinator. All reserve officers are required to attend scheduled meetings. Any absences must be satisfactorily explained to the Reserve Coordinator.

327.5.3 IDENTIFICATION OF RESERVE OFFICERS
All reserve officers will be issued a uniform badge and a Department identification card. The uniform badge shall be the same as that worn by a regular full-time officer. The identification card will be the standard identification card with the exception that "Reserve" will be indicated on the card.
327.5.4 UNIFORM
Reserve officers shall conform to all uniform regulation and appearance standards of this department.

327.5.5 INVESTIGATIONS AND COMPLAINTS
If a reserve officer has a complaint made against him/her or becomes involved in an internal investigation, that complaint or internal investigation may be investigated by the Reserve Coordinator, at the discretion of the Field Services Division Commander.

Reserve officers are considered at-will employees. Government Code § 3300 et seq. applies to reserve officers with the exception that the right to hearing is limited to the opportunity to clear their name.

Any disciplinary action that may have to be administered to a reserve officer shall be accomplished as outlined in the Policy Manual.

327.5.6 RESERVE OFFICER EVALUATIONS
While in training reserves will be continuously evaluated using standardized daily and weekly observation reports. The reserve will be considered a trainee until all of the training phases have been completed. Reserves having completed their field training will be evaluated annually using performance dimensions applicable to the duties and authorities granted to that reserve.

327.6 FIREARMS REQUIREMENTS
Penal Code § 830.6(a)(1) designates a reserve officer as having peace officer powers during his/her assigned tour of duty, provided the reserve officer qualifies or falls within the provisions of Penal Code § 832.6.

327.6.1 CARRYING WEAPON ON DUTY
Penal Code § 830.6(a)(1) permits qualified reserve officers to carry a loaded firearm while on-duty. It is the policy of this department to allow reserves to carry firearms only while on-duty or to and from duty.

327.6.2 CONCEALED FIREARMS PROHIBITED
No reserve officer will be permitted to carry a concealed firearm while in an off-duty capacity, other than to and from work, except those reserve officers who possess a valid CCW permit. An instance may arise where a reserve officer is assigned to a plainclothes detail for his/her assigned tour of duty. Under these circumstances, the reserve officer may be permitted to carry a weapon more suited to the assignment with the knowledge and approval of the supervisor in charge of the detail.

Any reserve officer who is permitted to carry a firearm other than the assigned duty weapon may do so only after verifying that the weapon conforms to departmental standards. The weapon must be registered by the reserve officer and be inspected and certified as fit for service by a Departmental Rangemaster.

Before being allowed to carry any optional firearm during an assigned tour of duty, the reserve officer shall have demonstrated his/her proficiency with said weapon.
Reserve Officers

When a Level I Reserve Police Officer has satisfactorily completed all five phases of training and a Level II Reserve Officer has completed three phases of training and 400 hours of probation (as outlined in Section 350.45), he/she may be issued a permit to carry a concealed weapon. The decision to issue a concealed weapon permit will be made by the Chief of Police with input from the Reserve Program Coordinator and Administrative Staff.

In issuing a concealed weapon permit a Reserve Officer’s qualification will be individually judged. A Reserve Officer’s dedication to the program and demonstrated maturity, among other factors, will be considered before a concealed weapon permit will be issued. Once issued, the concealed weapon permit will be valid only for as long as the Reserve Officer remains in good standing with the Anaheim Police Department Reserve Officer Program.

327.6.3 RESERVE OFFICER FIREARM TRAINING
All reserve officers are required to maintain proficiency with firearms used in the course of their assignments. Reserve officers shall comply with all areas of the firearms training section of the Policy Manual, with the following exceptions:

(a) All reserve officers are required to qualify at least every other month
(b) Reserve officers may fire at the department approved range at least once each month and more often with the approval of the Reserve Coordinator
(c) Should a reserve officer fail to qualify over a two-month period, that reserve officer will not be allowed to carry a firearm until he/she has reestablished his/her proficiency

327.7 EMERGENCY CALL-OUT FOR RESERVE PERSONNEL
The Reserve Coordinator shall develop a plan outlining an emergency call-out procedure for reserve personnel.
Outside Agency Assistance

328.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

328.2 POLICY
It is the policy of the Anaheim Police Department to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this department.

328.3 ASSISTING OUTSIDE AGENCIES
Generally, requests for any type of assistance from another agency should be routed to the Watch Commander’s office for approval. In some instances, a memorandum of understanding or other established protocol may exist that eliminates the need for approval of individual requests.

When another law enforcement agency requests assistance from this department, the Watch Commander may authorize, if available, an appropriate number of personnel to assist. Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this department.

Officers may respond to a request for emergency assistance, however, they shall notify a supervisor of their activity as soon as practicable.

Arrestees may be temporarily detained by this department until arrangements for transportation are made by the outside agency. Probation violators who are temporarily detained by this department will not ordinarily be booked at this department. Only in exceptional circumstances, and subject to supervisor approval, will this department provide transportation of arrestees to other facilities on behalf of another agency.

When transportation assistance is rendered, a report shall be prepared and submitted by the handling member unless otherwise directed by a supervisor.

328.3.1 INITIATED ACTIVITY
Any on-duty officer who engages in law enforcement activities of any type that are not part of a mutual aid request and take place outside the jurisdiction of the Anaheim Police Department shall notify his/her supervisor or the Watch Commander and the Communications Center as soon as practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

328.4 REQUESTING OUTSIDE ASSISTANCE
If assistance is needed from another agency, the member requesting assistance should, if practicable, first notify a supervisor. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.
Outside Agency Assistance

The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

328.5 REPORTING REQUIREMENTS
Incidents of outside assistance or law enforcement activities that are not documented in a crime report shall be documented in a general case report or as directed by the Watch Commander.

328.6 MANDATORY SHARING
Equipment and supplies purchased with federal funds or grants that require such equipment and supplies be shared with other agencies should be documented and updated as necessary by the Administration Division Commander or the authorized designee.

The documentation should include:

(a) The conditions relative to sharing.
(b) The training requirements for:
   1. The use of the supplies and equipment.
   2. The members trained in the use of the supplies and equipment.
(c) Any other requirements for use of the equipment and supplies.

The Training Sergeant shall maintain documentation to ensure use of equipment and supplies are in compliance with the applicable sharing agreements and appropriate members have received the required training.
Registered Offender Information

329.1 PURPOSE AND SCOPE
This policy establishes guidelines by which the Anaheim Police Department will address issues associated with certain offenders who are residing in the jurisdiction and how the Department will disseminate information and respond to public inquiries for information about registered sex, arson and drug offenders.

329.2 POLICY
It is the policy of the Anaheim Police Department to identify and monitor registered offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

329.3 REGISTRATION
The Investigations Division supervisor shall establish a process to reasonably accommodate registration of certain offenders. The process should rebut any allegation on the part of the offender that the registration process was too confusing, burdensome, or difficult for compliance. If it is reasonable to do so, an investigator assigned to related investigations should conduct the registration in order to best evaluate any threat the person may pose to the community. Those assigned to register offenders should receive appropriate training regarding the registration process.

Upon conclusion of the registration process, the investigator shall ensure that the registration information is provided to the California Department of Justice (DOJ) in accordance with applicable law (Penal Code § 457.1; Penal Code § 290 et seq.).

The refusal of a registrant to provide any of the required information or complete the process should initiate a criminal investigation for failure to register.

329.3.1 CONTENTS OF REGISTRATION
The information collected from the registering offenders shall include a signed statement as required by the California DOJ, fingerprints and a photograph, and any other information required by applicable law (Penal Code § 457.1; Penal Code § 290 et seq.).

329.4 MONITORING OF REGISTERED OFFENDERS
The Investigations Division supervisor should establish a system to periodically, and at least once annually, verify that a registrant remains in compliance with his/her registration requirements after the initial registration. This verification should include:

(a) Efforts to confirm residence using an unobtrusive method, such as an internet search or drive-by of the declared residence.
(b) Review of information on the California DOJ website for sex offenders.
(c) Contact with a registrant’s parole or probation officer.

Any discrepancies should be reported to the California DOJ.
The Investigations Division supervisor should also establish a procedure to routinely disseminate information regarding registered offenders to Anaheim Police Department personnel, including timely updates regarding new or relocated registrants.

329.5 DISSEMINATION OF PUBLIC INFORMATION
Members will not unilaterally make a public notification advising the community of a particular registrant’s presence in the community. Members who identify a significant risk or other public safety issue associated with a registrant should promptly advise their supervisor. The supervisor should evaluate the request and forward the information to the Chief of Police if warranted. A determination will be made by the Chief of Police, with the assistance of legal counsel as necessary, whether such a public alert should be made.

Members of the public requesting information on sex registrants should be provided the Megan's Law website or the Anaheim Police Department’s website. Information on sex registrants placed on the Anaheim Police Department’s website shall comply with the requirements of Penal Code § 290.46.

The Records Manager may release local registered offender information to residents only in accordance with applicable law (Penal Code § 290.45; Penal Code § 290.46; Penal Code § 457.1), and in compliance with a California Public Records Act (Government Code § 6250-6276.48) request.

329.5.1 LIMITED RELEASE WITHIN COLLEGE CAMPUS COMMUNITY
California law allows the following additional information regarding a registered sex offender on campus, whose information is not available to the public via the internet website, to be released to a campus community (Penal Code § 290.01(d)):

(a) The offender’s full name
(b) The offender’s known aliases
(c) The offender’s sex
(d) The offender’s race
(e) The offender’s physical description
(f) The offender’s photograph
(g) The offender’s date of birth
(h) Crimes resulting in the registration of the offender under Penal Code § 290
(i) The date of last registration

For purposes of this section, campus community shall be defined as those persons present at or regularly frequenting any place constituting campus property, satellite facilities, laboratories, public areas contiguous to the campus and other areas set forth in Penal Code § 290.01(d).
329.5.2 RELEASE NOTIFICATIONS

Registrant information that is released should include notification that:

(a) The offender registry includes only those persons who have been required by law to register and who are in compliance with the offender registration laws.

(b) The information is provided as a public service and may not be current or accurate.

(c) Persons should not rely solely on the offender registry as a safeguard against offenses in their communities.

(d) The crime for which a person is convicted may not accurately reflect the level of risk.

(e) Anyone who uses information contained in the registry to harass registrants or commit any crime may be subject to criminal prosecution.

(f) The purpose of the release of information is to allow members of the public to protect themselves and their children from sex offenders (Penal Code 290.45).
Major Incident Notification

330.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance to members of this department in determining when, how and to whom notification of major incidents should be made.

330.2 POLICY
The Anaheim Police Department recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed.

330.3 MINIMUM CRITERIA FOR NOTIFICATION
Most situations where the media show a strong interest are also of interest to the Chief of Police and the affected Division Commander. The following list of incident types is provided as a guide for notification and is not intended to be all inclusive:

- Homicides
- Traffic accidents with fatalities
- Officer-involved shooting - on or off duty (see Officer-Involved Shooting Policy for special notifications)
- Significant injury or death to employee - on or off duty
- Death of a prominent Anaheim official
- Arrest of a department employee or prominent Anaheim official
- Aircraft crash with major damage and/or injury or death
- In-custody deaths
- Any event that would attract media attention.
- Force used by an officer.
- Major crimes or incidents.
- Damage to Department Equipment.
- Major injury or death at any prominent venue within Anaheim.

330.4 WATCH COMMANDER RESPONSIBILITY
The Watch Commander is responsible for making the appropriate notifications. The Watch Commander shall make reasonable attempts to obtain as much information on the incident as possible before notification. The Watch Commander shall attempt to make the notifications as soon as practicable. Notification should be made by calling the home telephone number first and then by any other available contact numbers.
Major Incident Notification

330.4.1 STAFF NOTIFICATION
In the event an incident occurs described in the Major Incident Notification Policy, the Chief of Police shall be notified along with the affected Division Commander and the Detective Lieutenant if that division is affected.

330.4.2 DETECTIVE NOTIFICATION
If the incident requires that a detective respond from home, the immediate supervisor of the appropriate detail shall be contacted who will then contact the appropriate detective.

330.4.3 TRAFFIC BUREAU NOTIFICATION
In the event of a traffic fatality or major injury, the Traffic Sergeant shall be notified who will then contact the appropriate accident investigator. The Traffic Sergeant will notify the Traffic Lieutenant.

330.4.4 PUBLIC INFORMATION OFFICER (PIO)
The Public Information Officer shall be called after members of staff have been notified that it appears the media may have a significant interest in the incident.
Death Investigation

332.1 PURPOSE AND SCOPE
The investigations of cases involving death include those ranging from natural cause to homicide. Some causes of death may not be readily apparent and some cases differ substantially from what they appeared to be initially. The thoroughness of death investigations cannot be emphasized enough.

332.2 INVESTIGATION CONSIDERATIONS
Death investigation cases require certain actions be taken. Paramedics shall be called in all suspected death cases unless the death is obvious (e.g., decapitated, decomposed). A supervisor shall be notified in all death investigations.

332.2.1 CORONER REQUEST
Government Code § 27491 and Health & Safety Code § 102850 direct the Coroner to inquire into and determine the circumstances, manner and cause of certain deaths. The Coroner shall be called in any of the following cases:

(a) Unattended deaths (No physician in attendance or during the continued absence of the attending physician. Also, includes all deaths outside hospitals and nursing care facilities.).

(b) Deaths where the deceased has not been attended by either a physician or a registered nurse, who is a member of a hospice care interdisciplinary team, as defined by subdivision (e) of Section 1746 of the Health and Safety Code in the 20 days prior to death.

(c) Physician unable to state the cause of death. Unwillingness does not apply. Includes all sudden, unexpected and unusual deaths and fetal deaths when the underlying cause is unknown.

(d) Known or suspected homicide.

(e) Known or suspected suicide.

(f) Involving any criminal action or suspicion of a criminal act. Includes child and dependent adult negligence and abuse.

(g) Related to or following known or suspected self-induced or criminal abortion.

(h) Associated with a known or alleged rape or crime against nature.

(i) Following an accident or injury (primary or contributory). Deaths known or suspected as resulting (in whole or in part) from or related to accident or injury, either old or recent.

(j) Drowning, fire, hanging, gunshot, stabbing, cutting, starvation, exposure, alcoholism, drug addiction, strangulation or aspiration.
Death Investigation

(k) Accidental poisoning (food, chemical, drug, therapeutic agents).
(l) Occupational diseases or occupational hazards.
(m) Known or suspected contagious disease and constituting a public hazard.
(n) All deaths in operating rooms and all deaths where a patient has not fully recovered from an anesthetic, whether in surgery, recovery room or elsewhere.
(o) In prison or while under sentence. Includes all in-custody and police involved deaths.
(p) All deaths of unidentified persons.
(q) All deaths of state hospital patients.
(r) Suspected Sudden Infant Death Syndrome (SIDS) deaths.
(s) All deaths where the patient is comatose throughout the period of the physician's attendance. Includes patients admitted to hospitals unresponsive and expire without regaining consciousness.

The body shall not be disturbed or moved from the position or place of death without permission of the coroner.

332.2.2 SEARCHING DEAD BODIES
The Coroner or Deputy Coroner is generally the only person permitted to search a body known to be dead from any of the circumstances set forth in Government Code § 27491. The only exception is that an officer is permitted to search the body of a person killed in a traffic collision for the limited purpose of locating an anatomical donor card (Government Code § 27491.3). If such a donor card is located, the Coroner or a designee shall be promptly notified. Should exigent circumstances indicate to an officer that any search of a known dead body is warranted prior to the arrival of the Coroner or a designee; the investigating officer shall first obtain verbal consent from the Coroner or a designee (Government Code § 27491.2).

Whenever possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain at the scene with the officer pending the arrival of the Coroner or a designee. The name and address of this person shall be included in the narrative of the death report. Whenever personal effects are removed from the body of the deceased by the Coroner or a designee, a receipt shall be obtained. This receipt shall be attached to the death report.

332.2.3 DEATH NOTIFICATION
When practical, and if not handled by the Coroner's Office, notification to the next-of-kin of the deceased person shall be made, in person, by the officer assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification. If the relatives live outside this county, the Coroner may be requested to make the notification. The Coroner needs to know if notification has been made. Assigned detectives may need to talk to the next-of-kin.
Death Investigation

332.2.4 UNIDENTIFIED DEAD BODIES
If the identity of a dead body cannot be established after the Coroner arrives, the Coroner’s office will issue a "John Doe" or "Jane Doe" number for the report.

332.2.5 DEATH INVESTIGATION REPORTING
All incidents involving a death shall be documented on the appropriate form.

332.2.6 SUSPECTED HOMICIDE
If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the Investigations Division shall be notified to determine the possible need for a detective to respond to the scene for further immediate investigation.

332.2.7 EMPLOYMENT RELATED DEATHS OR INJURIES
Any member of this agency who responds to and determines that a death, serious illness, or serious injury has occurred as a result of an accident at or in connection with the victim's employment shall ensure that the nearest office of Cal-OSHA is notified by telephone immediately or as soon as practicable with all pertinent information (8 CCR 342(b)).
Identity Theft

333.1 PURPOSE AND SCOPE
Identity theft is a growing trend that frequently involves related crimes in multiple jurisdictions. This policy is intended to provide guidelines for the reporting and investigation of such crimes.

333.2 REPORTING
(a) In an effort to maintain uniformity in reporting, officers presented with the crime of identity theft (Penal Code § 530.6) shall initiate a report for victims residing within the jurisdiction of this department when the crime occurred. For incidents of identity theft occurring outside this jurisdiction, officers should observe the following:

1. For any victim not residing within this jurisdiction, the officer may either take a courtesy report to be forwarded to the victim's residence agency or the victim should be encouraged to promptly report the identity theft to the law enforcement agency where he or she resides.

(b) While the crime of identity theft should be reported to the law enforcement agency where the victim resides, officers of this department should investigate and report crimes occurring within this jurisdiction which have resulted from the original identity theft (e.g., the identity theft occurred elsewhere, but the credit card fraud occurred and is reported in this jurisdiction).

(c) Officers should include all known incidents of fraudulent activity (e.g., credit card number applied for in victim's name when the victim has never made such an application).

(d) Officers should also cross-reference all known reports made by the victim (e.g., U.S. Secret Service, credit reporting bureaus, U.S. Postal Service and DMV) with all known report numbers.

(e) The reporting officer should inform victims of identity theft that the California Identity Theft Registry is available to help those who are wrongly linked to crimes. The registry can be checked by law enforcement and other authorized persons to investigate whether a criminal history or want was created in the victim's name (Penal Code § 530.7). Information regarding the California Identity Theft Registry can be obtained by calling toll free (888) 880-0240.

(f) Following supervisory review and departmental processing, the initial report should be forwarded to the appropriate detective for follow up investigation, coordination with other agencies and prosecution as circumstances dictate.
Private Persons Arrests

334.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance for the handling of private person's arrests made pursuant to Penal Code § 837.

334.2 ADVISING PRIVATE PERSONS OF THE ARREST PROCESS
Penal Code § 836(b) expressly mandates that all officers shall advise victims of domestic violence of the right to make a private person's arrest, including advice on how to safely execute such an arrest. In all other situations, officers should use sound discretion in determining whether or not to advise an individual of the arrest process.

(a) When advising any individual regarding the right to make a private person's arrest, officers should refrain from encouraging or dissuading any individual from making such an arrest and should instead limit advice to the legal requirements for such an arrest as listed below.

(b) Private individuals should be discouraged from using force to effect a private person's arrest, and absent immediate threat to their own safety or the safety of others, private individuals should be encouraged to refer matters to law enforcement officials for further investigation or arrest.

334.3 ARRESTS BY PRIVATE PERSONS
Penal Code § 837 provides that a private person may arrest another:

(a) For a public offense committed or attempted in his or her presence;

(b) When the person arrested has committed a felony, although not in his or her presence;

(c) When a felony has been in fact committed, and he or she has reasonable cause for believing the person arrested has committed it.

Unlike peace officers, private persons may not make an arrest on suspicion that a felony has been committed - the felony must in fact have taken place.

334.4 OFFICER RESPONSIBILITIES
Any officer presented with a private person wishing to make an arrest must determine whether or not there is reasonable cause to believe that such an arrest would be lawful (Penal Code § 847).

(a) Should any officer determine that there is no reasonable cause to believe that a private person's arrest is lawful, the officer should take no action to further detain or restrain the individual beyond that which reasonably appears necessary to investigate the matter, determine the lawfulness of the arrest and protect the public safety.
Private Persons Arrests

1. Any officer who determines that a private person's arrest appears to be unlawful should promptly release the arrested individual pursuant to Penal Code § 849(b)(1). The officer must include the basis of such a determination in a related report.

2. Absent reasonable cause to support a private person's arrest or other lawful grounds to support an independent arrest by the officer, the officer should advise the parties that no arrest will be made and that the circumstances will be documented in a related report.

(b) Whenever an officer determines that there is reasonable cause to believe that a private person's arrest is lawful, the officer may exercise any of the following options:

1. Take the individual into physical custody for booking
2. Release the individual pursuant to a Notice to Appear
3. Release the individual pursuant to Penal Code § 849

334.5 REPORTING REQUIREMENTS
In all circumstances in which a private person is claiming to have made an arrest, the individual must complete and sign a department Private Person's Arrest form under penalty of perjury.

In addition to the Private Person's Arrest Form (and any other related documents such as citations, booking forms, etc.), officers shall complete a narrative report regarding the circumstances and disposition of the incident.
Anti-Reproductive Rights Crimes Reporting

335.1 PURPOSE AND SCOPE
This policy shall establish a procedure for the mandated reporting of Anti-Reproductive Rights Crimes (ARRC) to the Attorney General pursuant to the Reproductive Rights Law Enforcement Act (Penal Code § 13775 et seq.).

335.2 DEFINITIONS
Penal Code § 423.2 provides that the following acts shall be considered Anti-Reproductive Rights Crimes (ARRC) when committed by any person, except a parent or guardian acting towards his or her minor child or ward:

(a) By force, threat of force, or physical obstruction that is a crime of violence, intentionally injures, intimidates, interferes with, or attempts to injure, intimidate, or interfere with any person or entity because that person or entity is a reproductive health services client, provider, or assistant, or in order to intimidate any person or entity, or any class of persons or entities, from becoming or remaining a reproductive health services client, provider, or assistant.

(b) By non-violent physical obstruction, intentionally injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with, any person or entity because that person or entity is a reproductive health services client, provider, or assistant, or in order to intimidate any person or entity, or any class of persons or entities, from becoming or remaining a reproductive health services client, provider or assistant.

(c) Intentionally damages or destroys the property of a person, entity, or facility, or attempts to do so, because the person, entity, or facility is a reproductive health services client, provider, assistant, or facility.

335.3 REPORTING REQUIREMENTS TO THE ATTORNEY GENERAL

(a) Upon the receipt of the report of an ARRC, it shall be the responsibility of the employee taking such a report to also complete an ARRC Data Collection Worksheet (BCIA 8371) in accordance with the instructions contained on such forms.

(b) The ARRC Data Collection Worksheet shall be processed with all related reports and forwarded to the Investigation Division Commander.

(c) By the tenth day of each month, it shall be the responsibility of the Investigation Division Commander to ensure that a Summary Worksheet (BCIA 8370) is submitted to the Department of Justice Criminal Justice Statistics Center.

1. In the event that no ARRC(s) were reported during the previous month, a Summary Worksheet shall be submitted to Department of Justice with an indication that no such crimes were reported.
2. Any ARRC(s) reported in the Summary Worksheet shall be accompanied by a copy of the related Data Collection Worksheet(s).
Limited English Proficiency Services

336.1 PURPOSE AND SCOPE
This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

336.1.1 DEFINITIONS
Definitions related to this policy include:

**Authorized interpreter** - A person who has been screened and authorized by the Department to act as an interpreter and/or translator for others.

**Interpret or interpretation** - The act of listening to a communication in one language (source language) and orally converting it to another language (target language), while retaining the same meaning.

**Limited English proficient (LEP)** - Any individual whose primary language is not English and who has a limited ability to read, write, speak or understand English. These individuals may be competent in certain types of communication (e.g., speaking or understanding) but still be LEP for other purposes (e.g., reading or writing). Similarly, LEP designations are context-specific; an individual may possess sufficient English language skills to function in one setting but these skills may be insufficient in other situations.

**Qualified bilingual member** - A member of the Anaheim Police Department, designated by the Department, who has the ability to communicate fluently, directly and accurately in both English and another language. Bilingual members may be fluent enough to communicate in a non-English language but may not be sufficiently fluent to interpret or translate from one language into another.

**Translate or translation** - The replacement of written text from one language (source language) into an equivalent written text (target language).

336.2 POLICY
It is the policy of the Anaheim Police Department to reasonably ensure that LEP individuals have meaningful access to law enforcement services, programs and activities, while not imposing undue burdens on its members.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon national origin or any other protected interest or right.

336.3 LEP COORDINATOR
The Chief of Police shall delegate certain responsibilities to an LEP Coordinator. The LEP Coordinator shall be appointed by, and directly responsible to, the Field Services Support Division Commander or the authorized designee.

The responsibilities of the LEP Coordinator include, but are not limited to:
Limited English Proficiency Services

(a) Coordinating and implementing all aspects of the Anaheim Police Department's LEP services to LEP individuals.

(b) Developing procedures that will enable members to access LEP services, including telephonic interpreters, and ensuring the procedures are available to all members.

(c) Ensuring that a list of all qualified bilingual members and authorized interpreters is maintained and available to each Watch Commander and Communications Supervisor. The list should include information regarding the following:
   1. Languages spoken
   2. Contact information
   3. Availability

(d) Reviewing existing and newly developed documents to determine which are vital documents and should be translated, and into which languages the documents should be translated.

(e) Annually assessing demographic data and other resources, including contracted language services utilization data and community-based organizations, to determine if there are additional documents or languages that are appropriate for translation.

(f) Identifying standards and assessments to be used by the Department to qualify individuals as qualified bilingual members or authorized interpreters.

(g) Periodically reviewing efforts of the Department in providing meaningful access to LEP individuals, and, as appropriate, developing reports, new procedures or recommending modifications to this policy.

(h) Receiving and responding to complaints regarding department LEP services.

(i) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs and activities.

336.4 FOUR-FACTOR ANALYSIS
Since there are many different languages that members could encounter, the Department will utilize the four-factor analysis outlined in the U.S. Department of Justice (DOJ) Guidance to Federal Financial Assistance Recipients, available at the DOJ website, to determine which measures will provide meaningful access to its services and programs. It is recognized that law enforcement contacts and circumstances will vary considerably. This analysis, therefore, must remain flexible and will require an ongoing balance of four factors, which are:

(a) The number or proportion of LEP individuals eligible to be served or likely to be encountered by department members, or who may benefit from programs or services within the jurisdiction of the Department or a particular geographic area.
Limited English Proficiency Services

(b) The frequency with which LEP individuals are likely to come in contact with department members, programs or services.

(c) The nature and importance of the contact, program, information or service provided.

(d) The cost of providing LEP assistance and the resources available.

336.5 TYPES OF LEP ASSISTANCE AVAILABLE
Anaheim Police Department members should never refuse service to an LEP individual who is requesting assistance, nor should they require an LEP individual to furnish an interpreter as a condition for receiving assistance. The Department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services.

The Department will utilize all reasonably available tools, such as language identification cards, when attempting to determine an LEP individual's primary language.

LEP individuals may choose to accept department-provided LEP services at no cost or they may choose to provide their own.

Department-provided LEP services may include, but are not limited to, the assistance methods described in this policy.

336.6 WRITTEN FORMS AND GUIDELINES
Vital documents or those that are frequently used should be translated into languages most likely to be encountered. The LEP Coordinator will arrange to make these translated documents available to members and other appropriate individuals, as necessary.

336.7 AUDIO RECORDINGS
The Department may develop audio recordings of important or frequently requested information in a language most likely to be understood by those LEP individuals who are representative of the community being served.

336.8 QUALIFIED BILINGUAL MEMBERS
Bilingual members may be qualified to provide LEP services when they have demonstrated through established department procedures a sufficient level of skill and competence to fluently communicate in both English and a non-English language. Members utilized for LEP services must demonstrate knowledge of the functions of an interpreter/translator and the ethical issues involved when acting as a language conduit. Additionally, bilingual members must be able to communicate technical and law enforcement terminology, and be sufficiently proficient in the non-English language to perform complicated tasks, such as conducting interrogations, taking statements, collecting evidence or conveying rights or responsibilities.

When a qualified bilingual member from this department is not available, personnel from other City departments, who have been identified by the Department as having the requisite skills and competence, may be requested.
336.9  AUTHORIZED INTERPRETERS
Any person designated by the Department to act as an authorized interpreter and/or translator must have demonstrated competence in both English and the involved non-English language, must have an understanding of the functions of an interpreter that allows for correct and effective translation, and should not be a person with an interest in the department case or investigation involving the LEP individual. A person providing interpretation or translation services may be required to establish the accuracy and trustworthiness of the interpretation or translation in a court proceeding.

Authorized interpreters must pass a screening process established by the LEP Coordinator which demonstrates that their skills and abilities include:

(a) The competence and ability to communicate information accurately in both English and in the target language.

(b) Knowledge, in both languages, of any specialized terms or concepts peculiar to this department and of any particularized vocabulary or phraseology used by the LEP individual.

(c) The ability to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

(d) Knowledge of the ethical issues involved when acting as a language conduit.

336.9.1  SOURCES OF AUTHORIZED INTERPRETERS
The Department may contract with authorized interpreters who are available over the telephone. Members may use these services with the approval of a supervisor and in compliance with established procedures.

Other sources may include:

• Qualified bilingual members of this department or personnel from other City departments.

• Individuals employed exclusively to perform interpretation services.

• Contracted in-person interpreters, such as state or federal court interpreters, among others.

• Interpreters from other agencies who have been qualified as interpreters by this department, and with whom the Department has a resource-sharing or other arrangement that they will interpret according to department guidelines.

336.9.2  COMMUNITY VOLUNTEERS AND OTHER SOURCES OF LANGUAGE ASSISTANCE
Language assistance may be available from community volunteers who have demonstrated competence in either monolingual (direct) communication and/or in interpretation or translation (as noted in above), and have been approved by the Department to communicate with LEP individuals.
Limited English Proficiency Services

Where qualified bilingual members or other authorized interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the LEP individual and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

While family or friends of an LEP individual may offer to assist with communication or interpretation, members should carefully consider the circumstances before relying on such individuals. For example, children should not be relied upon except in exigent or very informal and non-confrontational situations.

336.10 CONTACT AND REPORTING
While all law enforcement contacts, services and individual rights are important, this department will utilize the four-factor analysis to prioritize service to LEP individuals so that such services may be targeted where they are most needed, according to the nature and importance of the particular law enforcement activity involved.

Whenever any member of this department is required to complete a report or other documentation, and interpretation services are provided to any involved LEP individual, such services should be noted in the related report. Members should document the type of interpretation services utilized and whether the individual elected to use services provided by the Department or some other identified source.

336.11 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE
The Anaheim Police Department will take reasonable steps and will work with the Department of Human Resources to develop in-house language capacity by hiring or appointing qualified members proficient in languages representative of the community being served.

336.11.1 EMERGENCY CALLS TO 9-1-1
Department members will make every reasonable effort to promptly accommodate LEP individuals utilizing 9-1-1 lines. When a 9-1-1 call-taker receives a call and determines that the caller is an LEP individual, the call-taker shall quickly determine whether sufficient information can be obtained to initiate an appropriate emergency response. If language assistance is still needed, the language is known and a qualified bilingual member is available in the Communications Center, the call shall immediately be handled by the qualified bilingual member.

If a qualified bilingual member is not available or the call-taker is unable to identify the caller's language, the call-taker will contact the contracted telephone interpretation service and establish a three-way call between the call-taker, the LEP individual and the interpreter.

Dispatchers will make every reasonable effort to dispatch a qualified bilingual member to the assignment, if available and appropriate.
Limited English Proficiency Services

While 9-1-1 calls shall receive top priority, reasonable efforts should also be made to accommodate LEP individuals seeking routine access to services and information by utilizing the resources listed in this policy.

336.12 FIELD ENFORCEMENT
Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve LEP individuals. The scope and nature of these activities and contacts will inevitably vary. Members and/or supervisors must assess each situation to determine the need and availability of language assistance to all involved LEP individuals and utilize the methods outlined in this policy to provide such assistance.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to request consent to search if the officer is unable to effectively communicate with an LEP individual.

If available, officers should obtain the assistance of a qualified bilingual member or an authorized interpreter before placing an LEP individual under arrest.

336.13 INVESTIGATIVE FIELD INTERVIEWS
In any situation where an interview may reveal information that could be used as the basis for arrest or prosecution of an LEP individual and a qualified bilingual member is unavailable or lacks the skills to directly communicate with the LEP individual, an authorized interpreter should be used. This includes interviews conducted during an investigation with victims, witnesses and suspects. In such situations, audio recordings of the interviews should be made when reasonably possible. Identification and contact information for the interpreter (e.g., name, address) should be documented so that the person can be subpoenaed for trial if necessary.

If an authorized interpreter is needed, officers should consider calling for an authorized interpreter in the following order:

- An authorized department member or allied agency interpreter
- An authorized telephone interpreter
- Any other authorized interpreter

Any Miranda warnings shall be provided to suspects in their primary language by an authorized interpreter or, if the suspect is literate, by providing a translated Miranda warning card.

The use of an LEP individual’s bilingual friends, family members, children, neighbors or bystanders may be used only when a qualified bilingual member or authorized interpreter is unavailable and there is an immediate need to interview an LEP individual.
Limited English Proficiency Services

336.14 CUSTODIAL INTERROGATIONS
Miscommunication during custodial interrogations may have a substantial impact on the evidence presented in a criminal prosecution. Only qualified bilingual members or, if none is available or appropriate, authorized interpreters shall be used during custodial interrogations. *Miranda* warnings shall be provided to suspects in their primary language by the qualified bilingual member or an authorized interpreter.

In order to ensure that translations during custodial interrogations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

336.15 BOOKINGS
When gathering information during the booking process, members should remain alert to the impediments that language barriers can create. In the interest of the arrestee’s health and welfare, the safety and security of the facility, and to protect individual rights, it is important that accurate medical screening and booking information be obtained. Members should seek the assistance of a qualified bilingual member whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by an LEP individual.

336.16 COMPLAINTS
The Department shall ensure that LEP individuals who wish to file a complaint regarding members of this department are able to do so. The Department may provide an authorized interpreter or translated forms, as appropriate. Complaints will be referred to the LEP Coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Authorized interpreters used for any interview with an LEP individual during an investigation should not be members of this department.

Any notice required to be sent to an LEP individual as a complaining party pursuant to the Personnel Complaints Policy should be translated or otherwise communicated in a language-accessible manner.

336.17 COMMUNITY OUTREACH
Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

336.18 TRAINING
To ensure that all members who may have contact with LEP individuals are properly trained, the Department will provide periodic training on this policy and related procedures, including how to access department-authorized telephonic and in-person interpreters and other available resources.
Limited English Proficiency Services

The Training Sergeant shall be responsible for ensuring new members receive LEP training. Those who may have contact with LEP individuals should receive refresher training at least once every two years thereafter. The Training Sergeant shall maintain records of all LEP training provided, and will retain a copy in each member's training file in accordance with established records retention schedules.

336.18.1 TRAINING FOR AUTHORIZED INTERPRETERS
All members on the authorized interpreter list must successfully complete prescribed interpreter training. To complete interpreter training successfully, an interpreter must demonstrate proficiency in and ability to communicate information accurately in both English and in the target language, demonstrate knowledge in both languages of any specialized terms or phraseology, and understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

Members on the authorized interpreter list must receive refresher training or they will be removed from the authorized interpreter list. This annual training should include language skills competency (including specialized terminology) and ethical considerations.

The Training Sergeant shall be responsible for coordinating the annual refresher training and will maintain a record of all training the interpreters have received.
Communications with Persons with Disabilities

337.1 PURPOSE AND SCOPE
This policy provides guidance to members when communicating with individuals with disabilities, including those who are deaf or hard of hearing, have impaired speech or vision, or are blind.

337.1.1 DEFINITIONS
Definitions related to this policy include:

**Auxiliary aids** - Tools used to communicate with people who have a disability or impairment. They include, but are not limited to, the use of gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; qualified readers; or a qualified interpreter.

**Disability or impairment** - A physical or mental impairment that substantially limits a major life activity, including hearing or seeing, regardless of whether the disabled person uses assistive or adaptive devices or auxiliary aids. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102).

**Qualified interpreter** - A person who is able to interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, translators, sign language interpreters and intermediary interpreters.

337.2 POLICY
It is the policy of the Anaheim Police Department to reasonably ensure that people with disabilities, including victims, witnesses, suspects and arrestees have equal access to law enforcement services, programs and activities. Members must make efforts to communicate effectively with individuals with disabilities.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon disabilities.

337.3 AMERICANS WITH DISABILITIES (ADA) COORDINATOR
The Chief of Police shall delegate certain responsibilities to an ADA Coordinator (28 CFR 35.107). The ADA Coordinator shall be appointed by, and directly responsible, to the Field Services Support Division Commander or the authorized designee.

The responsibilities of the ADA Coordinator shall include, but not be limited to:

(a) Working with the City ADA coordinator regarding the Anaheim Police Department's efforts to ensure equal access to services, programs and activities.

(b) Developing reports, new procedures, or recommending modifications to this policy.
Communications with Persons with Disabilities

(c) Acting as a liaison with local disability advocacy groups or other disability groups regarding access to department services, programs and activities.

(d) Ensuring that a list of qualified interpreter services is maintained and available to each Watch Commander and Communications Supervisor. The list should include information regarding the following:
   1. Contact information
   2. Availability

(e) Developing procedures that will enable members to access auxiliary aids or services, including qualified interpreters, and ensure the procedures are available to all members.

(f) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs and activities.

337.4 FACTORS TO CONSIDER
Because the nature of any law enforcement contact may vary substantially from one situation to the next, members of this department should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Members should carefully balance all known factors in an effort to reasonably ensure people who are disabled have equal access to services, programs and activities. These factors may include, but are not limited to:

(a) Members should not always assume that effective communication is being achieved. The fact that an individual appears to be nodding in agreement does not always mean he/she completely understands the message. When there is any doubt, members should ask the individual to communicate back or otherwise demonstrate their understanding.

(b) The nature of the disability (e.g., deafness or blindness vs. hard of hearing or low vision).

(c) The nature of the law enforcement contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact).

(d) The availability of auxiliary aids. The fact that a particular aid is not available does not eliminate the obligation to reasonably ensure access. However, in an emergency, availability may factor into the type of aid used.

337.5 INITIAL AND IMMEDIATE CONSIDERATIONS
Recognizing that various law enforcement encounters may be potentially volatile and/or emotionally charged, members should remain alert to the possibility of communication problems.
Members should exercise special care in the use of all gestures, and verbal and written communication to minimize initial confusion and misunderstanding when dealing with any individual with known or suspected disabilities.

In a non-emergency situation, when a member knows or suspects an individual requires assistance to effectively communicate, the member shall identify the individual's choice of auxiliary aid or service.

The individual's preferred communication method must be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

(a) The methods of communication usually used by the individual.
(b) The nature, length and complexity of the communication involved.
(c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever auxiliary aids and services that reasonably appear effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate auxiliary aid or service. Once the emergency has ended, the continued method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

If an individual who is deaf, hard of hearing or has impaired speech must be handcuffed while in the custody of the Anaheim Police Department, consideration should be given, safety permitting, to placing the handcuffs in the front of the body to facilitate communication using sign language or writing.

**337.6 TYPES OF ASSISTANCE AVAILABLE**

Anaheim Police Department members shall never refuse to assist an individual with disabilities who is requesting assistance. The Department will not charge anyone to receive auxiliary aids, nor shall they require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance. The Department will make every reasonable effort to provide equal access and timely assistance to individuals who are disabled through a variety of services.

A person who is disabled may choose to accept department-provided auxiliary aids or services or they may choose to provide their own.

Department-provided auxiliary aids or services may include, but are not limited to, the assistance methods described in this policy.
Communications with Persons with Disabilities

337.7   AUDIO RECORDINGS AND ENLARGED PRINT
The Department may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, members may read aloud from the appropriate form, for example a personnel complaint form, or provide forms with enlarged print.

337.8   QUALIFIED INTERPRETERS
A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect or arrestee), if the individual to be interviewed normally relies on sign language or speechreading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the case or investigation involving the disabled individual. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a court proceeding.

Qualified interpreters should be:

(a) Available within a reasonable amount of time but in no event longer than one hour if requested.
(b) Experienced in providing interpretation services related to law enforcement matters.
(c) Familiar with the use of VRS and/or video remote interpreting services.
(d) Certified in either American Sign Language (ASL) or Signed English (SE).
(e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
(f) Knowledgeable of the ethical issues involved when providing interpreter services.

Members should use department-approved procedures to request a qualified interpreter at the earliest reasonable opportunity, and generally not more than 15 minutes after a request for an interpreter has been made or it is reasonably apparent that an interpreter is needed. No individual who is disabled shall be required to provide his/her own interpreter (28 CFR 35.160).

337.9   TTY AND RELAY SERVICES
In situations where an individual without a disability would have access to a telephone (e.g., booking or attorney contacts), members must also provide those who are deaf, hard of hearing or have impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD). Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY and TDD communications.

The Department will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.
Communications with Persons with Disabilities

337.10 COMMUNITY VOLUNTEERS
Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the Department to provide interpreter services.

Where qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the individual with the disability and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

337.11 FAMILY AND FRIENDS
While family or friends may offer to assist with interpretation, members should carefully consider the circumstances before relying on such individuals. The nature of the contact and relationship between the individual with the disability and the person offering services must be carefully considered (e.g., victim/suspect).

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

(a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.

(b) The person with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

337.12 REPORTING
Whenever any member of this department is required to complete a report or other documentation, and communication assistance has been provided, such services should be noted in the related report. Members should document the type of communication services utilized and whether the individual elected to use services provided by the Department or some other identified source. If the individual's express preference is not honored, the member must document why another method of communication was used.

All written communications exchanged in a criminal case shall be attached to the report or placed into evidence.

337.13 FIELD ENFORCEMENT
Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve individuals with disabilities. The scope and nature of these activities and contacts will inevitably vary.
Communications with Persons with Disabilities

The Department recognizes that it would be virtually impossible to provide immediate access to complete communication services to every member of this department. Members and/or supervisors must assess each situation and consider the length, complexity and importance of the communication, as well as the individual's preferred method of communication, when determining the type of resources to use and whether a qualified interpreter is needed.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally request consent to search if the officer is unable to effectively communicate with an individual who is deaf or hard of hearing and requires communications assistance.

If available, officers should obtain the assistance of a qualified interpreter before placing an individual with a disability under arrest. Individuals who are arrested and are assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

337.13.1 FIELD RESOURCES
Examples of methods that may be sufficient for transactions, such as checking a license or giving directions to a location or for urgent situations such as responding to a violent crime in progress, may, depending on the circumstances, include such simple things as:

(a) Hand gestures or visual aids with an individual who is deaf, hard of hearing or has impaired speech.

(b) Exchange of written notes or communications.

(c) Verbal communication with an individual who can speechread by facing the individual and speaking slowly and clearly.

(d) Use of computer, word processing, personal communication device or similar device to exchange texts or notes.

(e) Slowly and clearly speaking or reading simple terms to individuals who have a visual or mental impairment.

Members should be aware that these techniques may not provide effective communication as required by law and this policy depending on the circumstances.

337.14 CUSTODIAL INTERROGATIONS
In an effort to ensure that the rights of individuals who are deaf, hard of hearing or have speech impairment are protected during a custodial interrogation, this department will provide interpreter services before beginning an interrogation, unless exigent circumstances exist or the individual has made a clear indication that he/she understands the process and desires to proceed without an interpreter. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. Miranda warnings shall be provided to suspects who are deaf or hard of hearing by a qualified interpreter or by providing a written Miranda warning card.
Communications with Persons with Disabilities

In order to ensure that communications during custodial investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

337.15 ARREST AND BOOKINGS
If an individual with speech or hearing disabilities is arrested, the arresting officer shall use department-approved procedures to provide a qualified interpreter at the place of arrest or booking as soon as reasonably practicable, unless the individual indicates that he/she prefers a different auxiliary aid or service or the officer reasonably determines another effective method of communication exists under the circumstances.

When gathering information during the booking process, members should remain alert to the impediments that often exist when communicating with those who are deaf, hard of hearing, who have impaired speech or vision, are blind, or have other disabilities. In the interest of the arrestee's health and welfare, the safety and security of the facility and to protect individual rights, it is important that accurate medical screening and booking information be obtained. If necessary, members should seek the assistance of a qualified interpreter whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by the individual.

Individuals who require and possess personally owned communication aids (e.g., hearing aids, cochlear processors) should be permitted to retain them while in custody.

337.16 COMPLAINTS
The Department shall ensure that individuals with disabilities who wish to file a complaint regarding members of this department are able to do so. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate. Complaints will be referred to the department ADA Coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Qualified interpreters used during the investigation of a complaint should not be members of this Department.

337.17 COMMUNITY OUTREACH
Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

337.18 TRAINING
To ensure that all members who may have contact with individuals who are disabled are properly trained, the Department will provide periodic training that should include:
Communications with Persons with Disabilities

(a) Awareness and understanding of this policy and related procedures, related forms and available resources.

(b) Procedures for accessing qualified interpreters and other available resources.

(c) Working with in-person and telephone interpreters and related equipment.

The Training Sergeant shall be responsible for ensuring new members receive training related to interacting with individuals who have disabilities, including individuals who are deaf, hard of hearing, who have impaired speech or vision, or are blind. Those who may have contact with such individuals should receive refresher training at least once every two years thereafter. The Training Sergeant shall maintain records of all training provided, and will retain a copy in each member's training file in accordance with established records retention schedules.

337.18.1 CALL-TAKER TRAINING
Emergency call-takers shall be trained in the use of TTY equipment protocols for communicating with individuals who are deaf, hard of hearing or who have speech impairments. Such training and information should include:

(a) The requirements of the ADA and Section 504 of the Rehabilitation Act for telephone emergency service providers.

(b) ASL syntax and accepted abbreviations.

(c) Practical instruction on identifying and processing TTY or TDD calls, including the importance of recognizing silent TTY or TDD calls, using proper syntax, abbreviations and protocol when responding to TTY or TDD calls.

(d) Hands-on experience in TTY and TDD communications, including identification of TTY or TDD tones.

Training should be mandatory for all the Communications Center members who may have contact with individuals from the public who are deaf, hard of hearing or have impaired speech. Refresher training should occur periodically.
Mandatory School Employee Reporting

338.1 PURPOSE AND SCOPE
The purpose of this policy is to describe the requirements and procedures to follow when a public or private school employee (teacher and non-teacher) has been arrested under certain circumstances.

338.2 POLICY
The Anaheim Police Department will meet the reporting requirements of California law to minimize the risks to children and others.

338.3 MANDATORY SCHOOL EMPLOYEE ARREST REPORTING
In the event a school employee is arrested for any offense enumerated below, the Chief of Police or his/her designee is required to report the arrest as follows.

338.3.1 ARREST OF PUBLIC SCHOOL TEACHER
In the event a public school teacher is arrested for any controlled substance offense enumerated in Health and Safety Code § 11591 or Health and Safety Code § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(12), or for any of the offenses enumerated in Penal Code § 290, Penal Code § 261(a), or Education Code § 44010, the Chief of Police or his/her designee is mandated to immediately notify by telephone the superintendent of the school district employing the teacher and to immediately give written notice of the arrest to the Commission on Teacher Credentialing and to the superintendent of schools in the county where the person is employed (Health and Safety Code § 11591; Penal Code § 291).

338.3.2 ARREST OF PUBLIC SCHOOL NON-TEACHER EMPLOYEE
In the event a public school non-teacher employee is arrested for any controlled substance offense enumerated in Health and Safety Code § 11591 or Health and Safety Code § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(12), or for any of the offenses enumerated in Penal Code § 290, Penal Code § 261(a), or Education Code § 44010, the Chief of Police or his/her designee is mandated to immediately notify by telephone the superintendent of the school district employing the non-teacher and to immediately give written notice of the arrest to the governing board of the school district employing the person (Health and Safety Code § 11591; Penal Code § 291).

338.3.3 ARREST OF PRIVATE SCHOOL TEACHER
In the event a private school teacher is arrested for any controlled substance offense enumerated in Health and Safety Code § 11591 or Health and Safety Code § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(12), or for any of the offenses enumerated in Penal Code § 290 or Education Code § 44010, the Chief of Police or his/her designee is mandated to immediately notify by telephone the private school authority employing the teacher.
and to immediately give written notice of the arrest to the private school authority employing the teacher (Health and Safety Code § 11591; Penal Code § 291.1).

338.3.4 ARREST OF COMMUNITY COLLEGE INSTRUCTOR
In the event a teacher or instructor employed in a community college district school is arrested for any controlled substance offense enumerated in Health and Safety Code § 11591.5 or Health and Safety § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(9), or for any of the offenses enumerated in Penal Code § 290 or in Penal Code § 261(a)(1), the Chief of Police or the authorized designee is mandated to immediately notify by telephone the superintendent of the community college district employing the person, and shall immediately give written notice of the arrest to the California Community Colleges Chancellor’s Office (Health and Safety Code § 11591.5; Penal Code § 291.5).

338.4 ARREST OF PERSONS EMPLOYED IN COMMUNITY CARE FACILITIES
In the event an employee of a community treatment facility, a day treatment facility, a group home, a short-term residential therapeutic program or a foster family agency is arrested for child abuse (as defined in Penal Code § 11165.6) and the employee is free to return to work where children are present, the investigating member shall notify the licensee of the charge of abuse (Health and Safety Code § 1522.2).
Biological Samples

339.1 PURPOSE AND SCOPE
This policy provides guidelines for the collection of biological samples from those individuals required to provide samples upon conviction or arrest for certain offenses. This policy does not apply to biological samples collected at a crime scene or taken from a person in conjunction with a criminal investigation. Nor does it apply to biological samples from those required to register, for example, sex offenders.

339.2 POLICY
The Anaheim Police Department will assist in the expeditious collection of required biological samples from offenders in accordance with the laws of this state and with as little reliance on force as practicable.

339.3 PERSONS SUBJECT TO DNA COLLECTION
Those who must submit a biological sample include (Penal Code § 296):

(a) A person, including a juvenile, upon conviction or other adjudication of any felony offense.

(b) A person, including a juvenile, upon conviction or other adjudication of any offense if the person has a prior felony on record.

(c) An adult arrested or charged with any felony.

339.4 PROCEDURE
When an individual is required to provide a biological sample, a trained employee shall obtain the sample in accordance with this policy.

339.4.1 COLLECTION
The following steps should be taken to collect a sample:

(a) Verify that the individual is required to provide a sample pursuant to Penal Code § 296; Penal Code § 296.1.

(b) Verify that a biological sample has not been previously collected from the offender by querying the individual's criminal history record for a DNA collection flag or, during regular business hours, calling the California Department of Justice (DOJ) designated DNA laboratory. There is no need to obtain a biological sample if one has been previously obtained.

(c) Use a DNA buccal swab collection kit provided by the California DOJ to perform the collection and take steps to avoid cross contamination.
339.5 USE OF FORCE TO OBTAIN SAMPLES
If a person refuses to cooperate with the sample collection process, officers should attempt to identify the reason for refusal and seek voluntary compliance without resorting to using force. Force will not be used in the collection of samples except as authorized by court order and only with the approval of a supervisor. Methods to consider when seeking voluntary compliance include contacting:

(a) The person's parole or probation officer when applicable.
(b) The prosecuting attorney to seek additional charges against the person for failure to comply or to otherwise bring the refusal before a judge.
(c) The judge at the person's next court appearance.
(d) The person's attorney.
(e) A chaplain.
(f) Another custody facility with additional resources, where an arrestee can be transferred to better facilitate sample collection.
(g) A supervisor who may be able to authorize custodial disciplinary actions to compel compliance, if any are available.

The supervisor shall review and approve any plan to use force and be present to document the process.

339.5.1 VIDEO RECORDING
A video recording should be made anytime force is used to obtain a biological sample. The recording should document all staff participating in the process, in addition to the methods and all force used during the collection. The recording should be part of the investigation file, if any, or otherwise retained in accordance with the department's records retention schedule (15 CCR § 1059).

339.5.2 CELL EXTRACTIONS
If the use of force includes a cell extraction, the extraction shall be video recorded, including audio. Video shall be directed at the cell extraction event. The video recording shall be retained by the Department for the length of time required by statute. Notwithstanding the use of the video as evidence in a criminal proceeding, the tape shall be retained administratively (15 CCR § 1059).

339.6 LEGAL MANDATES AND RELEVANT LAWS
California law provides for the following:

339.6.1 DOCUMENTATION RELATED TO FORCE
The Watch Commander shall prepare prior written authorization for the use of any force (15 CCR § 1059). The written authorization shall include information that the subject was asked to provide the requisite specimen, sample or impression and refused, as well as the related court order authorizing the force.
339.6.2 BLOOD SAMPLES
A blood sample should only be obtained under this policy when:

(a) The California DOJ requests a blood sample and the subject consents, or

(b) A court orders a blood sample following a refusal.

The withdrawal of blood may only be performed in a medically approved manner by health care providers trained and qualified to draw blood. A California DOJ collection kit shall be used for this purpose (Penal Code § 298(a); Penal Code § 298(b)(2)).

339.6.3 LITIGATION
The Chief of Police or authorized designee should notify the California DOJ's DNA Legal Unit in the event this department is named in a lawsuit involving the DNA Data Bank sample collection, sample use or any aspect of the state's DNA Data Bank Program.
Chaplains

340.1 PURPOSE AND SCOPE
This policy establishes the guidelines for Anaheim Police Department chaplains to provide counseling or emotional support to members of the Department, their families and members of the public.

340.2 POLICY
The Anaheim Police Department shall ensure that department chaplains are properly appointed, trained and supervised to carry out their responsibilities without financial compensation.

340.3 ELIGIBILITY
Requirements for participation as a chaplain for the Department may include, but are not limited to:

(a) Being above reproach, temperate, prudent, respectable, hospitable, able to teach, be free from addiction to alcohol or other drugs, and excessive debt.

(b) Managing their households, families and personal affairs well.

(c) Having a good reputation in the community.

(d) Successful completion of an appropriate-level background investigation.

(e) A minimum of five years of successful counseling experience.

(f) Possession of a valid driver license.

(g) Must be ecclesiastically certified and/or endorsed or ordained, licensed or commissioned by a recognized religious body. Formal education or advanced degrees in Theology or similar religious studies are preferred.

(h) Must have at least 5 years of successive ministry experience within a recognized church or religious body.

The Chief of Police may apply exceptions for eligibility based on organizational needs and the qualifications of the individual.

340.4 RECRUITMENT, SELECTION AND APPOINTMENT
The Anaheim Police Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral and professional standards set forth by this department.

All applicants shall be required to meet and pass the same pre-employment procedures as department personnel before appointment.

340.4.1 SELECTION AND APPOINTMENT
Chaplain candidates shall successfully complete the following process prior to appointment as a chaplain:

(a) Submit the appropriate written application.
Chaplains

(b) Include a recommendation from employers or volunteer programs.
(c) Interview with the Chief of Police and the chaplain coordinator.
(d) Successfully complete an appropriate-level background investigation.
(e) Complete an appropriate probationary period as designated by the Chief of Police.

Chaplains are volunteers and serve at the discretion of the Chief of Police. Chaplains shall have no property interest in continued appointment. However, if a chaplain is removed for alleged misconduct, the chaplain will be afforded an opportunity solely to clear his/her name through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

340.5 IDENTIFICATION AND UNIFORMS
As representatives of the Department, chaplains are responsible for presenting a professional image to the community. Chaplains shall dress appropriately for the conditions and performance of their duties. Uniforms and necessary safety equipment will be provided for each chaplain. Identification symbols worn by chaplains shall be different and distinct from those worn by officers through the inclusion of "Chaplain" on the uniform.

Chaplains will be issued Anaheim Police Department identification cards, which must be carried at all times while on-duty. The identification cards will be the standard Anaheim Police Department identification cards, with the exception that “Chaplain” will be indicated on the cards. Chaplains shall be required to return any issued uniforms or department property at the termination of service.

Chaplains shall conform to all uniform regulations and appearance standards of this department.

340.6 CHAPLAIN COORDINATOR
The Chief of Police shall delegate certain responsibilities to a chaplain coordinator. The coordinator shall be appointed by and directly responsible to the Administration Division Commander or the authorized designee.

The chaplain coordinator shall serve as the liaison between the chaplains and the Chief of Police. The function of the coordinator is to provide a central coordinating point for effective chaplain management within the Department, and to direct and assist efforts to jointly provide more productive chaplain services. Under the general direction of the Chief of Police or the authorized designee, chaplains shall report to the chaplain coordinator and/or Watch Commander.

The chaplain coordinator may appoint a senior chaplain or other designee to assist in the coordination of chaplains and their activities.

The responsibilities of the coordinator or the authorized designee include, but are not limited to:

(a) Recruiting, selecting and training qualified chaplains.
(b) Conducting chaplain meetings.
(c) Establishing and maintaining a chaplain callout roster.
Chaplains

(d) Maintaining records for each chaplain.
(e) Tracking and evaluating the contribution of chaplains.
(f) Maintaining a record of chaplain schedules and work hours.
(g) Completing and disseminating, as appropriate, all necessary paperwork and information.
(h) Planning periodic recognition events.
(i) Maintaining liaison with other agency chaplain coordinators.

An evaluation of the overall use of chaplains will be conducted on an annual basis by the coordinator.

340.7 DUTIES AND RESPONSIBILITIES
Chaplains assist the Department, its members and the community, as needed. Assignments of chaplains will usually be to augment the Field Services Division. Chaplains may be assigned to other areas within the Department as needed. Chaplains should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the Department.

All chaplains will be assigned to duties by the chaplain coordinator or the authorized designee.

Chaplains may not proselytize or attempt to recruit members of the Department or the public into a religious affiliation while representing themselves as chaplains with this department. If there is any question as to the receiving person’s intent, chaplains should verify that the person is desirous of spiritual counseling or guidance before engaging in such discussion.

Chaplains may not accept gratuities for any service or any subsequent actions or follow-up contacts that were provided while functioning as a chaplain for the Anaheim Police Department.

340.7.1 COMPLIANCE
Chaplains are volunteer members of this department, and except as otherwise specified within this policy, are required to comply with the Volunteer Program Policy and other applicable policies.

340.7.2 OPERATIONAL GUIDELINES

(a) Chaplains will be scheduled to be on-call for a period of seven consecutive days during each month, beginning on Monday and ending on the following Sunday.
(b) Generally, each chaplain will serve with Anaheim Police Department personnel a minimum of eight hours per month.
(c) At the end of each watch the chaplain will complete a chaplain shift report and submit it to the Chief of Police or the authorized designee.
(d) Chaplains shall be permitted to ride with officers during any shift and observe Anaheim Police Department operations, provided the Watch Commander has been notified and has approved the activity.
(e) Chaplains shall not be evaluators of members of the Department.
Chaplains

(f) In responding to incidents, a chaplain shall never function as an officer.

(g) When responding to in-progress calls for service, chaplains may be required to stand-by in a secure area until the situation has been deemed safe.

(h) Chaplains shall serve only within the jurisdiction of the Anaheim Police Department unless otherwise authorized by the Chief of Police or the authorized designee.

(i) Each chaplain shall have access to current department member rosters, addresses, telephone numbers, duty assignments and other information that may assist in his/her duties. Such information will be considered confidential and each chaplain will exercise appropriate security measures to prevent distribution of the data.

340.7.3 ASSISTING DEPARTMENT MEMBERS
The responsibilities of a chaplain related to department members include, but are not limited to:

(a) Assisting in making notification to families of members who have been seriously injured or killed and, after notification, responding to the hospital or home of the member.

(b) Visiting sick or injured members in the hospital or at home.

(c) Attending and participating, when requested, in funerals of active or retired members.

(d) Serving as a resource for members when dealing with the public in incidents, such as accidental deaths, suicides, suicidal subjects, serious accidents, drug and alcohol abuse and other such situations that may arise.

(e) Providing counseling and support for members and their families.

(f) Being alert to the needs of members and their families.

340.7.4 ASSISTING THE DEPARTMENT
The responsibilities of a chaplain related to this department include, but are not limited to:

(a) Assisting members in the diffusion of a conflict or incident, when requested.

(b) Responding to natural and accidental deaths, suicides and attempted suicides, family disturbances and any other incident that in the judgment of the Watch Commander or supervisor aids in accomplishing the mission of the Department.

(c) Responding to all major disasters, such as natural disasters, bombings and similar critical incidents.

(d) Being on-call and, if possible, on-duty during major demonstrations or any public function that requires the presence of a large number of department members.

(e) Attending department and academy graduations, ceremonies and social events and offering invocations and benedictions, as requested.

(f) Participating in in-service training classes.

(g) Willingness to train others to enhance the effectiveness of the Department.
340.7.5 ASSISTING THE COMMUNITY
The duties of a chaplain related to the community include, but are not limited to:

(a) Fostering familiarity with the role of law enforcement in the community.
(b) Providing an additional link between the community, other chaplain coordinators and the Department.
(c) Providing liaison with various civic, business and religious organizations.
(d) Promptly facilitating requests for representatives or leaders of various denominations.
(e) Assisting the community in any other function as needed or requested.
(f) Making referrals in cases where specialized attention is needed or in cases that are beyond the chaplain’s ability to assist.

340.7.6 CHAPLAIN MEETINGS
All chaplains are required to attend scheduled meetings. Any absences must be satisfactorily explained to the chaplain coordinator.

340.8 PRIVILEGED COMMUNICATIONS
No person who provides chaplain services to members of the Department may work or volunteer for the Anaheim Police Department in any capacity other than that of chaplain.

Department chaplains shall be familiar with state evidentiary laws and rules pertaining to the limits of the clergy-penitent, psychotherapist-patient and other potentially applicable privileges and shall inform members when it appears reasonably likely that the member is discussing matters that are not subject to privileged communications. In such cases, the chaplain should consider referring the member to a non-department counseling resource.

No chaplain shall provide counsel to or receive confidential communications from any Anaheim Police Department member concerning an incident personally witnessed by the chaplain or concerning an incident involving the chaplain.

340.9 TRAINING
The Department will establish a minimum number of training hours and standards for department chaplains. The training, as approved by the Training Sergeant, may include:

- Stress management
- Death notifications
- Symptoms of post-traumatic stress
- Burnout for members of law enforcement and chaplains
- Legal liability and confidentiality
- Ethics
- Responding to crisis situations
Chaplains

- The law enforcement family
- Substance abuse
- Suicide
- Officer injury or death
- Sensitivity and diversity
Overt Camera System

341.1 PURPOSE AND SCOPE
This policy provides guidance for the placement and monitoring of department public safety video surveillance, as well as the storage and release of the captured images.

This policy only applies to overt, marked public safety video surveillance systems operated by the Department. It does not apply to mobile audio/video systems, covert audio/video systems or any other image-capturing devices used by the Department.

341.2 POLICY
The Anaheim Police Department operates an overt camera system to complement its anti-crime strategy, to effectively allocate and deploy personnel, and to enhance public safety and security in public areas. Cameras may be placed in strategic locations throughout the City to detect and deter crime, to help safeguard against potential threats to the public, to help manage emergency response situations during natural and man-made disasters and to assist City officials in providing services to the community.

Video surveillance in public areas will be conducted in a legal and ethical manner while recognizing and protecting constitutional standards of privacy.

341.3 OPERATIONAL GUIDELINES
Only department-approved video surveillance equipment shall be utilized. Members authorized to monitor video surveillance equipment should only monitor public areas and public activities where no reasonable expectation of privacy exists. The Chief of Police or the authorized designee shall approve all proposed locations for the use of video surveillance technology and should consult with and be guided by legal counsel as necessary in making such determinations.

341.3.1 PLACEMENT AND MONITORING
Camera placement will be guided by the underlying purpose or strategy associated with the overall video surveillance plan. As appropriate, the Chief of Police should confer with other affected City divisions and designated community groups when evaluating camera placement. Environmental factors, including lighting, location of buildings, presence of vegetation, or other obstructions, should also be evaluated when determining placement.

The cameras shall only record video images and not sound. However, the camera system is equipped with outbound audio capabilities. In some situations, the camera operator may choose to utilize the outbound audio feature to aid in the efforts listed in subsections a-g below. Recorded images may be used for a variety of purposes, including criminal investigations and monitoring of activity around high-value or high-threat areas. The public video surveillance system may be useful for the following purposes:

(a) To prevent, deter, and identify criminal activity.
(b) To target identified areas of gang and narcotics complaints or activity.
Overt Camera System

(c) To respond to critical incidents.
(d) To assist in identifying, apprehending, and prosecuting offenders.
(e) To document officer and offender conduct during interactions to safeguard the rights of the public and officers.
(f) To augment resources in a cost-effective manner.
(g) To monitor pedestrian and vehicle traffic activity.

Images from each camera should be recorded in a manner consistent with the underlying purpose of the particular camera. Images should be transmitted to monitors installed in Anaheim Police Department facilities. When activity warranting further investigation is reported or detected at any camera location, the available information should be provided to responding officers in a timely manner. Appropriately trained Anaheim Police Department personnel are authorized to adjust the cameras to more effectively view a particular area for any legitimate public safety purpose.

The Chief of Police may authorize video feeds from the public safety video surveillance system to be forwarded to a specified location for monitoring by other than police personnel, such as allied government agencies, road or traffic crews, or fire or emergency operations personnel.

Unauthorized recording, viewing, reproduction, dissemination, or retention is prohibited.

341.3.2 CAMERA MARKINGS
All public areas monitored by public safety surveillance equipment shall be marked in a conspicuous manner with appropriate signs to inform the public that the area is under police surveillance. Signs should be well lit, placed appropriately and without obstruction to ensure visibility.

341.3.3 INTEGRATION WITH OTHER TECHNOLOGY
The Department may elect to integrate its public safety video surveillance system with other technology to enhance available information. Systems such as gunshot detection, incident mapping, crime analysis, license plate recognition, facial recognition and other video-based analytical systems may be considered based upon availability and the nature of department strategy.

The Department should evaluate the availability and propriety of networking or otherwise collaborating with appropriate private sector entities and should evaluate whether the use of certain camera systems, such as pan-tilt-zoom systems and video enhancement or other analytical technology, requires additional safeguards.

341.4 VIDEO SUPERVISION
Supervisors should monitor video surveillance access and usage to ensure members are within department policy and applicable laws. Supervisors should ensure such use and access is appropriately documented.
341.4.1 PROGRAM ADMINISTRATOR
The Department shall designate a Program Administrator with oversight responsibilities including, but not limited to:

(a) Documenting system malfunctions as well as equipment failures;
(b) Properly training administrative staff regarding the use, retention, and confidentiality of video records;
(c) Maintain digital video files and equipment in a secure and confidential environment and release only in accordance with this policy and applicable federal, state, local statutes and other applicable laws;
(d) Provide recommendations on additional policy development and equipment integrity.

341.4.2 VIDEO LOG
A log should be maintained at all locations where video surveillance monitors are located. The log should be used to document all persons not assigned to the monitoring locations who have been given access to view or monitor images provided by the video surveillance cameras. The logs should, at a minimum, record the:

(a) Date and time access was given.
(b) Name and agency of the person being given access to the images.
(c) Name of person authorizing access.
(d) Identifiable portion of images viewed.

341.4.3 PROHIBITED ACTIVITY
Public safety video surveillance systems will not intentionally be used to invade the privacy of individuals or observe areas where a reasonable expectation of privacy exists.

Public safety video surveillance equipment shall not be used in an unequal or discriminatory manner and shall not target individuals or groups based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.

Video surveillance equipment shall not be used to harass, intimidate, or discriminate against any individual or group.

Unauthorized access to the system, misuse of the system, unauthorized reproduction of images, or unauthorized distribution of images may result in disciplinary action.

341.5 STORAGE AND RETENTION OF MEDIA
All downloaded media shall be stored in a secure area with access restricted to authorized persons. A recording needed as evidence shall be copied to a suitable medium and booked into evidence in accordance with established evidence procedures. All actions taken with respect to retention of media shall be appropriately documented.
Overt Camera System

Recorded media shall be retained as specified in the City of Anaheim Record Retention Schedule. In general, Overt Camera System recordings are treated as “Video Recordings-Not Ongoing City Operations.” Per Government Code §34090 et seq., recordings of this nature are considered to be of "administrative value." As such, it shall be the practice of the Anaheim Police Department to keep Overt Camera System recordings for thirty (30), plus one (1) days with the following exceptions:

(a) If a recording is identified as evidence, the retention will follow the Evidence/Property Files retention schedule.

(b) Recordings that become part of a citizen complaint or administrative/internal investigation will follow the retention time identified for the complaint/investigation.

341.5.1 EVIDENTIARY INTEGRITY
All downloaded and retained media shall be treated in the same manner as other evidence. Media shall be accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, digital masking of innocent or uninvolved individuals to preserve anonymity, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

341.6 RELEASE OF VIDEO IMAGES
All recorded video images gathered by the overt camera system video surveillance equipment are for the official use of the Anaheim Police Department.

Requests for recorded video images from the public or the media shall be processed in the same manner as requests for department public records.

Requests for recorded images from other law enforcement agencies, (e.g., Orange County District Attorney's Office), shall be referred to the Program Administrator for release in accordance with a specific and legitimate law enforcement purpose.

Recorded video images that are the subject of a court order or subpoena shall be processed in accordance with the established department subpoena process.

Unless prohibited by applicable law, recorded files may be reviewed in accordance with the following criteria and exceptions:

(a) By a Department employee conducting an official investigation;

(b) By members of the City Attorney’s Office or Risk Management in connection with pending litigation;

(c) Pursuant to lawful process or by court personnel otherwise authorized to view evidence in a related case;

(d) With approval by the Chief of Police, members of the OIR Group for review of a critical incident, internal affairs investigation, use of force review, or other internal reviews;
Overt Camera System

(e) Except as provided under 378.6(h) and/or (i), Internal Affairs shall provide subject employees the opportunity to view recordings obtained from the overt camera system relating to an Internal Affairs investigation prior to the administrative interview;

(f) The Chief of Police has the discretion to allow viewing or release of recorded files if he/she determines it is in the best interest of the police department or the City of Anaheim. When appropriate, every effort will be made to notify involved employees prior to release;

(g) As part of Department approved training;

(h) An officer involved in the intentional discharge of a firearm, an incident where any party sustains great bodily injury, or an in custody death shall not review recorded files unless approved by the Chief of Police or the Deputy Chief of Police;

(i) Subject to the provisions of this policy, the Chief of Police or the Deputy Chief of Police has the discretion to prohibit the review of any recordings by Department employees if it is determined it is in the best interest of the police department or the City of Anaheim.

341.7 VIDEO SURVEILLANCE AUDIT
The Chief of Police, his/her designee, supervisors, or managers may conduct periodic reviews of the Overt Camera System. The review may include an inventory of video monitoring installations, date of installation, summary of the purpose, auditing to ensure adherence to this policy, and any proposed policy changes. The review may also include an analysis of the cost, benefit and effectiveness of the system, including any public safety issues that were effectively addressed or any significant prosecutions that resulted, and any systemic operational or administrative issues that were identified, including those related to training, discipline or policy. Any concerns, recommendations, for training or deviations from this policy will be promptly addressed.

341.8 TRAINING
All personnel designated as system users shall receive appropriate training. Training should include guidance on the use of cameras, interaction with dispatch and patrol operations and a review regarding relevant policies and procedures, including this policy. Training should also address state and federal law related to the use of video surveillance equipment and privacy.
Child and Dependent Adult Safety

342.1 PURPOSE AND SCOPE
This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department (Penal Code § 833.2(a)).

This policy does not address the actions to be taken during the course of a child abuse or dependent adult investigation. These are covered in the Child Abuse Policy and the Elder Abuse Policy.

342.2 POLICY
It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when their parent or caregiver is arrested. The Anaheim Police Department will endeavor to create a strong, cooperative relationship with local, state and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected, including call-out availability and follow-up responsibilities.

342.3 PROCEDURES DURING AN ARREST
When encountering an arrest or prolonged detention situation, officers should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. In some cases this may be obvious, such as when children or dependent adults are present. However, officers should inquire if the arrestee has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken (Penal Code § 13517.7(b)(1)):

(a) Inquire about and confirm the location of any children or dependent adults.

(b) Look for evidence of children and dependent adults. Officers should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.

(c) Consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

Whenever reasonably possible, officers should take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of his/her child or dependent adult. Removing children or dependent adults from the scene in advance of the arrest will generally ensure the best outcome for the individual.

Whenever it is safe to do so, officers should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be non-productive, the officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that he/she will receive appropriate care.
Child and Dependent Adult Safety

342.3.1 AFTER AN ARREST
Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee’s disclosed or discovered children or dependent adults.

Officers should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. In such cases the following guidelines should be followed:

(a) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.
   
   1. Officers should consider allowing the person to use his/her cell phone to facilitate arrangements through access to contact phone numbers, and to lessen the likelihood of call screening by the recipients due to calls from unknown sources.

(b) Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent or caregiver’s judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends that he/she knows and trusts because familiarity with surroundings and consideration for comfort, emotional state and safety are important.
   
   1. Except when a court order exists limiting contact, the officer should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.

(c) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.

(d) Notify Child Protective Services or the Division of Aging and Adult Services, if appropriate.

(e) Notify the field supervisor or Watch Commander of the disposition of children or dependent adults.

If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver’s arrest and of the arrangements being made for the care of the arrestee’s dependent. The result of such actions should be documented in the associated report.

342.3.2 DURING THE BOOKING PROCESS
During the booking process the arrestee shall be allowed to make additional telephone calls to relatives or other responsible individuals as is reasonably necessary to arrange for the care of any child or dependent adult. These telephone calls should be given as soon as practicable and are in addition to any other telephone calls allowed by law (Penal Code § 851.5(c)).
Child and Dependent Adult Safety

If an arrestee is unable to resolve the care of any child or dependent adult through this process, a supervisor should be contacted to determine the appropriate steps to arrange for care. These steps may include additional telephone calls or contacting a local, county or state services agency.

342.3.3 REPORTING

(a) For all arrests where children are present or living in the household, the reporting member will document the following information:

1. Name
2. Sex
3. Age
4. Special needs (e.g., medical, mental health)
5. How, where and with whom or which agency the child was placed
6. Identities and contact information for other potential caregivers
7. Notifications made to other adults (e.g., schools, relatives)

(b) For all arrests where dependent adults are present or living in the household, the reporting member will document the following information:

1. Name
2. Sex
3. Age
4. Whether he/she reasonably appears able to care for him/herself
5. Disposition or placement information if he/she is unable to care for him/herself

342.3.4 SUPPORT AND COUNSELING REFERRAL

If, in the judgment of the handling officers, the child or dependent adult would benefit from additional assistance, such as counseling services, contact with a victim advocate or a crisis telephone number, the appropriate referral information may be provided.

342.4 DEPENDENT WELFARE SERVICES

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the handling officer should contact the appropriate welfare service or other department-approved social service to determine whether protective custody is appropriate (Welfare and Institutions Code § 305).

Only when other reasonable options are exhausted should a child or dependent adult be transported to the police facility, transported in a marked patrol car, or taken into formal protective custody.
Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

342.5 TRAINING
The Training Sergeant is responsible to ensure that all personnel of this department who may be involved in arrests affecting children or dependent adults receive approved POST-approved training on effective safety measures when a parent, guardian or caregiver is arrested (Penal Code § 13517.7).
Service Animals

343.1 PURPOSE AND SCOPE
The purpose of this policy is to provide the guidelines necessary to ensure the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act of 1990 (ADA).

343.1.1 DEFINITIONS
Definitions related to this policy include:

Service animal - A dog that is trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability (28 CFR 35.104; Health and Safety Code § 113903).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, is under the handler’s control, the facility can accommodate the horse’s type, size and weight, and the horse’s presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i)).

343.2 POLICY
It is the policy of the Anaheim Police Department to provide services and access to persons with service animals in the same manner as those without service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law.

343.3 IDENTIFICATION AND USE OF SERVICE ANIMALS
Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.
- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with
schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

343.4 MEMBER RESPONSIBILITIES
Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department members are expected to treat individuals with service animals with the same courtesy and respect that the Anaheim Police Department affords to all members of the public (28 CFR 35.136).

343.4.1 INQUIRY
If it is apparent or if a member is aware that an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the member should ask the individual only the following questions (28 CFR 35.136(f)):

- Is the animal required because of a disability?
- What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal’s status should be asked. The individual should not be questioned about his/her disability nor should the person be asked to provide any license, certification or identification card for the service animal.

343.4.2 CONTACT
Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

343.4.3 REMOVAL
If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, an officer may direct the handler to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)).

Each incident must be considered individually and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this department are expected to provide all services as are reasonably available to an individual with a disability, with or without a service animal.

343.4.4 COMPLAINTS
When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service
Service Animals

animals to the concerned parties. Businesses are required to allow service animals to accompany their handlers into the same areas that other customers or members of the public are allowed (28 CFR 36.302).

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice (DOJ).
Off-Duty Law Enforcement Actions

344.1 PURPOSE AND SCOPE
The decision to become involved in a law enforcement action when off-duty can place an officer as well as others at great risk and must be done with careful consideration. This policy is intended to provide guidelines for officers of the Anaheim Police Department with respect to taking law enforcement action while off-duty.

344.2 POLICY
Initiating law enforcement action while off-duty is generally discouraged. Officers should not attempt to initiate enforcement action when witnessing minor crimes, such as suspected intoxicated drivers, reckless driving or minor property crimes. Such incidents should be promptly reported to the appropriate law enforcement agency.

Officers are not expected to place themselves in unreasonable peril. However, any sworn member of this department who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage may take reasonable action to minimize the threat.

When public safety or the prevention of major property damage requires immediate action, officers should first consider reporting and monitoring the activity and only take direct action as a last resort.

344.3 FIREARMS
Officers of this department may carry firearms while off-duty in accordance with federal regulations and department policy. All firearms and ammunition must meet guidelines as described in the department Firearms and Qualification Policy. When carrying firearms while off-duty officers shall also carry their department-issued badge and identification.

Officers should refrain from carrying firearms when the consumption of alcohol is likely or when the need to carry a firearm is outweighed by safety considerations. Firearms shall not be carried by any officer who has consumed an amount of an alcoholic beverage or taken any drugs that would tend to adversely affect the officer’s senses or judgment.

344.4 DECISION TO INTERVENE
There is no legal requirement for off-duty officers to take law enforcement action. However, should officers decide to intervene, they must evaluate whether the action is necessary or desirable, and should take into consideration the following:

(a) The tactical disadvantage of being alone and the fact there may be multiple or hidden suspects.

(b) The inability to communicate with responding units.

(c) The lack of equipment, such as handcuffs, OC or baton.
Off-Duty Law Enforcement Actions

(d) The lack of cover.
(e) The potential for increased risk to bystanders if the off-duty officer were to intervene.
(f) Unfamiliarity with the surroundings.
(g) The potential for the off-duty officer to be misidentified by other peace officers or members of the public.

Officers should consider waiting for on-duty uniformed officers to arrive, and gather as much accurate intelligence as possible instead of immediately intervening.

344.4.1 INTERVENTION PROCEDURE
If involvement is reasonably necessary the officer should attempt to call or have someone else call 9-1-1 to request immediate assistance. The dispatcher should be informed that an off-duty officer is on-scene and should be provided a description of the officer if possible.

Whenever practicable, the officer should loudly and repeatedly identify him/herself as an Anaheim Police Department officer until acknowledged. Official identification should also be displayed.

344.4.2 INCIDENTS OF PERSONAL INTEREST
Officers should refrain from handling incidents of personal interest, (e.g., family or neighbor disputes) and should remain neutral. In such circumstances officers should call the responsible agency to handle the matter.

344.4.3 CIVILIAN RESPONSIBILITIES
Professional Civilian personnel should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

344.4.4 OTHER CONSIDERATIONS
When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case he/she needs to maintain an undercover capability.

344.5 REPORTING
Any employee of the Anaheim Police Department, whether sworn or civilian, who takes any official action or engages in law enforcement activities while off-duty, regardless of jurisdiction, shall notify the Anaheim Police Department Watch Commander immediately and the employee's direct supervisor as soon as possible after taking such action. The Watch Commander shall make a determination as to the appropriate course of action for the incident, including, but not limited to, detailing an Anaheim Police supervisor to the scene of the incident, if necessary. The Watch Commander shall generate a Report of Unusual Occurrence detailing the incident to be forwarded to the Chief of Police or notify the Chief of Police directly through the chain of command.

Employees should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.
Off-Duty Law Enforcement Actions

For purposes of this policy, official action and law enforcement activities include, but are not limited to, identifying oneself as an Anaheim Police Department employee or as a member of a law enforcement agency in order to influence a person to take or refrain from taking action.
Department Use of Social Media

345.1 PURPOSE AND SCOPE
This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by department members (see the Employee Speech, Expression and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of this department (see the Investigation and Prosecution Policy).

Further, the Anaheim Police Department endorses the secure use of social media to enhance communication, collaboration, and information exchange; streamline processes; and foster productivity. This policy establishes the department's position on the utility and management of social media and provides guidance on its management, administration, and oversight. This policy is not meant to address one particular form of social media, rather social media in general, as advances in technology will occur and new tools will emerge.

This policy is meant to supplement City of Anaheim Administrative Regulation 160, not supersede it. The City's established personnel policies, applicable administrative regulations and the Anaheim Municipal Code apply to all employees that engage in social networking activities while conducting City business.

345.1.1 DEFINITIONS
Definitions related to this policy include:

Blog - A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for "Web log."

Page - The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.

Post - Content an individual shares on a social media site or the act of publishing content on a site.

Profile - Information that a user provides about himself or herself on a social networking site.

Social Media - Any of a wide array of Internet-based tools, resources and platforms that allow for the sharing of information, such as the department website or social networking services, that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites (Facebook, NextDoor), microblogging sites (Twitter, Nixle), photo- and video-sharing sites (Flickr, YouTube, Instagram), wikis (Wikipedia), blogs, and news sites (Digg, Reddit).
Department Use of Social Media

Social Networks - Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

Speech - Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, video, or related forms of communication.

Wiki - Web page(s) that can be edited collaboratively.

345.2 POLICY
Social media provides a rapidly growing and potentially valuable means of assisting the Anaheim Police Department and its personnel in meeting community outreach, problem-solving, investigative, crime prevention, and related objectives. This policy identifies potential uses that may be explored or expanded upon as deemed reasonable by administrative and supervisory personnel. The Anaheim Police Department may use social media as a method of effectively informing the public about department services, issues, investigations and other relevant events. Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all.

345.3 AUTHORIZED USERS
Only members authorized by the Chief of Police or the authorized designee may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media, unless they are specifically authorized to do otherwise by their supervisors.

The Chief of Police may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by the Public Affairs Section prior to posting.

Requests to post information over department social media by members who are not authorized to post should be made through the Public Affairs Section.

345.3.1 AUTHORIZED USER CONDUCT
Department personnel representing the department via social media outlets shall do the following:

(a) Conduct themselves at all times as representatives of the department and, accordingly, shall adhere to all department standards of conduct and observe conventionally accepted protocols and proper decorum.

(b) Identify themselves as a member of the department.

(c) Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions, nor post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to department training, activities, or work-related assignments without express permission.

(d) Not conduct political activities or private business.
Department Use of Social Media

(e) The use of department computers by departmental personnel to access social media is prohibited without authorization.

(f) The use of personally owned devices to manage the department’s social media activities or in the course of official duties is prohibited without express written permission.

(g) Employees shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

(h) Only members of the department who are designated to be part of the Social Media Team may post on department managed social media platforms.

345.4 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the department mission and conforms to all department policies regarding the release of information may be posted.

Examples of appropriate content include:

(a) Announcements of special events, weather emergencies, and natural disasters.

(b) Tips and information related to crime prevention, crime maps and data.

(c) Offering online-reporting opportunities.

(d) Soliciting tips about unsolved crimes (i.e., Crimestoppers, etc.).

(e) Investigative requests for information. Includes, but is not limited to,

   • Missing or endangered person(s)
   • Wanted person(s)
   • Gang crimes or participation
   • Crimes perpetrated online (i.e., cyberbullying, cyberstalking); and
   • Photos or videos of a crime posted by a participant or observer.

(f) Requests that ask the community to engage in projects or services that are relevant to the department mission.

(g) Real-time safety information that is related to in-progress crimes, geographical warnings or disaster information.

(h) Traffic information or road closures.

(i) Press releases.

(j) Recruitment of personnel.

345.4.1 INCIDENT-SPECIFIC USE

In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, and traffic issues), the Public Information Officer or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the Incident Commander, or appropriate detail supervisor with concurrence of respective watch or section commander.
345.5 PROHIBITED CONTENT
Content that is prohibited from posting includes, but is not limited to:

(a) Content that is abusive, discriminatory, inflammatory or sexually explicit.
(b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal or local laws.
(c) Any information that could compromise an ongoing investigation.
(d) Any information that could tend to compromise or damage the mission, function, reputation or professionalism of the Anaheim Police Department or its members.
(e) Any information that could compromise the safety and security of department operations, members of the Department, victims, suspects or the public.
(f) Any content posted for personal use.
(g) Any content that has not been properly authorized by this policy or a supervisor.

Any member who becomes aware of any posting, website, or web page content on this department’s social media site that he/she believes is unauthorized, inappropriate, or in violation of the provisions of this policy shall promptly report such content to the Public Affairs Section. The Public Affairs Section will ensure its removal from public view and investigate the cause of the entry.

345.5.1 PUBLIC POSTING PROHIBITED
Department social media sites shall be designed and maintained to prevent posting of content by the public.

The Department may provide a method for members of the public to contact department members directly.

345.6 MONITORING CONTENT
The Chief of Police will appoint at minimum a sergeant to manage the Public Affairs Section. This sergeant will review and monitor the use of department social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content and the resolution of any issues.

345.7 DEPARTMENT APPROVED SOCIAL MEDIA PLATFORMS
All Department social media sites or pages shall be approved by the Chief of Police or authorized designee and shall be administered by the Public Affairs Section or as otherwise determined. Where possible, social media pages shall clearly indicate they are maintained by the Department and shall have department contact information prominently displayed. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies.

Where possible, each social media page shall include an introductory statement that clearly specifies the purpose and scope of the Department’s presence on the website and shall include
terms of use for the page. Where possible, the page(s) should link to the Department's official website and/or City of Anaheim website. Social media page(s) shall be designed for the target audience(s) such as the community at large or a designated segment of the community.

Content is subject to public records laws. Relevant records retention schedules apply to social media content. Content must be managed, stored, and retrieved to comply with open records laws and e-discovery laws and policies. It is the opinion of the Anaheim City Attorney's Office that the Custodian of Records for social media records shall be the Custodian of Records for the platform on which the post is made. For example, if a public records request is made for a Facebook post on the APD Facebook page, the requestor will be referred to Facebook.

Where possible, social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the Department. Page(s) shall clearly indicate that posted comments will be monitored and the Department reserves the right to remove obscenities, off-topic comments, personal attacks, and other posts which violate the terms of use for the site.

Page(s) shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.

345.7.1 TERMS OF USE
The following Terms of Use will be in effect for all Department managed social media platforms and will be displayed on the main page where possible:

Please do not report crimes or in-progress incidents via our social media platforms. If you need to report an emergency or a crime in progress, call 911. For non-emergency responses, please call 714-765-1900. For more information about the Anaheim Police Department visit our webpage http://www.anaheimpd.org.

The Anaheim Police Department is comprised of individuals with diverse backgrounds forming a team and working together to serve our community. From the patrol officer on the street to the Chief of Police, and every employee in between, we live our motto: Community, Teamwork, Excellence.

The purpose of our social media presence is to engage the community in the form of digital media. Our goal is to provide you with current, relevant information about activities occurring within the community. We encourage you to submit comments and get involved in the conversation.

Please note... Comments posted to our page are monitored and our settings will automatically hide a comment if profanity is used. APD reserves the right to delete comments which are slanderous or defaming, contain false information, derogatory or obscene language, or sexual content. Comments which threaten any person or organization, support or oppose political candidates, political organizations or ballot propositions, promote illegal activity, commercial services or products, violates trademark or copyright privileges, or are not topically related to the particular post may also be removed. Persons who repeatedly violate the Terms of Use may be blocked from posting on our page.
The site is monitored during regular business hours only.

For information regarding crime trends or statistics in Anaheim, visit www.crimemapping.com. To sign up for Anaheim specific public safety and emergency alerts, visit www.anaheimalert.net.

Posting on this page constitutes acceptance of our Terms of Use.

345.8 RETENTION OF RECORDS
The Administration Division Commander should work with the Custodian of Records to establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

345.9 TRAINING
Authorized members will receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination and retention of information posted on department sites.
Gun Violence Restraining Orders

346.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for petitioning and serving gun violence restraining orders and accounting for the firearms obtained pursuant to those orders (Penal Code § 18108).

346.1.1 DEFINITIONS
Definitions related to this policy include:

Gun violence restraining order - Civil restraining order prohibiting a named person from controlling, owning, purchasing, possessing, receiving, or otherwise having custody or control of any firearms or ammunition, including an ammunition magazine (Penal Code § 18100).

346.2 POLICY
It is the policy of the Anaheim Police Department to petition and serve gun violence restraining orders in compliance with state law and to properly account for firearms and ammunition obtained by the Department pursuant to such orders.

346.3 GUN VIOLENCE RESTRAINING ORDER COORDINATOR
The Chief of Police will appoint a gun violence restraining order coordinator. The responsibilities of the coordinator include:

(a) Developing and maintaining procedures for the filing of a petition for an order or a renewal of an order by department members, also including procedures for requesting and serving (Penal Code § 18108):

1. A temporary emergency gun violence restraining order.
2. An ex parte gun violence restraining order.
3. A gun violence restraining order issued after notice and hearing.

(b) Developing and maintaining factors to consider when assessing the need to seek an order, including:

1. Whether threats have been made, and if so, whether the threats are credible and specific.
2. Whether the potential victim is within close proximity.
3. Whether the person has expressed suicidal tendencies.
4. Whether the person has access to firearms.
5. The criminal history of the person, in particular any history of criminal violence, including whether the person is currently on parole, probation, or monitored release.
6. The mental health history of the person, in particular whether the person has any history of mental illness or has ever been detained for being a danger to themselves or others.

7. Any upcoming holidays, anniversaries, or other dates of significance that may serve as a trigger for the person, such as the death of a family member.

8. Whether the person has any history of drug or alcohol abuse.

(c) Developing and maintaining procedures for the receipt and service of orders consistent with the requirements of Penal Code § 18115; Penal Code § 18120; Penal Code § 18135; Penal Code § 18140; and Penal Code § 18160. Procedures should include:

1. Evaluation of an order to determine appropriate service and necessary precautions (see the Warrant Service Policy and the Operations Planning and Deconfliction Policy).

2. Forwarding orders to the Records Manager for recording in appropriate databases and required notice to the court, as applicable.

3. Preparing or obtaining a search warrant prior to attempting service of an order, when appropriate (Penal Code § 18108).

4. Seizure procedures of firearms and ammunition at the time of issuance of a temporary emergency gun violence restraining order.

5. Verification procedures for the removal of firearms and ammunition from the subject of a gun violence restraining order.

(d) Coordinating with the Training Sergeant to provide officers who may be involved in petitioning for or serving orders with training on such orders. Training should include determining when a petition is appropriate, the process for seeking an order, and the service of such orders.

(e) Reviewing each petition and any associated court documents for an order prepared by members, for compliance with this policy, department procedures, and state law.

(f) Developing and maintaining procedures for members to accept voluntarily surrendered prohibited items at times other than when an order is being served by the Department.

1. Procedures should include preparing and providing a receipt identifying all prohibited items to the person surrendering the items.

(g) Coordinating review of notices of court hearings and providing notice to the appropriate officer of the hearing date and the responsibility to appear (Penal Code § 18108).

346.4 GUN VIOLENCE RESTRAINING ORDERS
An officer who has reasonable cause to believe a person is a present danger to him/herself or another person by controlling, owning, purchasing, possessing, receiving, or otherwise having custody of a firearm may request permission from his/her supervisor to petition the court for a gun violence restraining order.
Gun Violence Restraining Orders

Officers petitioning the court should use the forms established by the Judicial Council (Penal Code § 18105). The petition should describe the number, types, and locations of any firearms and ammunition that the officer believes to be possessed or controlled by the person (Penal Code § 18107). The petition should also describe why less-restrictive alternatives are ineffective or inadequate or inappropriate for the circumstances (Penal Code § 18125; Penal Code § 18150; Penal Code § 18175).

If it is not practical under the circumstances to submit a written petition, an officer may orally request an order, and then prepare and sign a declaration under penalty of perjury that recites the oral statements provided to the judicial officer and memorialize the order of the court on the appropriate Judicial Council form (Penal Code § 18140).

346.4.1 ADDITIONAL CONSIDERATIONS

Officers should also consider requesting permission to petition the court for a gun violence restraining order (Penal Code § 18108):

(a) When responding to a domestic disturbance where the residence is associated with a firearm registration or record.

(b) When responding to any call or incident when a firearm is present or when one of the involved parties owns or possesses a firearm.

(c) During a contact with a person exhibiting mental health issues, including suicidal thoughts, statements, or actions if that person owns or possesses a firearm.

Officers should consider obtaining a mental health evaluation if the encounter involves a situation where there is a reasonable cause to believe that the person poses an immediate and present danger of causing personal injury to themselves or another person by having custody or control of a firearm (see the Mental Illness Commitments Policy) (Penal Code § 18108).

346.5 SERVICE OF GUN VIOLENCE RESTRAINING ORDERS

An officer serving any gun violence restraining order shall:

(a) Verbally ask the subject of the order if he/she has any firearm, ammunition, or magazine in his/her possession or under his/her custody or control (Penal Code § 18160).

(b) Request that any firearms or ammunition be immediately surrendered and issue a receipt for the surrendered items (Penal Code § 18120).

(c) Take into temporary custody any firearm or other deadly weapon discovered in plain view or pursuant to consent or other lawful search (Penal Code § 18250).

(d) Inform the restrained person of any scheduled hearing regarding the order (Penal Code § 18160).

(e) Transmit the original proof of service form to the issuing court as soon as practicable but within one business day of service (Penal Code § 18115).
Gun Violence Restraining Orders

(f) As soon as practicable, but by the end of his/her shift, submit proof of service to the Records Manager for prompt entry into the California Restraining and Protective Order System (Penal Code § 18115).

The officer should also inform the restrained person that he/she is required, within 24 hours, to surrender to a law enforcement agency any other firearms and ammunition he/she owns or that are in his/her custody or control or sell them to a firearms dealer. This notification should be documented.

All firearms and ammunition collected shall be handled and booked in accordance with the Property and Evidence Policy.

346.5.1 SERVICE OF ORAL GUN VIOLENCE RESTRAINING ORDERS

If a gun violence restraining order is obtained orally, the officer shall (Penal Code § 18140):

(a) Sign a declaration under penalty of perjury reciting the oral statements provided to the judicial officer and memorialize the order of the court on the form approved by the Judicial Council.

(b) Serve the order on the restrained person in the manner outlined above, if the restrained person can reasonably be located.

(c) File a copy of the order with the court as soon as practicable after issuance.

(d) Ensure the order is provided to the Records Section for entry into the computer database system for protective and restraining orders maintained by the Department of Justice.

346.6 SEARCH WARRANTS

If a person who has been served with a gun violence restraining order refuses to surrender any firearm or ammunition, the officer should consider whether to seek a search warrant. If a search warrant is to be obtained, the preparation and service of the search warrant shall be done in accordance with the Warrant Service Policy. Additionally, (Penal Code § 1542.5):

(a) The officer serving the warrant shall take custody of any firearm or ammunition that is controlled, possessed or owned by the person who is the subject of the gun violence restraining order, including any discovered pursuant to the warrant, a consensual search or other lawful search.

(b) If the location being searched is jointly occupied and the firearm or ammunition is owned by a person other than the restrained person, the firearm or ammunition should not be seized if the following conditions are met:

1. The firearm or ammunition can be stored in a manner that does not allow the restrained person to have control or access.

2. There is no evidence that the owner unlawfully possesses the firearm or ammunition.

(c) If a locked gun safe belonging to someone other than the subject of a gun violence restraining order is discovered, the officer shall not search the contents of the safe
Gun Violence Restraining Orders

unless the owner consents or there is a valid search warrant for the safe. Any search
of the safe must be done in the owner’s presence.

346.7 RECORDS MANAGER RESPONSIBILITIES
The Records Manager is responsible for ensuring:

(a) Proof of service of any gun violence restraining order served by an officer or received
from the clerk of the court is entered in the computer database system for protective
and restraining orders maintained by the Department of Justice within one business
day of service if served by an officer, or within one business day of receipt of proof
of service if served by a person other than a law enforcement officer (Penal Code §
18115).

(b) Oral orders are entered into the California Restraining and Protective Order System
(Penal Code § 18140).

(c) Copies of receipts of surrendered firearms or ammunition issued by other agencies
for gun violence restraining orders issued by the Department are properly maintained
(Penal Code § 18120).

(d) Any relinquishment of firearm rights form received from the court is entered into the
California Restraining and Protective Order System within one business day of receipt
(Penal Code § 18115).

(e) Notify the Anaheim City Attorney’s Office via email (acaGVRO@anaheim.net) and
attach scanned copies of all the Judicial Council documents, police reports, if any, and
proofs of service, along with the firearm receipts, if any.

346.8 COURT-ORDERED FIREARMS AND AMMUNITION SURRENDERS
Authorized members shall accept firearms and ammunition from any individual who is the subject
of a gun violence restraining order. The member receiving any firearm or ammunition shall:

(a) Record the individual’s name, address and telephone number.

(b) Record the serial number of the firearm.

(c) Prepare an incident report and property report.

(d) Provide a property receipt to the individual who surrendered the firearms and
ammunition.

(e) Package and submit the firearms and ammunition in accordance with the Property
and Evidence Policy.

346.9 RELEASE OF FIREARMS AND AMMUNITION
Firearms and ammunition that were taken into temporary custody or surrendered pursuant to a
gun violence restraining order shall be returned to the restrained person upon the expiration of
the order and in accordance with Penal Code § 18120 and the Property and Evidence Policy.
346.10  RENEWAL OF GUN VIOLENCE RESTRAINING ORDERS
The City Attorney's Office is responsible for the review of a gun violence restraining order obtained by the Department to determine if renewal should be requested within the time prescribed by law (Penal Code § 18190).

346.11  POLICY AVAILABILITY
The Chief of Police or the authorized designee shall be responsible for making this policy available to the public upon request (Penal Code § 18108).

346.12  TRAINING
The Training Sergeant should ensure that members receive periodic training on the requirements of this policy (Penal Code § 18108).
Mounted Enforcement Unit

348.1 PURPOSE AND SCOPE
The Mounted Enforcement Unit (MEU) is to provide the department additional resources and special expertise in the area of equestrian services to better serve the citizens of Anaheim and for mutual aid. The Anaheim Police Department MEU will augment patrol and specialized units and integrate with other police services.

348.2 POLICY
The department shall develop a separate written set of operational guidelines for the MEU. These guidelines are specific to MEU and are not included in this policy. It shall be the responsibility of the MEU Lieutenant or designee to review these procedures on an annual basis. Any changes to these guidelines shall be approved by the Division Captain. Any subject not covered in this policy section or the MEU operational guidelines shall be governed by department policy and procedures.

The MEU Sergeant or designated Supervisor will ensure all MEU members are aware of these procedures.

348.3 GOALS AND OBJECTIVES
Members of the MEU will use their specialized training and equipment to provide support as requested in the following areas: promotion of positive communications and interactions with the community; proactive enforcement; crime deterrence through highly visible police presence; searches for persons or evidence; crowd control; mobile field force; police presence in natural disasters especially in areas where access to vehicles is limited or denied; representing the Anaheim PD at special events; in any event or function as determined by the Chief of Police.

348.4 ORGANIZATION
The MEU will be comprised of regular and Level I reserve officers of the Anaheim PD who are willing to volunteer the services of their personally own mounts to the Department. The MEU will be a collateral assignment. The MEU will be overseen by the Special Operations Division Captain, MEU Lieutenant, and MEU Sergeant or designated Supervisor.

348.5 OPERATIONS
All requests for deployment shall be approved by the MEU Lieutenant or his/her designee. The Unit Supervisor will designate which members shall be deployed based on suitability of rider and horse for the given assignment.

MEU officers will inform their regular duty supervisor of any scheduled deployments as soon as possible to determine if a scheduling conflict exists. If a conflict exists, the MEU supervisor shall be informed by the officer immediately so the conflict can be resolved between the two supervisors.
Mounted Enforcement Unit

The MEU guidelines shall set specific operational procedures that covers, but is not limited to, safety concerns, horse nuisances, injury reporting, civilian interactions with horses, grooming, and vehicle use.

348.6 ADMINISTRATION

348.6.1 ASSIGNMENT TO THE MEU

(a) Qualified reserve or regular officers of any rank may be selected and assigned to the MEU. Selected MEU Officers shall have completed probation and be in good standing. A reserve officer must have at least 12 months experience with the Anaheim PD, and be rated as a P.O.S.T. Level I Reserve Officer.

(b) The MEU is a collateral duty assignment.

(c) The following tasks will not be compensated when performed during periods that are not authorized deployments or training days:

1. regular care and cleaning of the horse and equipment.

(d) It shall be understood that horses require constant training to maintain adequate fitness and competency to be deployed. When an officer sustains an injury during the course of a training session outside of a designated training day, the injury may be treated as been having sustained during on-duty time. Notification of any such injury shall be made to the MEU Supervisor immediately.

(e) Members of the MEU shall maintain good standing within his/her primary duty assignment. Unacceptable work performance in the regular duty assignment can be the basis for removal from the MEU.

348.7 MINIMUM QUALIFICATIONS CRITERIA FOR MOUNTED UNIT MEMBERS

As part of the selection process for the MEU, an officer will be required to pass a rider proficiency test administered by a MEU Instructor. Once selected for the MEU, the officer will generally have 6 months to lease or purchase a horse.

348.8 HORSES

All horses assigned to the MEU will be purchased or leased by an individual officer and maintained by that officer. As set forth in the MEU Operational Guidelines, in the event a horse suffers an injury or death, or must be euthanized due to injury, as a result of traveling to or from, or while being stabled at or working or training at a department approved function, the officer will be reimbursed for all reasonable veterinary expenses and/or be provided with a set sum for the purchase of a replacement horse.

Horses selected shall satisfy the recognized criteria and standards as set forth in the MEU Operational Guidelines, including certification by a certified MEU Instructor.

348.9 EQUIPMENT

(a) MEU members will have access to a horse trailer and tow vehicle.
Mounted Enforcement Unit

(b) The department will issue certain items of tack and equipment to officers assigned to the MEU, as determined by the Chief of Police. MEU personnel must provide, or have access to, a western style saddle (brown or black), halter and lead rope, bridle, other required tack and equipment, and all grooming equipment.

c) The cost of items mandated by the department, including specialized uniforms, headgear, footwear, and pants shall be borne by the department. Maintenance of such items shall be maintained by the officer.

d) All equipment will be approved by unit management prior to use.

348.10 HORSE BATON
The forty (40) inch horse baton is the approved baton for APD MEU use. Each member will comply with all department policy and MEU operational guidelines when carrying the horse baton. The MEU Supervisor will ensure through training and acceptable proficiency levels are met.

348.11 TRAINING
The MEU shall train at least once a month and be attended by all assigned officers to the MEU. Each MEU officer is responsible for informing their regular duty supervisor of any scheduling adjustments that need to be made. This will be done as soon as each MEU officer is notified of the training date and time.

Failure to participate on scheduled training days may preclude the member from certification. Unjustified absences, failure to train, or failure to certify may result in disqualification from the MEU. Consecutive absences from monthly training sessions may require the MEU officer to attend the next available session prior to deployment at the discretion of the MEU supervisor.

Performance, training and deployment records of the horse and officer shall be maintained by the MEU Supervisor, as well as, all pertinent papers and veterinary records on the horse.
Patrol Function

400.1 PURPOSE AND SCOPE
The purpose of this policy is to define the patrol function and address intraorganizational cooperation and information sharing.

400.2 POLICY
The Anaheim Police Department provides patrol services 24 hours a day, seven days a week and will prioritize responses to requests for emergency services using available resources to enhance the safety of the public and department members.

400.3 FUNCTION
Patrol will generally be conducted by uniformed officers in clearly marked law enforcement vehicles in assigned jurisdictional areas of Anaheim. The function of patrol is to respond to calls for assistance and reports of criminal activity, act as a deterrent to crime, enforce state and local laws, identify community needs, provide support and assistance to the community and respond to emergencies.

Patrol services include, but are not limited to:

(a) Responding to emergency calls for service.
(b) Apprehending criminal offenders.
(c) Providing mutual aid and assistance to other agencies for emergency and law enforcement-related activities.
(d) Preventing criminal acts, traffic violations and collisions, maintaining public order and discovering hazardous situations or conditions.
(e) Responding to reports of criminal and non-criminal acts.
(f) Responding to routine calls for service, such as public assistance or public safety.
(g) Carrying out crime prevention activities such as residential inspections, business inspections and community presentations.
(h) Carrying out community oriented policing and problem-solving activities including the application of resources to improve or resolve specific problems or situations and contacting or assisting members of the public in a positive way.
(i) Directing and controlling traffic.

400.4 INFORMATION SHARING
To the extent feasible, all information relevant to the mission of the Department should be shared among all divisions and specialized units on a timely basis. Members should be provided with opportunities on a regular basis to share information during the daily briefings and to attend briefings of other divisions or specialized units.
Patrol Function

Additionally, information should be shared with outside agencies and the public in conformance with department policies and applicable laws. Members are encouraged to share information with other units and divisions.

400.4.1 PATROL DISTRICTS
Patrol officers shall contact the District Sergeant in the District they are working by personal contact, telephone, or memo to convey information regarding problem solving opportunities in that particular district. Patrol officers will keep the District Sergeants up to date on the progress they are experiencing with individual problem solving efforts in their assigned areas.

400.5 CROWDS, EVENTS AND GATHERINGS
Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action.

Generally, officers should consider seeking compliance through advisements and warnings for minor violations and should reserve greater enforcement options for more serious violations or when voluntary compliance with the law is not achieved.

Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Officers should consider enforcement of applicable state and local laws, such as Penal Code 602.1 (obstructing or intimidating business operators), when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.
Bias-Based Policing

401.1 PURPOSE AND SCOPE
This policy provides guidance to department members that affirms the Anaheim Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

401.1.1 DEFINITIONS
Definitions related to this policy include:

Bias-based policing - An inappropriate reliance on characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement (Penal Code § 13519.4).

401.2 POLICY
The Anaheim Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

401.3 BIAS-BASED POLICING PROHIBITED
Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

401.3.1 CALIFORNIA RELIGIOUS FREEDOM ACT
Members shall not collect information from a person based on religious belief, practice, affiliation, national origin or ethnicity unless permitted under state or federal law (Government Code § 8310.3).

Members shall not assist federal government authorities (Government Code § 8310.3):

(a) In compiling personal information about a person’s religious belief, practice, affiliation, national origin or ethnicity.

(b) By investigating, enforcing or assisting with the investigation or enforcement of any requirement that a person register with the federal government based on religious belief, practice, or affiliation, or national origin or ethnicity.
Bias-Based Policing

401.4 MEMBER RESPONSIBILITIES
Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

401.4.1 REASON FOR CONTACT
Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report, field interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

401.4.2 REPORTING OF STOPS
The reporting requirements under this section will take effect on January 1, 2021.

Unless an exception applies under 11 CCR 999.227, an officer conducting a stop of a person shall collect the data elements required by 11 CCR 999.226 for every person stopped and prepare a stop data report. When multiple officers conduct a stop, the officer with the highest level of engagement with the person shall collect the data elements and prepare the report (11 CCR 999.227).

If multiple agencies are involved in a stop and the Anaheim Police Department is the primary agency, the Anaheim Police Department officer shall collect the data elements and prepare the stop data report (11 CCR 999.227).

The stop data report should be completed by the end of the officer's shift or as soon as practicable (11 CCR 999.227).

401.5 SUPERVISOR RESPONSIBILITIES
Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

(a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
   1. Supervisors should document these discussions, in the prescribed manner.

(b) Supervisors should periodically review BWC recordings, portable audio/video recordings, Mobile Digital Computer (MDC) data and any other available resource used to document contact between officers and the public to ensure compliance with the policy.
   1. Supervisors should document these periodic reviews.
2. Recordings or data that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
   (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
   (d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

401.6 TRAINING
Training on fair and objective policing and review of this policy should be conducted as directed by the Training Detail.
   (a) All sworn members of this department will be scheduled to attend Peace Officer Standards and Training (POST)-approved training on the subject of bias-based policing.
   (b) Pending participation in such POST-approved training and at all times, all members of this department are encouraged to familiarize themselves with and consider racial and cultural differences among members of this community.
   (c) Each sworn member of this department who received initial bias-based policing training will thereafter be required to complete an approved refresher course every five years, or sooner if deemed necessary, in order to keep current with changing racial, identity and cultural trends (Penal Code § 13519.4(i)).

401.7 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE
The reporting requirements under this section will take effect on January 1, 2021.

The Internal Affairs Detail Manager shall ensure that all data required by the California Department of Justice (DOJ) regarding complaints of racial bias against officers is collected and provided to the Records Manager for required reporting to the DOJ (Penal Code § 13012; Penal Code § 13020). See the Records Section Policy.

Supervisors should ensure that data stop reports are provided to the Records Manager for required annual reporting to the DOJ (Government Code § 12525.5) (See Records Bureau Policy).
Briefing Training

402.1 PURPOSE AND SCOPE
Briefing training is generally conducted at the beginning of the officer’s assigned shift. Briefing provides an opportunity for important exchange between employees and supervisors. A supervisor generally will conduct Briefing; however officers may conduct Briefing for training purposes with supervisor approval.

Briefing should accomplish, at a minimum, the following basic tasks:

(a) Briefing officers with information regarding daily patrol activity, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles, and major investigations, recent crimes and their locations.

(b) Notifying officers of changes in schedules and assignments

(c) Notifying officers of new Law Enforcement Bulletins or changes in Department Policy

(d) Reviewing recent incidents for training purposes

(e) Providing training on a variety of subjects

(f) Discuss crime patterns and trends, specific problems in a given District and plans on how to resolve those trends or problems for the long and short term.

402.2 PREPARATION OF MATERIALS
The supervisor conducting Briefing is responsible for preparation of the materials necessary for a constructive briefing. Supervisors may delegate this responsibility to a subordinate officer in his or her absence or for training purposes.
Crime and Disaster Scene Integrity

403.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance in handling a major crime or disaster.

403.2 POLICY
It is the policy of the Anaheim Police Department to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

403.3 SCENE RESPONSIBILITY
The first officer at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Officers shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once an officer has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, the officer shall maintain the crime or disaster scene until he/she is properly relieved by a supervisor or other designated person.

403.4 FIRST RESPONDER CONSIDERATIONS
The following list generally describes the first responder’s function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

(a) Broadcast emergency information, including requests for additional assistance and resources.
(b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.
(c) Locate or identify suspects and determine whether dangerous suspects are still within the area.
(d) Provide first aid to injured parties if it can be done safely.
(e) Evacuate the location safely as required or appropriate.
(f) Secure the inner perimeter.
(g) Protect items of apparent evidentiary value.
(h) Secure an outer perimeter.
(i) Identify potential witnesses.
(j) Start a chronological log noting critical times and personnel allowed access.
403.5 SEARCHES
Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

403.5.1 CONSENT
When possible, officers should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

403.6 EXECUTION OF HEALTH ORDERS
Any sworn member of this department is authorized to enforce all orders of the local health officer that have been issued for the purpose of preventing the spread of any contagious, infectious or communicable disease (Health and Safety Code § 120155).
Ride-Along Policy

406.1 PURPOSE AND SCOPE
The Ride-Along Program provides an opportunity for citizens to experience the law enforcement function first hand. This policy provides the requirements, approval process, and hours of operation for the Ride-Along Program.

406.1.1 ELIGIBILITY
The Anaheim Police Department Ride-Along Program is offered to residents, students and those employed within the City. Every attempt will be made to accommodate interested persons however any applicant may be disqualified without cause.

The following factors may be considered in disqualifying an applicant and are not limited to:

- Being under 15 years of age
- Prior criminal history
- Pending criminal action
- Pending lawsuit against the Department
- Denial by any supervisor

406.1.2 AVAILABILITY
The ride-along Program is available on most days of the week depending upon the projected activity and workload of a pending shift. The ride-along times are not restricted by policy, only practicality based on the activities occurring on a given shift. Exceptions to the ride-along policy may be made as approved by the Chief of Police, Deputy Chiefs, Division Commanders, or Watch Commander.

406.2 PROCEDURE TO REQUEST A RIDE-ALONG
Generally, ride-along requests will be scheduled by the Desk Sergeant. The participant will complete a ride-along waiver form. Information requested will include a valid ID or California driver’s license, address, and telephone number. If the participant is under 18 years of age, a parent/guardian must be present to complete the Ride-Along Form.

The Desk Sergeant will schedule a date, based on availability, at least one week after the date of application. If approved, a copy will be forwarded to the respective Watch Commander as soon as possible for his/her scheduling considerations.

If the ride-along is denied after the request has been made, a representative of the Department will contact the applicant and advise him/her of the denial.
406.2.1 PROGRAM REQUIREMENTS
Once approved, civilian ride-alongs will be allowed to ride no more than once every six months. An exception would apply to the following: Cadets, Explorers, RSVP, Chaplains, Reserves, police applicants, and all others with approval of the Watch Commander.

An effort will be made to ensure that no more than one citizen will participate in a ride-along during any given time period. Normally, no more than one ride-along will be allowed in the officer's vehicle at a given time.

Ride-along requirements for police cadets are covered in the Police Cadets Policy.

406.2.2 SUITABLE ATTIRE
Any person approved to ride along is required to be suitably dressed in collared shirt, blouse or jacket, slacks and shoes. Sandals, T-shirts, tank tops, shorts and ripped or torn blue jeans are not permitted. Hats and ball caps will not be worn in the police vehicle. The Watch Commander or field supervisor may refuse a ride along to anyone not properly dressed.

406.2.3 PEACE OFFICER RIDE-ALONGS
Off-duty members of this department or any other law enforcement agency will not be permitted to ride-along with on-duty officers without the expressed consent of the Watch Commander. In the event that such a ride-along is permitted, the off-duty employee shall not be considered on-duty and shall not represent themselves as a peace officer or participate in any law enforcement activity except as emergency circumstances may require.

406.2.4 RIDE-ALONG CRIMINAL HISTORY CHECK
All Ride-along applicants are subject to a criminal history check. The criminal history check may include a local records check and a Department of Justice Automated Criminal History System check through CLETS prior to their approval as a ride-along with a law enforcement officer (provided that the ride-along is not an employee of the Anaheim Police Department) (CLETS Policies, Practices and Procedures Manual § 1.6.1.F.2.).

406.3 OFFICER'S RESPONSIBILITY
The officer shall advise the dispatcher that a ride-along is present in the vehicle before going into service. Officers shall consider the safety of the ride-along at all times. Officers should use sound discretion when encountering a potentially dangerous situation, and if feasible, let the participant out of the vehicle in a well-lighted place of safety. The dispatcher will be advised of the situation and as soon as practical have another police unit respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

The Desk Sergeant is responsible for maintaining and scheduling ride-alongs. Upon completion of the ride-along, the yellow form shall be returned to the Desk Sergeant with any comments which may be offered by the officer.
406.4 CONTROL OF RIDE-ALONG
The assigned employee shall maintain control over the ride-along at all times and instruct him/her in the conditions that necessarily limit their participation. These instructions should include:

(a) The ride-along will follow the directions of the officer
(b) The ride-along will not become involved in any investigation, handling of evidence, discussions with victims or suspects, or handling any police equipment
(c) The ride-along may terminate the ride at any time and the officer may return the observer to their home or to the station if the ride-along interferes with the performance of the officer's duties
(d) Ride-alongs may be allowed to continue riding during the transportation and booking process provided this does not jeopardize their safety
(e) Officers will not allow any ride-alongs to be present in any residences or situations that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other citizen
(f) Under no circumstance shall a civilian ride along be permitted to enter a private residence with an officer without the expressed consent of the resident or other authorized person
(g) All ride-alongs shall abide by the ride-along policy and procedure. A ride-along can be terminated at any time with just cause.
(h) It is recommended that the ride-along session be held to approximately four hours.
Loud Party - Disturbance Calls

409.1 PURPOSE AND SCOPE
To minimize the number of times police officers will be required to respond to "Loud Party-Disturbance Calls," the City Council has passed Anaheim Municipal Code (AMC) sections 6.73.010 through 6.73.090. Specifically AMC 6.73.020 states:

It shall be unlawful and constitute a public nuisance for any owner, tenant or responsible person to conduct or allow to be conducted any party or similar event from which loud and unreasonable noise originates between the hours of 10:00 P.M. and 7:00 A.M. Continuation of any activity prohibited by this section after written notification by a peace officer as provided in Section 6.73.030 that the activity is disturbing the comfort, health, peace, safety, quiet enjoyment or repose of one or more other persons shall be prima facie evidence of willful intent within the meaning of Section 6.73.010.

The term 'loud and unreasonable noise shall mean any sound or noise, including but not limited to music or speech, which is so loud in volume level and of such duration or character as to willfully disturb the comfort, health, peace, safety, quiet enjoyment or repose of one or more persons of ordinary sensibilities who is (are) not present at the party or similar event, which is the source of such sound or noise.

The term 'party or similar event' shall mean any gathering, event or activity at which one or more persons are present and which occurs on private property.

409.2 POLICE OFFICER RESPONSIBILITIES
The following guidelines have been established to simplify the enforcement of these new codes.

When responding to "Loud Party - Disturbance Calls," between 2200 and 0700 hours, the handling officer shall:

(a) Check the premise history for previous "Loud Party - First Response Notices" that may have been issued at the address in question. If no warnings have been issued in the past 90 days, the handling officer shall:

1. Use the following guidelines to determine the "owner, tenant or responsible person" and make contact with that person. The "owner, tenant or responsible person" shall mean each or all of the following:

(a) Any person actually in charge of the premises from which the loud and unreasonable noise originates;

(b) The owner, tenant or other person lawfully occupying the premises from which the loud and unreasonable noise originates;

(c) If the person in charge of the premises from which the loud and unreasonable noise originates is a minor who resides with both parents, the parents shall be deemed the responsible persons;
(d) If the person in charge of the premises from which the loud and unreasonable noise originates is a minor who resides with one parent, or legal guardian, the parent or legal guardian shall be deemed the responsible person.

2. Complete an APD Form 11, "Loud Party - First Response Notice" making certain to obtain the "responsible person's" name, address, DOB, CDL and phone number;

3. Advise the "responsible person" to immediately discontinue the loud and unreasonable noise, and give further notice that a second or subsequent response to the same location within a 90 day period may cause the responsible person to be subject to liability for civil fines pursuant to AMC section 6.73.060. If the "responsible person" is not the property owner, advise them a copy of the First Response Notice will be mailed to the property owner.

4. Have the "responsible person" sign the "First Response Notice". If the person refuses, indicate "Refused" in the signature space, and give the "responsible person" the violator copy;

5. Use an MDC to:
   (a) Send a message to SUP1 advising you have issued a "Loud Party-First Response Notice," and provide the name, address, phone number, DOB, and CDL, of the "responsible person" served, and advise the correct address of the location of the incident, if different from the address in the original call.

6. Prior to the end of the shift, route the "Loud Party - First Response Notice" to the Records Section.
   (a) If the "First Response Notice" is available to officers making the second response, include the "First Response Notice" with the GO and subsequent paperwork.

(b) If a "Loud Party - First Response Notice" has been issued to the incident address in the past 90 days, and a second response is required, an APD "Notice of Violation" citation shall be completed.
   1. Advise the "responsible person(s)" the party or disturbance is in violation of AMC section 6.73.020 and the "responsible person(s)" is/are jointly and severally liable for civil penalties pursuant to AMC section 6.73.060;

   2. Complete and issue the "Notice of Violation" civil citation.
   (a) If the responsible person is not the property owner, utilize GIS Planning Information from MyAPD to obtain the owners identifying
information. Complete a separate citation (under the original GO) with the owner's information and route to Records for processing.

3. After the party has been terminated, the handling officer shall initiate a report (or supplemental if a GO had been taken on this disturbance) and attach an "Incident History" for the original call, when the "First Response Notice" was issued, and for the incident where the "Subsequent Response Violation" was issued.

4. Route all copies (Incident History and Civil Citations) to the Records Section.

409.3 COMMUNICATIONS SUPERVISORS' RESPONSIBILITIES
The Communications Supervisor shall use the information provided by the officer to enter the time and date of the service of the "Loud Party-First Response Notice," and the name, address, phone number, DOB, and CDL, of the "responsible person" served into the Premise History for the actual address of the incident.

409.4 FRONT COUNTER STAFF RESPONSIBILITIES
The Front Counter Staff shall:

(a) Route all individuals who wish to submit payment and/or requesting an "Administrative Review" to The City of Anaheim Finance / Collections Department.

(b) The City of Anaheim Finance / Collections Department will notify TurboData of the payment collected and the current "Administrative Review" status.

(b) Turbo Data will maintain copies of payment records and will send out notices to violators who have not submitted payment in addition submit unpaid accounts to collections and the Franchise Tax Board.

409.5 RECORDS SECTION RESPONSIBILITIES
The Records Section Shall:

(a) Records Staff will receive all incoming loud party "First Response Notices, corresponding citation(s), and supporting documentation".

(b) Records staff will ensure all submitted documentation will be entered into the corresponding GO and scanned into Versadex.

(c) Upon receiving a citation issued to a “Property Owner” who was not present at the time a violation, Records will mail the “Pink” violator copy of the citation to the listed property owner.

(d) Records will maintain the dedicated “Records Copy” portion of citation(s) issued.
Loud Party - Disturbance Calls

1. Records will route the third copy of the citation(s) to TurboData for them to process into their system and maintain.

(e) Upon receiving copies of “Requests for Administrative Review” from Operations Secretary scan into corresponding GO.

1. In addition Records will receive the Notice of Decision and Administrative Order which will be scanned and retained with the corresponding GO.

**409.6 OPERATIONS DIVISION SECRETARY RESPONSIBILITIES**

The Operations Division Secretary shall:

(a) Upon receiving a "Request for Administrative Hearing" form, contact one of the designated hearing officers appointed by the Chief of Police pursuant to AMC section 6.73.020 (see Executive Officer Responsibilities below for details). Note: the hearing must occur within twenty (20) calendar days upon receipt of the request. Route mail or scan/email a copy of the Administrative Hearing Request along with a copy of the GO and any supplemental paperwork to the Executive Officer. Make a copy of the request for filing and submit the original request to the Records Section.

(b) Upon receiving the "Notice of Decision and Administrative Order" form from the hearing officer, submit the original to the Records Section for filing. If the hearing officer finds that the violation for which the civil citation was issued did not occur, contact the Finance Department of the City of Anaheim by filling out a “Request for Check” form so the person cited may be refunded the total payment.

(c) Mail the person cited a copy of the written “Notice of Decision and Administrative Order” indicating the decision of the hearing officer regarding the matter.

**409.7 DISTRICT COMMANDER RESPONSIBILITIES**

A District Commander will be designated to ensure that a minimum of four (4) members of either the Chief's Advisory Board (CAB), the Chief's Neighborhood Advisory Council (CNAC), or a combination of both are appointed to serve as Hearing Officers for the purpose of hearing appeals when a Request for Administrative Hearing is submitted. A minimum of two (2) Hearing Officers will be present during the Administrative Hearing, and the District Commander will ensure the Hearing Officers receive necessary training/instruction and are provided all necessary reports, evidence and other materials related to the incident prior to the hearing.

The District Commander will provide the Operations Division Secretary the names and contact information for the Hearing Officers, along with their schedule availability to facilitate the scheduling of hearings by the Operations Division Secretary.

The documents associated with this policy can be located at:

- "First Response Notice" forms and Civil Citation books are located at the Property and Evidence Detail.
- The “Administrative Hearing Request” form will be located with TurboData, APD Front Counter, City of Anaheim Collections, as well as the City of Anaheim Website.
Loud Party - Disturbance Calls

- The “Notice of Decision and Administrative Order” form is located via the Office of the Chief of Police.
Mental Illness Commitments

411.1 PURPOSE AND SCOPE
This policy provides guidelines for when officers may take a person into custody for psychiatric evaluation and treatment (5150 commitment) (Welfare and Institutions Code § 5150).

411.2 POLICY
It is the policy of the Anaheim Police Department to protect the public and individuals through legal and appropriate use of the 72-hour treatment and evaluation commitment (5150 commitment) process.

411.3 AUTHORITY
An officer having probable cause may take a person into custody and place the person in an approved mental health facility for 72-hour treatment and evaluation when the officer believes that, as a result of a mental disorder, the person is a danger to him/herself or others or the person is gravely disabled (Welfare and Institutions Code § 5150; Welfare and Institutions Code § 5585.50).

When determining whether to take a person into custody, officers are not limited to determining the person is an imminent danger and shall consider reasonably available information about the historical course of the person’s mental disorder, which may include evidence presented from any of the following (Welfare and Institutions Code § 5150; Welfare and Institutions Code § 5150.05):

(a) An individual who is providing or has provided mental health treatment or related support services to the person
(b) A family member
(c) The person subject to the determination or anyone designated by the person

411.3.1 VOLUNTARY EVALUATION
If an officer encounters an individual who may qualify for a 5150 commitment, he/she may inquire as to whether the person desires to voluntarily be evaluated at an appropriate facility. If the person so desires, the officers should:

(a) Transport or arrange the transportation of the person to an appropriate facility that is able to conduct the evaluation and admit the person pursuant to a 5150 commitment.
(b) If at any point the person changes his/her mind regarding voluntary evaluation, officers should proceed with the 5150 commitment, if appropriate.
(c) Document the circumstances surrounding the individual’s desire to pursue voluntary evaluation and/or admission.

411.4 CONSIDERATIONS AND RESPONSIBILITIES
Any officer handling a call involving an individual who may qualify for a 5150 commitment should consider, as time and circumstances reasonably permit:
Mental Illness Commitments

(a) Available information that might assist in determining the cause and nature of the person’s action or stated intentions.

(b) Community or neighborhood mediation services.

(c) Conflict resolution and de-escalation techniques.

(d) Community or other resources available to assist in dealing with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others.

Officers should consider a 5150 commitment over arrest when mental health issues appear to be a mitigating factor for people who are suspected of committing minor crimes or creating other public safety issues.

411.5 TRANSFER TO APPROPRIATE FACILITY

Upon arrival at the facility, the officer will escort the individual into a treatment area designated by a facility staff member. If the individual is not seeking treatment voluntarily, the officer should provide the staff member with the written application for a 5150 commitment and remain present to provide clarification of the grounds for detention, upon request.

Absent exigent circumstances, the transporting officer should not assist facility staff with the admission process, including restraint of the individual. However, if the individual is transported and delivered while restrained, the officer may assist with transferring the individual to facility restraints and will be available to assist during the admission process, if requested. Under normal circumstances, officers will not apply facility-ordered restraints.

411.6 DOCUMENTATION

The officer shall complete an application for a 72-Hour detention for evaluation and treatment, provide it to the facility staff member assigned to that patient and retain a copy of the application for inclusion in the case report.

The application shall include the circumstances for officer involvement; the probable cause to believe the person is, as a result of a mental health disorder, a danger to others or him/herself or gravely disabled; and all information used for the determination of probable cause (Welfare and Institutions Code § 5150; Welfare and Institutions Code § 5150.05).

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

411.6.1 ADVISEMENT

The officer taking a person into custody for evaluation shall advise the person of:

(a) The officer’s name and agency.
Mental Illness Commitments

(b) The fact that the person is not under criminal arrest but is being taken for examination by mental health professionals and the mental health staff will advise him/her of their rights.

(c) The name of the facility to which the person is being taken.

(d) If the person is being taken into custody at his/her residence, he/she should also be advised that he/she may take a few personal items, which the officer must approve, and may make a telephone call or leave a note indicating where he/she is being taken. The officer should also ask if the person needs assistance turning off any appliance or water.

The advisement shall be given in a language the person understands. If the person cannot understand an oral advisement, the information shall be provided in writing (Welfare and Institutions Code § 5150).

411.7 CRIMINAL OFFENSES

Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken on a 5150 commitment should resolve the criminal matter by issuing a warning or a Notice to Appear as appropriate.

When an individual who may qualify for a 5150 commitment has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the officer should:

(a) Arrest the individual when there is probable cause to do so.

(b) Notify the appropriate supervisor of the facts supporting the arrest and the facts that would support the 5150 commitment.

(c) Facilitate the individual’s transfer to jail.

(d) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for a 5150 commitment.

In the supervisor’s judgment, the individual may instead be arrested or booked and transported to the appropriate mental health facility. The supervisor should consider the seriousness of the offense, the treatment options available, the ability of this department to regain custody of the individual, department resources (e.g., posting a guard) and other relevant factors in making this decision.

411.8 FIREARMS AND OTHER WEAPONS

Whenever a person is taken into custody for a 5150 commitment, the handling officers should seek to determine if the person owns or has access to any firearm or other deadly weapon defined in Welfare and Institutions Code § 8100. Officers should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g., safekeeping, evidence, consent).

Officers are cautioned that a search warrant may be needed before entering a residence or other place to search, unless lawful, warrantless entry has already been made (e.g., exigent circumstances).
Mental Illness Commitments

circumstances, consent). A search warrant may also be needed before searching for or seizing weapons.

The handling officers shall issue a receipt describing the deadly weapon or any firearm seized, and list any serial number or other identification that is on the firearm. Officers shall advise the person of the procedure for the return of any firearm or other weapon that has been taken into custody (Welfare and Institutions Code § 8102 (b)) (see Property and Evidence Policy).

411.8.1 PETITION FOR RETURN OF FIREARMS AND OTHER WEAPONS
Whenever the handling officer has cause to believe that the future return of any confiscated weapon might endanger the person or others, the officer shall detail those facts and circumstances in a report. The report shall be forwarded to the Investigations Division, which shall be responsible for initiating a petition to the Superior Court for a hearing in accordance with Welfare and Institutions Code § 8102(c), to determine whether the weapon will be returned.

The petition to the Superior Court shall be initiated within 30 days of the release of the individual from whom such weapon has been confiscated, unless the Department makes an ex parte application to the court to extend the time to file such a petition, up to a maximum of 60 days. At the time any such petition is initiated, the Department shall send written notice to the individual informing him/her of the right to a hearing on the issue, that he/she has 30 days to confirm with the court clerk any desire for a hearing and that the failure to do so will result in the forfeiture of any confiscated weapon.

411.9 TRAINING
This department will endeavor to provide Peace Officer Standards and Training (POST)-approved advanced officer training on interaction with persons with mental disabilities, 5150 commitments and crisis intervention.
Cite and Release Policy

412.1 PURPOSE AND SCOPE
This policy provides guidance on when to release adults who are arrested for a criminal misdemeanor offense on a written notice to appear (citation) and when to hold for court or bail.

412.2 POLICY
It is the policy of the Anaheim Police Department to release all persons arrested on misdemeanor or other qualifying charges on a citation with certain exceptions (Penal Code § 853.6).

If there is a reason for non-release, the Department’s mission to protect the community will be the primary consideration when determining whether to release any individual in lieu of holding for court or bail.

412.3 RELEASE BY CITATION
Except in cases where a reason for non-release as described below exists, adults arrested for a misdemeanor offense, including a private persons arrest, shall be released from custody on a citation (Penal Code § 853.6).

The citing officer shall, at the time the defendant signs the notice to appear, call attention to the time and place for appearance and take any other steps he/she deems necessary to ensure that the defendant understands his/her written promise to appear.

412.3.1 FIELD CITATIONS
In most cases an adult arrested for a misdemeanor offense may be released in the field on a citation in lieu of physical arrest when booking and fingerprinting is not practicable or immediately required provided the individual can be satisfactorily identified, there is no outstanding arrest warrant for the individual and none of the below described disqualifying circumstances are present (Penal Code § 853.6; Penal Code § 1270.1). In such cases the arresting officer should check the booking required box on the citation form to indicate that the person will be photographed and fingerprinted at a later time when ordered by the court.

When a booking photo or fingerprints are needed for the furtherance of any investigation, the person should be released on citation after booking instead of on a field citation.

412.3.2 RELEASE AFTER BOOKING
In some cases it may not be feasible or desirable to release a person in the field. The person should instead be released on citation after booking at the jail. All bookings shall be approved by the Watch Commander or the authorized designee.

412.4 NON-RELEASE
412.4.1 DISQUALIFYING OFFENSES
An adult arrested on any of the following disqualifying charges shall not be released on citation and shall be transported to the appropriate detention facility or held for court or bail after booking (Penal Code § 1270.1):

(a) Misdemeanor domestic battery (Penal Code § 243(e)(1))
(b) Felony domestic battery (Penal Code § 273.5)
(c) Serious or violent felonies (Penal Code § 1270.1(a)(1))
(d) Felony intimidation of witnesses and victims (Penal Code § 136.1)
(e) Rape of a spouse (Penal Code § 262)
(f) Violation of a protective order and the arrested person has made threats, used violence, or has gone to the protected person’s workplace or residence (Penal Code § 273.6)
(g) Stalking (Penal Code § 646.9)
(h) Misdemeanor violations of a protective order relating to domestic violence if there is a reasonable likelihood the offense will continue or the safety of the individuals or property would be endangered (Penal Code § 853.6)

412.4.2 REASONS FOR NON-RELEASE
A person arrested for a misdemeanor shall be released on a citation unless there is a reason for non-release. The Correctional Sergeant may authorize a release on citation regardless of whether a reason for non-release exists when it is determined to be in the best interest of the Department and does not present an unreasonable risk to the community (e.g., release of an intoxicated or ill person to a responsible adult).

Reasons for non-release include (Penal Code § 853.6(i)):

(a) The person arrested is so intoxicated that he/she could be a danger to him/herself or to others. Release may occur as soon as this condition no longer exists.
(b) The person arrested requires medical examination or medical care or is otherwise unable to care for his/her own safety
   (a) The Anaheim Police Department shall not release an arrestee from custody for the purpose of allowing that person to seek medical care at a hospital, and then immediately re-arrest the same individual upon discharge from the hospital, unless the hospital determines this action will enable it to bill and collect from a third-party payment source (Penal Code § 4011.10).
(c) The person is arrested for one or more of the offenses listed in Vehicle Code § 40302, Vehicle Code § 40303, and Vehicle Code § 40305.
(d) The person has been cited, arrested, or convicted for theft from a store or vehicle in the previous six months, or there is probable cause to believe the person is guilty of committing organized retail theft, as defined in Penal Code § 490.4(a).
(e) There are one or more outstanding arrest warrants for the person or failures to appear in court on previous misdemeanor citations that have not been resolved (see Misdemeanor Warrants elsewhere in this policy).

(f) The person could not provide satisfactory evidence of personal identification.

1. If a person released on citation does not have satisfactory identification in his/her possession, a right thumbprint or fingerprint should be obtained on the citation form.

(g) The prosecution of the offense or offenses for which the person was arrested or the prosecution of any other offense or offenses would be jeopardized by the immediate release of the person arrested.

(h) There is a reasonable likelihood that the offense or offenses would continue or resume, or that the safety of persons or property would be imminently endangered by the release of the person arrested.

(i) The person arrested demands to be taken before a magistrate or has refused to sign the notice to appear.

(j) There is reason to believe that the person would not appear at the time and place specified in the notice to appear. The basis for this determination shall be specifically documented. An arrest warrant or failure to appear that is currently pending shall constitute reason to believe that the person will not appear. Other reasons may include:

(a) Previous failure to appear is on record

(b) The person lacks ties to the area, such as a residence, job, or family

(c) Unusual circumstances lead the officer responsible for the release of prisoners to conclude that the suspect should be held for further investigation

When a person is arrested on a misdemeanor offense and is not released by criminal citation, the reason for non-release shall be noted on a Supplemental to Misdemeanor Arrest Compliance with 853.6(j) P.C. (APD 441) and submitted to the Bail Office in conjunction with a Probable Cause Declaration. This form shall be submitted to the Correctional Sergeant for approval and included with the case file in the Records Section.

412.5 MISDEMEANOR WARRANTS OF ARRESTS

An adult arrested on a misdemeanor warrant of arrest may be released, subject to Correctional Sergeant approval, unless any of the following conditions exist:

(a) The misdemeanor cited in the warrant involves violence.

(b) The misdemeanor cited in the warrant involves a firearm.

(c) The misdemeanor cited in the warrant involves resisting arrest.

(d) The misdemeanor cited in the warrant involves giving false information to a peace officer.
(e) The person arrested is a danger to him/herself or others due to intoxication or being under the influence of drugs or narcotics.

(f) The person requires medical examination or medical care or was otherwise unable to care for his/her own safety.

(g) The person has other ineligible charges pending against him/her.

(h) There is reasonable likelihood that the offense or offenses would continue or resume, or that the safety of persons or property would be immediately endangered by the release of the person.

(i) The person refuses to sign the notice to appear.

(j) The person cannot provide satisfactory evidence of personal identification.

(k) The warrant of arrest indicates that the person is not eligible to be released on a notice to appear.

Release under this section shall be done in accordance with the provisions of this policy.

412.6 JUVENILE CITATIONS

Completion of criminal citations for juveniles is generally not appropriate with the following exceptions:

- Misdemeanor traffic violations of the Vehicle Code
- Violations of the Anaheim City codes

All other misdemeanor violations for juveniles shall be documented with a case number and the case should be referred to the Investigations Division for further action including diversion.

412.6.1 JUVENILE CITATION PROCEDURE

Juveniles may be released on a criminal citation under the following circumstances:

(a) Juvenile citations for traffic infractions:
   1. Citation to the Superior Court in Fullerton with a misdemeanor court appearance date and time. A Juvenile Contact Report is necessary.
   2. For violators of 21212(a) CVC (Youth bicycle helmets) who are 13 years old or younger, citation to "Juvenile Court, Traffic Division" with a misdemeanor court appearance date and time. A Juvenile Contact Report is necessary.

(b) Juvenile citations for citable traffic misdemeanors:
   Citation to "Juvenile Court, Traffic Division," with a misdemeanor court appearance date and time.
   1. 12500(a) CVC does not require a written police report or a G.O. number, while more serious offenses such as reckless driving and speed contest do require a report.

(c) Juvenile citations for citable misdemeanors. Juveniles may be released on misdemeanor citations for these sections: AMC 7.12.030 (Curfew), AMC 13.080.170 (Ticket resales), H&S 11357(b), B&P 25620, B&P 25661, B&P 25662, B&P 25658.5, and B&P 25658(a).
Cite and Release Policy

1. Per 627WIC, officers should make attempts to notify juveniles' parents/guardians of any arrest of a juvenile.
2. Those attempts should be documented in the report.

(d) Misdemeanor citation preparation.
1. Preface the criminal charge with "602WIC" (or "601 WIC" for curfew violations).
2. Write the names of the juvenile's parents on the back of the court copy (original) of the citation.
3. Complete the necessary paperwork.
   (a) For curfew citations;
   1. No Application for Petition.
   2. No police report.
   3. Citation to "Juvenile Court, Traffic Division" with a misdemeanor court appearance date.
   4. A copy of the AMC Curfew section attached to the citation.
   (b) For all other violations:
   1. Completed Application for Petition.
   2. Three copies of the police report.
   3. Citation to "Juvenile Court, Traffic Division" with no court appearance date. Put "Misdemeanor Court Date" in the date box.
   4. Three copies of the AMC section (if applicable).

412.6.2 ADHERING TO COURT ISSUED GUIDELINES
Periodically, the District Attorney's Office and/or the Court issue guidelines to be followed in the filing of Juvenile cases. When such guidelines are directed to law enforcement agencies, they should be adhered to in order to ensure a cooperative effort and effective prosecution of all cases involving juvenile offenders.

412.7 REQUESTING CASE NUMBERS
Many cases involving a criminal citation release can be handled without requesting a case number. Traffic situations and local code violations can be documented on the reverse side of the records copy of the citation. Most Penal Code sections will require a case number to document the incident properly in a report. This section does not preclude an officer from requesting a case number if he/she feels the situation should be documented more thoroughly in a case report.
Foreign Diplomatic and Consular Representatives

413.1 PURPOSE AND SCOPE
This policy provides guidelines to ensure that members of the Anaheim Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

413.2 POLICY
The Anaheim Police Department respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

413.3 CLAIMS OF IMMUNITY
If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

(a) Notify a supervisor.

(b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person’s status.

(c) Request the person’s identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.

(d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089, or at another current telephone number and inform the center of the circumstances.

(e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETTS), designating “US” as the state.
413.4 ENFORCEMENT

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

(a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.

(b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.

(c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.

1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving may proceed but they shall not be compelled.

(d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:

1. Diplomatic-level staff of missions to international organizations and recognized family members
2. Diplomatic agents and recognized family members
3. Members of administrative and technical staff of a diplomatic mission and recognized family members
4. Career consular officers, unless the person is the subject of a felony warrant

(e) The following persons may generally be detained and arrested:

1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.
2. Support staff of missions to international organizations
3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.
4. Honorary consular officers
5. Whenever an officer arrests and incarcerates, or detains for investigation for over two hours, a person with diplomatic and consular privileges and immunities, the officer shall promptly advise the person that he/she is entitled to have his/her government notified of the arrest or detention (Penal Code § 834c). If the individual wants his/her government notified, the officer shall begin the notification process.
413.5 DOCUMENTATION
All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

413.6 DIPLOMATIC IMMUNITY TABLE
Reference table on diplomatic immunity:

<table>
<thead>
<tr>
<th>Category</th>
<th>Arrested or Detained</th>
<th>Enter Residence Subject to Ordinary Procedures</th>
<th>Issued Traffic Citation</th>
<th>Subpoenaed as Witness</th>
<th>Prosecuted</th>
<th>Recognized Family Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>Diplomatic Agent</td>
<td>No (note (b))</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Same as sponsor (full immunity &amp; inviolability)</td>
</tr>
<tr>
<td>Member of Admin and Tech Staff</td>
<td>No (note (b))</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Same as sponsor (full immunity &amp; inviolability)</td>
</tr>
<tr>
<td>Service Staff</td>
<td>Yes (note (a))</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No for official acts. Yes otherwise (note (a))</td>
<td>No immunity or inviolability (note (a))</td>
</tr>
<tr>
<td>Career Consul Officer</td>
<td>Yes if for a felony and pursuant to a warrant (note (a))</td>
<td>Yes (note (d))</td>
<td>Yes</td>
<td>No for official acts. Testimony may not be compelled in any case</td>
<td>No for official acts. Yes otherwise (note (a))</td>
<td>No immunity or inviolability</td>
</tr>
<tr>
<td>Honorable Consul Officer</td>
<td>Yes (note (a))</td>
<td>Yes</td>
<td>Yes</td>
<td>No for official acts. Yes otherwise.</td>
<td>No for official acts. Yes otherwise.</td>
<td>No immunity or inviolability</td>
</tr>
<tr>
<td>Consulate Employees</td>
<td>Yes (note (a))</td>
<td>Yes</td>
<td>Yes</td>
<td>No for official acts. Yes otherwise.</td>
<td>No for official acts. Yes otherwise.</td>
<td>No immunity or inviolability (note (a))</td>
</tr>
<tr>
<td>Int’l Org Staff (note (b))</td>
<td>Yes (note (c))</td>
<td>Yes (note (c))</td>
<td>Yes</td>
<td>Yes (note (c))</td>
<td>No for official acts. Yes otherwise. (note (c))</td>
<td>No immunity or inviolability</td>
</tr>
</tbody>
</table>
### Foreign Diplomatic and Consular Representatives

<table>
<thead>
<tr>
<th>Diplomatic-Level Staff of Missions to Int’l Org</th>
<th>No (note (b))</th>
<th>No</th>
<th>Yes</th>
<th>No</th>
<th>No</th>
<th>Same as sponsor (full immunity &amp; inviolability)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Support Staff of Missions to Int’l Orgs</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td></td>
<td>No for official acts</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Yes otherwise</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>No immunity or inviolability</td>
</tr>
</tbody>
</table>

Notes for diplomatic immunity table:

(a) This table presents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.

(b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or in the prevention of serious criminal acts.

(c) A small number of senior officers are entitled to be treated identically to diplomatic agents.

(d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.
Reporting Public Accidents or Incidents

415.1 PURPOSE AND SCOPE
The purpose of this policy is to establish the means by which public accidents or other incidents that do not involve police activity are to be documented when they may create a liability for the City of Anaheim.

415.2 REPORTING PUBLIC ACCIDENTS OR INCIDENTS
A General Offense form (APD 800) will be used in reporting any accident or incident (that does not involve police activity), on city property, in which injury or property damage may result in the City being subjected to a claim for damages. An example of the type of accident/incident would be a trip and fall due to a raised sidewalk, another Department's vehicle causing property damage but not as a result of a motor vehicle accident, and other accidents/incidents of that nature.

All pertinent information and statements regarding the accident should be collected from any injured parties and witnesses. However, it is not necessary to include any findings regarding negligence in the report. Photographs should be taken if pertinent to the incident. The report, and photographs, if any, should be forwarded to the Watch Commander. The Watch Commander or Desk Sergeant should complete a report of Unusual Occurrence. The Watch Commander will then forward a copy of the report, the Unusual Occurrence, and the original photographs taken, if any, it to the Police Civil Liability Investigator.
Immigration Violations

416.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines to members of the Anaheim Police Department relating to immigration and interacting with federal immigration officials.

416.1.1 DEFINITIONS
The following definitions apply to this policy (Government Code § 7284.4):

**Criminal immigration violation** - Any federal criminal immigration violation that penalizes a person’s presence in, entry, or reentry to, or employment in, the United States. This does not include any offense where a judicial warrant already has been issued.

**Immigration enforcement** - Any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law, including any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal criminal immigration law that penalizes a person's presence in, entry or reentry to, or employment in the United States.

**Judicial warrant** - An arrest warrant for a violation of federal criminal immigration law and issued by a federal judge or a federal magistrate judge.

416.2 POLICY
It is the policy of the Anaheim Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status.

416.3 VICTIMS AND WITNESSES
To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and not in any way that would violate the United States or California constitutions.

416.3.1 BASIS FOR CONTACT
Unless immigration status is relevant to another criminal offense or investigation (e.g., harboring, smuggling, terrorism), the fact that an individual is suspected of being an undocumented alien shall not be the basis for contact, detention, or arrest.

416.3.2 SWEEPS
The Anaheim Police Department does not enforce federal immigration laws and does not conduct sweeps or other concentrated efforts to detain suspected undocumented aliens.
**Immigration Violations**

When enforcement efforts are increased in a particular area, equal consideration should be given to all suspected violations, and race, ethnicity, age, gender, sexual orientation, religion, socioeconomic status or other protected characteristic or grouping shall play no part in enforcement decisions or actions.

### 416.4 IMMIGRATION INQUIRIES PROHIBITED

Officers shall not inquire into an individual’s immigration status for immigration enforcement purposes (Government Code § 7284.6).

#### 416.4.1 CALIFORNIA LAW ENFORCEMENT TELECOMMUNICATIONS SYSTEM (CLETS)

Members shall not use information transmitted through CLETS for immigration enforcement purposes except for criminal history information and only when consistent with the California Values Act (Government Code § 15160).

Members shall not use the system to investigate immigration violations of 8 USC § 1325 (improper entry) if that violation is the only criminal history in an individual’s record (Government Code § 15160).

### 416.5 DETENTIONS AND ARRESTS

An officer shall not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant (Government Code § 7284.6).

An officer who has a reasonable suspicion that an individual already lawfully contacted or detained has committed a criminal violation of 8 USC § 1326(a) (unlawful reentry) that may be subject to an enhancement due to a previous conviction of an aggravated felony under 8 USC § 1326(b) (2), may detain the person for a reasonable period of time to contact federal immigration officials to verify whether the United States Attorney General has granted the individual permission for reentry and whether the violation is subject to enhancement (Government Code § 7284.6). No individual who is otherwise ready to be released should continue to be detained only because questions about the individual’s immigration status are unresolved.

If an officer has facts that establish probable cause to believe that a person already lawfully detained has violated 8 USC § 1326(a) and the penalty may be subject to enhancement due to prior conviction for specified aggravated felonies, he/she may arrest the individual for that offense (Government Code § 7284.6).

An officer shall not detain any individual, for any length of time, for any other criminal immigration violation or violation of federal immigration laws (Government Code § 7284.6).

An officer should notify a supervisor as soon as practicable whenever an individual is arrested for violation of 8 USC § 1326(a).

#### 416.5.1 SUPERVISOR RESPONSIBILITIES

When notified that an officer has arrested an individual for violation of 8 USC § 1326(a) or under the authority of a judicial warrant, the supervisor should determine whether it is appropriate to:

(a) Transfer the person to federal authorities.
(b) Transfer the person to jail.

416.6 FEDERAL REQUESTS FOR ASSISTANCE
If a specific request is made by U. S. Immigration and Customs Enforcement (ICE), the Anaheim Police Department will provide available support services, such as traffic control or peacekeeping efforts, during the federal operation.

Members of the Department should not participate in federal immigration operations as part of any detention team unless it is in direct response to a request for assistance on a temporary basis or for officer safety. Any detention by a member of the Department should be based upon the reasonable belief that an individual is involved in criminal activity unrelated to a criminal immigration violation.

If a member of the department receives a request for assistance from ICE that is not covered by the preceding two paragraphs, the request should be directed to a supervisor. The supervisor is responsible for determining whether the requested assistance would be permitted under the California Values Act (Government Code §§7282 et seq. and 7284.2 et seq.).

416.7 INFORMATION SHARING
Nothing is this policy is intended to restrict members of the department from exchanging with ICE information regarding the citizenship or immigration status, lawful or unlawful, of any individual, to the extent that such exchange is consistent with the requirements of 8 USC § 1373 and Government Code § 7284.6(e), including doing the following:

(a) Sending information to, or requesting or receiving such information from federal immigration officials
(b) Maintaining such information in department records
(c) Exchanging such information with any other federal, state, or local government entity

416.7.1 IMMIGRATION DETAINERS
No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 (Government Code § 7284.6).

Notification to a federal authority may be made prior to release of an individual who is the subject of a notification request only if the individual meets one of the following conditions (Government Code § 7282.5; Government Code § 7284.6):

(a) The individual has been arrested and had a judicial probable cause determination for a serious or violent felony identified in Penal Code § 667.5(c) or Penal Code § 1192.7(c).
(b) The individual has been arrested and had a judicial probable cause determination for a felony punishable by time in a state prison.
(c) The individual has been convicted of an offense as identified in Government Code § 7282.5(a).
(d) The individual is a current registrant on the California Sex and Arson Registry.
Immigration Violations

(e) The individual is identified by ICE as the subject of an outstanding federal felony arrest warrant.

416.7.2 NOTICE TO INDIVIDUALS
Individuals in custody shall be given a copy of documentation received from ICE regarding a hold, notification, or transfer request, along with information as to whether the Anaheim Police Department intends to comply with the request (Government Code § 7283.1).

If the Anaheim Police Department provides ICE with notification that an individual is being, or will be, released on a certain date, the same notification shall be provided in writing to the individual and to his/her attorney or to one additional person who the individual may designate (Government Code § 7283.1).

416.7.3 ICE INTERVIEWS
Before any interview regarding civil immigration violations takes place between ICE personnel and an individual in the custody of the Anaheim Police Department, the Department shall provide the individual with a written consent form that explains the purpose of the interview, that the interview is voluntary, and that he/she may decline to be interviewed or may choose to be interviewed only with his/her attorney present. The consent form must be available in the languages specified in Government Code § 7283.1.

416.7.4 TRANSFERS TO IMMIGRATION AUTHORITIES
Members shall not transfer an individual to immigration authorities unless one of the following circumstances exist (Government Code § 7282.5; Government Code § 7284.6):

(a) Transfer is authorized by a judicial warrant or by a judicial probable cause determination made by a federal judge or magistrate that the individual has violated federal criminal immigration law and may be taken into custody.

(b) The individual has been convicted of an offense as identified in Government Code § 7282.5(a).

(c) The individual is a current registrant on the California Sex and Arson Registry.

(d) The individual is identified by the U.S. Department of Homeland Security’s Immigration and Customs Enforcement as the subject of an outstanding federal felony arrest warrant.

416.7.5 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE
The Investigations Division supervisor shall ensure that data regarding the number of transfers of an individual to immigration authorities, as permitted by Government Code § 7284.6(a)(4), and the offense that allowed for the transfer is collected and provided to the Records Manager for required reporting to the DOJ (Government Code § 7284.6(c)(2)(see the Records Section Policy).

416.8 U VISA AND T VISA NONIMMIGRANT STATUS
Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)).
Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)).

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Investigations Division supervisor assigned to oversee the handling of any related case. The Investigations Division supervisor should:

(a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.

(b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.

(c) Address the request and complete the certification or declaration, if appropriate, in a timely manner.

1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.

2. Form I-918 Supplement B certification shall be completed if the victim qualifies under Penal Code § 679.10 (multiple serious offenses). Form I-914 Supplement B certification shall be completed if the victim qualifies under Penal Code § 236.5 or Penal Code § 679.11 (human trafficking).

(d) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.

(e) Inform the victim liaison of any requests and their status.

416.8.1 TIME FRAMES FOR COMPLETION
Officers and their supervisors who are assigned to investigate a case of human trafficking as defined by Penal Code § 236.1 shall complete the above process and the documents needed for indicating the individual is a victim for the T visa application within 15 business days of the first encounter with the victim, regardless of whether it is requested by the victim (Penal Code § 236.5).

Officers and their supervisors shall complete the above process and the documents needed certifying victim cooperation for a U visa or T visa application pursuant to Penal Code § 679.10 and Penal Code § 679.11 within 30 days of a request from the victim, victim’s family, or authorized representative (as defined in Penal Code § 679.10 and Penal Code § 679.11) related to one of their assigned cases. If the victim is in removal proceedings, the certification shall be processed within seven days of the first business day following the day the request was received.

416.8.2 REPORTING TO LEGISLATURE
The Investigations Division supervisor or the authorized designee should ensure that certification requests are reported to the Legislature in January of each year and include the number of certifications signed and the number denied. The report shall comply with Government Code § 9795 (Penal Code § 679.10; Penal Code § 679.11).
416.8.3 POLICE REPORTS
Upon request, an officer or supervisor should provide a victim or authorized representative with a copy of the report filed by the victim within seven days of the request (Penal Code § 679.10).

416.9 TRAINING
The Training Sergeant should ensure that all appropriate members receive training on immigration issues.

Training should include:

(a) Identifying civil versus criminal immigration violations.
(b) Factors that may be considered in determining whether a criminal immigration violation has been committed.
(c) The provisions of the California Values Act (Government Code § 7284 et seq.).
Aircraft Accidents

418.1 PURPOSE AND SCOPE
The purpose of this policy is to provide department members with guidelines for handling aircraft accidents.

This policy does not supersede, and is supplementary to, applicable portions of the Crime and Disaster Scene Integrity, Emergency Management Plan and Hazardous Material Response policies.

418.1.1 DEFINITIONS
Definitions related to this policy include:

Aircraft - Any fixed wing aircraft, rotorcraft, balloon, blimp/dirigible or glider that is capable of carrying a person or any unmanned aerial vehicle other than those intended for non-commercial recreational use.

418.2 POLICY
It is the policy of the Anaheim Police Department to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

418.3 ARRIVAL AT SCENE
Officers or other authorized members tasked with initial scene management should establish an inner and outer perimeter to:

(a) Protect persons and property.
(b) Prevent any disturbance or further damage to the wreckage or debris, except to preserve life or rescue the injured.
(c) Preserve ground scars and marks made by the aircraft.
(d) Manage the admission and access of public safety and medical personnel to the extent necessary to preserve life or to stabilize hazardous materials.
(e) Maintain a record of persons who enter the accident site.
(f) Consider implementation of an Incident Command System (ICS).

418.4 INJURIES AND CASUALTIES
Members should address emergency medical issues and provide care as a first priority.

Those tasked with the supervision of the scene should coordinate with the National Transportation Safety Board (NTSB) before the removal of bodies. If that is not possible, the scene supervisor should ensure documentation of what was disturbed, including switch/control positions and instrument/gauge readings.
418.5 NOTIFICATIONS
When an aircraft accident is reported to this department, the responding supervisor shall ensure notification is or has been made to NTSB, the Federal Aviation Administration (FAA), and when applicable, the appropriate branch of the military.

Supervisors shall ensure other notifications are made once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage, and the type of aircraft involved. When an aircraft accident has occurred, it is generally necessary to notify the following:

(a) Fire department
(b) Appropriate airport tower
(c) Emergency medical services (EMS)

418.6 CONTROLLING ACCESS AND SCENE AUTHORITY
Prior to NTSB arrival, scene access should be limited to authorized personnel from the:

(a) FAA.
(b) Fire department, EMS or other assisting law enforcement agencies.
(c) Coroner.
(d) Air Carrier/Operators investigative teams with NTSB approval.
(e) Appropriate branch of the military, when applicable.
(f) Other emergency services agencies (e.g., hazardous materials teams, biohazard decontamination teams, fuel recovery specialists, explosive ordnance disposal specialists).

The NTSB has primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft accident, the appropriate branch of the military will have primary investigation responsibility.

After the NTSB or military representative arrives on-scene, the efforts of this department will shift to a support role for those agencies.

If NTSB or a military representative determines that an aircraft or accident does not qualify under its jurisdiction, the on-scene department supervisor should ensure the accident is still appropriately investigated and documented.

418.7 DANGEROUS MATERIALS
Members should be aware of potentially dangerous materials that might be present. These may include, but are not limited to:

(a) Fuel, chemicals, explosives, biological or radioactive materials and bombs or other ordnance.
(b) Pressure vessels, compressed gas bottles, accumulators and tires.
Aircraft Accidents

(c) Fluids, batteries, flares and igniters.
(d) Evacuation chutes, ballistic parachute systems and composite materials.

418.8 DOCUMENTATION
All aircraft accidents occurring within the City of Anaheim shall be documented. At a minimum the documentation should include the date, time and location of the incident; any witness statements, if taken; the names of APD members deployed to assist; other City resources that were utilized; and cross reference information to other investigating agencies. Suspected criminal activity should be documented on the appropriate crime report.

418.8.1 WRECKAGE
When reasonably safe, members should:

(a) Obtain the aircraft registration number (N number) and note the type of aircraft.
(b) Attempt to ascertain the number of casualties.
(c) Obtain photographs or video of the overall wreckage, including the cockpit and damage, starting at the initial point of impact, if possible, and any ground scars or marks made by the aircraft.
   1. Military aircraft may contain classified equipment and therefore shall not be photographed unless authorized by a military commanding officer (18 USC § 795).
(d) Secure, if requested by the lead authority, any electronic data or video recorders from the aircraft that became dislodged or cell phones or other recording devices that are part of the wreckage.
(e) Acquire copies of any recordings from security cameras that may have captured the incident.

418.8.2 WITNESSES
Members tasked with contacting witnesses should obtain:

(a) The location of the witness at the time of his/her observation relative to the accident site.
(b) A detailed description of what was observed or heard.
(c) Any photographs or recordings of the accident witnesses may be willing to voluntarily surrender.
(d) The names of all persons reporting the accident, even if not yet interviewed.
(e) Any audio recordings of reports to 9-1-1 regarding the accident and dispatch records.

418.9 MEDIA RELATIONS
The Public Information Officer (PIO) should coordinate a response to the media, including access issues, road closures, detours and any safety information that is pertinent to the surrounding community. Any release of information regarding details of the accident itself should
be coordinated with the NTSB or other authority who may have assumed responsibility for the investigation.

Depending on the type of aircraft, the airline or the military may be responsible for family notifications and the release of victims’ names. The PIO should coordinate with other involved entities before the release of information.
Field Training Officer Program

419.1 PURPOSE AND SCOPE
The Field Training Officer Program is intended to provide a standardized program to facilitate the officer’s transition from the academic setting to the actual performance of general law enforcement duties of the Anaheim Police Department.

It is the policy of this department to assign all new police officers to a structured Field Training Officer Program that is designed to prepare the new officer to perform as a competent solo patrol officer, and possess all skills needed to operate in a safe, productive, and professional manner.

419.2 FIELD TRAINING OFFICER - SELECTION AND TRAINING
The Field Training Officer (FTO) is an experienced officer trained in the art of supervising, training, and evaluating entry level and lateral police officers in the application of their previously acquired knowledge and skills.

419.2.1 SELECTION PROCESS
FTOs will be selected based on the following requirements:

(a) Desire to be an FTO
(b) Minimum of four years of patrol experience, two of which shall be with this department
(c) Demonstrated ability as a positive role model
(d) Participate and pass an internal oral interview selection process including a written exercise
(e) Evaluation by supervisors
(f) Possess a POST Basic certificate

419.2.2 TRAINING
An officer selected as a Field Training Officer shall successfully complete a POST certified (40-hour) Field Training Officer’s Course prior to being assigned as an FTO.

All FTOs must complete a 24-hour Field Training Officer update course every three years while assigned to the position of FTO (11 CCR 1004).

All FTOs must meet any training mandate regarding crisis intervention behavioral health training pursuant to Penal Code § 13515.28.

419.3 FIELD TRAINING OFFICER PROGRAM SUPERVISOR
A FTO Program supervisor should be selected from the rank of sergeant or above by the Field Services Division Commander or a designee and should possess, or be eligible to receive, a POST Supervisory Certificate.

The responsibilities of the FTO Program supervisor include the following:

(a) Assignment of trainees to FTOs
Field Training Officer Program

(b) Conduct FTO meetings
(c) Maintain and ensure FTO/trainee performance evaluations are completed
(d) Maintain, update and issue the Field Training Program Guide to each trainee
(e) Monitor individual FTO performance
(f) Monitor overall FTO Program
(g) Maintain liaison with FTO coordinators of other agencies
(h) Develop ongoing training for FTOs

The FTO Program supervisor will be required to successfully complete a POST approved Field Training Administrator’s Course within one year of appointment to this position (11 CCR 1004(c)).

419.4 TRAINEE DEFINED
Any entry level or lateral police officer newly appointed to the Anaheim Police Department who has successfully completed a POST approved Basic Academy.

419.5 REQUIRED TRAINING
Entry level officers shall be required to successfully complete the Field Training Program, consisting of a minimum of 22 weeks including Phase 0 (See 11 CCR 1004; 11 CCR 1005 for state minimum requirements).

The training period for a lateral officer may be modified depending on the trainee’s demonstrated performance and level of experience but shall consist of a minimum of 18 weeks. A lateral officer may be exempt from the Field Training Program requirement if the officer qualifies for an exemption as provided in 11 CCR 1005(a)(B).

To the extent practicable, entry level and lateral officers should be assigned to a variety of Field Training Officers, shifts, and geographical areas during their Field Training Program.

419.5.1 FIELD TRAINING PROGRAM GUIDE
Each new officer will be issued a Field Training Program Guide at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and/or skills necessary to properly function as an officer with the Anaheim Police Department. The officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the guide.

The Field Training Program Guide will specifically cover those policies, procedures, rules and regulations adopted by the Anaheim Police Department.

419.6 EVALUATIONS
Evaluations are an important component of the training process and shall be completed as outlined below.
419.6.1 FIELD TRAINING OFFICER
The FTO will be responsible for the following:

(a) Complete and submit a written evaluation on the performance of his/her assigned trainee to the trainee’s FTO supervisor on a daily basis.

(b) Review the Daily Observation Report with the trainee each day.

(c) Complete detailed Mid-Phase and End of Phase Reports on his/her assigned trainee.

(d) Sign off all completed topics contained in the Field Training Program Guide, noting the method(s) of learning and evaluating the performance of his/her assigned trainee.

419.6.2 IMMEDIATE SUPERVISOR
The FTO supervisor shall review and approve the Daily Observation Reports.

419.6.3 TRAINEE
At the completion of the Field Training Program, the trainee shall submit a confidential performance evaluation on each of their FTOs and on the Field Training Program.

419.7 DOCUMENTATION
All documentation of the Field Training Program will be retained in the officer’s electronic training files and forwarded to the Personnel Detail. This will consist of the following:

(a) Daily Observation Reports

(b) Mid-Phase and End of Phase Reports

(c) A Record of Completion certifying that the trainee has successfully completed the training
Air Support

420.1 PURPOSE AND SCOPE
The Air Support Detail is located within the Operations Support Division. The main function of the Air Support Detail is to support all Divisions within the Police Department. This policy is intended to be a brief description of how to utilize and call for the assistance of Air Support for use by all department personnel. This policy gives general guidelines for obtaining Air Support assistance, but more detailed information is available in a separate Air Support Detail Operations Manual available from the Air Support Detail Lieutenant.

420.2 ORGANIZATION
The Lieutenant assigned to the Air Support Detail will be in command of the overall helicopter operations. In his/her absence, the Watch Commander on duty will be functionally in command of the aircraft operations on a shift basis. A Sergeant-pilot will be in charge of routine day-to-day supervision, deployment, training needs, and maintenance of aircraft. His/her immediate supervisor is the Air Support Detail Lieutenant. In their absence, the Watch Commander on duty will be functionally in command of the helicopter operations on a shift basis.

420.3 OPERATIONAL PROCEDURE
In general, Department aircraft will operate within Anaheim’s city limits. There are a multitude of missions that may necessitate the use of the Department’s aircraft outside of city limits including but not limited to; surveillance, training flights, maintenance flights, mutual aid requests, and pursuits. Any planned flight out of the city will require approval from the Air Support Detail Sergeant.

420.3.1 SCOPE OF PROCEDURAL AUTHORITY
Nothing in this procedure shall limit the discretion of any of the authorized parties to either approve or disapprove any application of aircraft operations detailed herein when it is in the best interest of law enforcement and public safety.

420.3.2 AIR SUPPORT AUTHORITY
The Division Commander will approve the shift/duty hours that Air Support is operational. The pilot is in command of the aircraft and has the authority to cease flight operations at any time due to any unsafe condition, mechanical difficulties or unsafe weather conditions. The pilot will notify dispatch and the Watch Commander on duty when this situation occurs.

420.3.3 FLYING REQUIREMENTS
Only qualified Anaheim Police Officer/Pilots who are assigned to Air Support will fly Department aircraft. Licensed Anaheim Police pilots who have not flown for 60 days or longer will requalify with a licensed Anaheim Police flight Instructor to fly Department aircraft. Only Anaheim Police Department, Anaheim Fire Department, and helicopter maintenance personnel will be allowed to fly as crew members in Department aircraft. An exception would be an emergency situation
when such flight can be justified. Only the Chief of Police, Deputy Chief, Division Commander, Air Support Detail Lieutenant, or the Air Support Detail Sergeant can authorize passengers to fly aboard Department aircraft.

**420.3.4 AIRCRAFT MAINTENANCE AND OPERATIONS LOG**
A log recording pilot qualifications, maintenance and operation of the aircraft will be maintained by the Air Support Detail Lieutenant.

**420.4 RULES OF SAFETY**
The following rules for safety shall be strictly adhered to during operations involving Department aircraft:

(a) Safety Margin - All persons shall stay at least 50 feet away from Department aircraft when they are running, unless otherwise authorized by the pilots.

(b) Approaching or leaving Helicopter - When within 50 feet of the helicopter, all persons shall approach or leave from the front or from the side near the front, where the pilot can observe the person at all times. Never approach or leave the helicopter from any side where the ground is higher than the ground on which the helicopter is standing or hovering, unless otherwise instructed by the pilots. When leaving or approaching the helicopter, keep head down. Rotors lower as their speed decreases.

(c) Approaching or leaving Airplane – When within 50 feet of the airplane, all persons shall approach or leave from the rear or from the side. Never approach or leave the airplane from the front due to the danger of the spinning propellor.

(d) Tail Rotor - Stay away from tail rotor at all times.

(e) Parked Vehicles - Vehicles and other conveyances shall be kept at a distance from aircraft, equivalent to that prescribed for persons, or greater if the pilots so direct.

(f) Smoking - There shall be no smoking within 100 feet of aircraft during refueling operations, in the area of any, emergency landing, or any aircraft accident.

**420.5 LIGHT SIGNALS**
The signal for Code-4 by ground units will be four flashes of lights directed toward the helicopter.

**420.6 SURVEILLANCES**
It is the aircraft crew’s responsibility to notify dispatch when they will be unavailable for patrol duty due to a surveillance mission.

**420.7 MUTUAL AID REQUESTS**

**420.7.1 REQUESTS FROM OUTSIDE AGENCIES**
Requests for Air Support services from non-Anaheim agencies may be approved by the Air Support Detail Sergeant, the Air Support Detail Lieutenant, or in their absence, by the Watch Commander on-duty.
Requests for Air Support may include but are not limited to:
- Incidents where officers lives are in danger
- Riots
- Natural disasters
- Fire-fighting
- Vehicle Pursuits
- Apprehension of violent felons
- Felonious suspect within a perimeter

420.8 INVESTIGATIVE OR ADMINISTRATIVE REQUESTS
Requests for Air Support services for investigative or administrative purposes may include but are not limited to:
- Prisoner transports
- Transportation of officers for further investigation
- Evidence retrieval
- Administrative purposes

Any requests for Air Support services for investigative or administrative purposes shall be made by utilizing the Air Support Request Form.
Contacts and Temporary Detentions

421.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews (FI) and pat-down searches, and the taking and disposition of photographs.

421.1.1 DEFINITIONS
Definitions related to this policy include:

Consensual encounter - When an officer contacts an individual but does not create a detention through words, actions, or other means. In other words, a reasonable individual would believe that his/her contact with the officer is voluntary.

Field interview - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purpose of determining the individual's identity and resolving the officer's suspicions.

Field photographs - Posed photographs taken of a person during a contact, temporary detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Audio Video (MAV) system, body-worn camera, or public safety camera when persons are not posed for the purpose of photographing are not considered field photographs.

Pat-down search - A type of search used by officers in the field to check an individual for dangerous weapons. It involves a thorough patting-down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee, or others.

Reasonable suspicion - When, under the totality of the circumstances, an officer has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

Temporary detention - When an officer intentionally, through words, actions, or physical force, causes an individual to reasonably believe he/she is required to restrict his/her movement without an actual arrest. Temporary detentions also occur when an officer actually restrains a person's freedom of movement.

421.2 POLICY
The Anaheim Police Department respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the officer, the decision to temporarily detain a person and complete a field interview (FI), pat-down search, or field photograph shall be left to the officer based on the totality of the circumstances, officer safety considerations, and constitutional safeguards.
421.3 FIELD INTERVIEWS

Based on observance of suspicious circumstances or upon information from investigation, an officer may initiate the stop of a person, and conduct an FI, when there is articulable, reasonable suspicion to do so. A person, however, shall not be detained longer than is reasonably necessary to resolve the officer’s suspicion.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the Anaheim Police Department to strengthen community involvement, community awareness, and problem identification.

421.3.1 INITIATING A FIELD INTERVIEW

When initiating the stop, the officer should be able to point to specific facts which, when considered with the totality of the circumstances, reasonably warrant the stop. Such facts include but are not limited to an individual’s:

(a) Appearance or demeanor suggesting that he/she is part of a criminal enterprise or is engaged in a criminal act
(b) Actions suggesting that he/she is engaged in a criminal activity
(c) Presence in an area at an inappropriate hour of the day or night
(d) Presence in a particular area is suspicious
(e) Carrying of suspicious objects or items
(f) Excessive clothes for the climate or clothes bulging in a manner that suggest he/she is carrying a dangerous weapon
(g) Location in proximate time and place to an alleged crime
(h) Physical description or clothing worn that matches a suspect in a recent crime
(i) Prior criminal record or involvement in criminal activity as known by the officer

421.4 PAT-DOWN SEARCHES

Once a valid stop has been made, and consistent with the officer’s training and experience, an officer may pat a suspect’s outer clothing for weapons if the officer has a reasonable, articulable suspicion the suspect may pose a safety risk. The purpose of this limited search is not to discover evidence of a crime, but to allow the officer to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat-down search include but are not limited to:

(a) The type of crime suspected, particularly in crimes of violence where the use or threat of deadly weapons is involved.
(b) Where more than one suspect must be handled by a single officer.
(c) The hour of the day and the location or neighborhood where the stop takes place.
(d) Prior knowledge of the suspect’s use of force and/or propensity to carry weapons.
(e) The actions and demeanor of the suspect.
Contacts and Temporary Detentions

(f) Visual indications which suggest that the suspect is carrying a firearm or other weapon. Whenever practicable, a pat-down search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.

421.5 FIELD PHOTOGRAPHS
Before photographing any field detainee, the officer shall carefully consider, among other things, the factors listed below.

421.5.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT
Field photographs may be taken when the subject being photographed knowingly and voluntarily gives consent. When taking a consensual photograph, the officer should have the individual read and sign the appropriate form accompanying the photograph.

421.5.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT
Field photographs may be taken without consent only if they are taken during a detention that is based upon reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. The officer must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct.

If, prior to taking a photograph, the officer’s reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs and related reports shall be submitted to a supervisor and retained in compliance with this policy.

421.5.3 DISPOSITION OF PHOTOGRAPHS
All detainee photographs must be stored following standard photo naming and storage procedures. If an individual is photographed as a suspect in a particular crime, the photograph should be stored following standard photo naming and storage procedures.

When a photograph is taken in association with a particular case, the investigator may use such photograph in a photo lineup. Thereafter, the individual photograph should be retained as a part of the case file. All other photographs shall be retained in accordance with the established records retention schedule.

421.5.4 SUPERVISOR RESPONSIBILITIES
While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph is taken.

Access to, and use of, field photographs shall be strictly limited to law enforcement purposes.
421.6 WITNESS IDENTIFICATION AND INTERVIEWS
Because potential witnesses to an incident may become unavailable or the integrity of their statements compromised with the passage of time, officers should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigator to utilize available members for the following:

(a) Identifying all persons present at the scene and in the immediate area.
   1. When feasible, a recorded statement should be obtained from those who claim not to have witnessed the incident but who were present at the time it occurred.
   2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.

(b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by Anaheim Police Department members.
   1. A written, verbal, or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transport.
Criminal Organizations

422.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure that the Anaheim Police Department appropriately utilizes criminal intelligence systems and temporary information files to support investigations of criminal organizations and enterprises.

422.2 POLICY
The Anaheim Police Department recognizes that certain criminal activities, including but not limited to gang crimes and drug trafficking, often involve some degree of regular coordination and may involve a large number of participants over a broad geographical area.

It is the policy of this department to collect and share relevant information while respecting the privacy and legal rights of the public.

422.3 CRIMINAL INTELLIGENCE SYSTEMS
No department member may create, submit to or obtain information from a criminal intelligence system unless the Chief of Police has approved the system for department use.

Any criminal intelligence system approved for department use should meet or exceed the standards of 28 CFR 23.20.

A designated supervisor will be responsible for maintaining each criminal intelligence system that has been approved for department use. The supervisor or the authorized designee should ensure the following:

(a) Members using any such system are appropriately selected and trained.
(b) Use of every criminal intelligence system is appropriately reviewed and audited.
(c) Any system security issues are reasonably addressed.

422.3.1 SYSTEM ENTRIES
It is the designated supervisor’s responsibility to approve the entry of any information from a report, field interview (FI), photo or other relevant document into an authorized criminal intelligence system. If entries are made based upon information that is not on file with this department, such as open or public source documents or documents that are on file at another agency, the designated supervisor should ensure copies of those documents are retained by the Records Section. Any supporting documentation for an entry shall be retained by the Records Section in accordance with the established records retention schedule and for at least as long as the entry is maintained in the system.

The designated supervisor should ensure that any documents retained by the Records Section are appropriately marked as intelligence information. The Records Manager may not purge such documents without the approval of the designated supervisor.
422.4 TEMPORARY INFORMATION FILE
No member may create or keep files on individuals that are separate from the approved criminal intelligence system. However, members may maintain temporary information that is necessary to actively investigate whether a person or group qualifies for entry into the department-approved criminal intelligence system only as provided in this section. Once information qualifies for inclusion, it should be submitted to the supervisor responsible for consideration of criminal intelligence system entries.

422.4.1 FILE CONTENTS
A temporary information file may only contain information and documents that, within one year, will have a reasonable likelihood to meet the criteria for entry into an authorized criminal intelligence system.

Information and documents contained in a temporary information file:

(a) Must only be included upon documented authorization of the responsible department supervisor.

(b) Should not be originals that would ordinarily be retained by the Records Section or Property and Evidence Detail, but should be copies of, or references to, retained documents such as copies of reports, FI forms, the Communications Center records or booking forms.

(c) Shall not include opinions. No person, organization or enterprise shall be labeled as being involved in crime beyond what is already in the document or information.

(d) May include information collected from publicly available sources or references to documents on file with another government agency. Attribution identifying the source should be retained with the information.

422.4.2 FILE REVIEW AND PURGING
The contents of a temporary information file shall not be retained longer than one year. At the end of one year, the contents must be purged.

The designated supervisor shall periodically review the temporary information files to verify that the contents meet the criteria for retention. Validation and purging of files is the responsibility of the supervisor.

422.5 INFORMATION RECOGNITION
Department members should document facts that suggest an individual, organization or enterprise is involved in criminal activity and should forward that information appropriately. Examples include, but are not limited to:

(a) Gang indicia associated with a person or residence.

(b) Information related to a drug-trafficking operation.

(c) Vandalism indicating an animus for a particular group.

(d) Information related to an illegal gambling operation.
Criminal Organizations

Department supervisors who utilize an authorized criminal intelligence system should work with the Training Sergeant to train members to identify information that may be particularly relevant for inclusion.

422.6 RELEASE OF INFORMATION
Department members shall comply with the rules of an authorized criminal intelligence system regarding inquiries and release of information.

Information from a temporary information file may only be furnished to department members and other law enforcement agencies on a need-to-know basis and consistent with the Records Maintenance and Release Policy.

When an inquiry is made by the parent or guardian of a juvenile as to whether that juvenile's name is in a temporary information file, such information should be provided by the supervisor responsible for the temporary information file, unless there is good cause to believe that the release of such information might jeopardize an ongoing criminal investigation.

422.7 CRIMINAL STREET GANGS
The Investigations Division supervisor should ensure that there are an appropriate number of department members who can:

(a) Testify as experts on matters related to criminal street gangs, and maintain an above average familiarity with:

1. Any organization, associate or group of three or more persons that meets the definition of a criminal street gang under Penal Code § 186.22(f).
2. Identification of a person as a criminal street gang member and criminal street gang-related crimes.
3. The California Street Terrorism Enforcement and Prevention Act (Penal Code § 186.21 et seq.), associated crimes and what defines a criminal street gang (Penal Code § 186.22).

(b) Coordinate with other agencies in the region regarding criminal street gang-related crimes and information.

(c) Train other members to identify gang indicia and investigate criminal street gang-related crimes.

422.8 TRAINING
The Training Sergeant should provide training on best practices in the use of each authorized criminal intelligence system to those tasked with investigating criminal organizations and enterprises. Training should include:

(a) The protection of civil liberties.
Criminal Organizations

(b) Participation in a multiagency criminal intelligence system.

(c) Submission of information into a multiagency criminal intelligence system or the receipt of information from such a system, including any governing federal and state rules and statutes.

(d) The type of information appropriate for entry into a criminal intelligence system or temporary information file.

(e) The review and purging of temporary information files.
Watch Commanders

423.1 PURPOSE AND SCOPE
Each patrol shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with departmental policies, procedures, practices, functions and objectives. To accomplish this goal, a Lieutenant heads each watch.

423.2 DESIGNATION AS ACTING WATCH COMMANDER
When a Lieutenant is unavailable for duty as Watch Commander, in most instances the senior qualified sergeant shall be designated as acting Watch Commander. This policy does not preclude designating a less senior sergeant as an acting Watch Commander when operational needs require or training permits.
Mobile Digital Computer Use

424.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Digital Computer (MDC) system in order to ensure appropriate access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between department members and the Communications Center.

424.2 POLICY
Anaheim Police Department members using the MDC shall comply with all appropriate federal and state rules and regulations and shall use the MDC in a professional manner, in accordance with this policy.

424.3 PRIVACY EXPECTATION
Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

424.4 RESTRICTED ACCESS AND USE
MDC use is subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDC system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDC by another member to their supervisors or Watch Commanders.

Use of the MDC system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration or practices of the Department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the MDC system is prohibited and may result in discipline.

It is a violation of this policy to transmit a message or access a law enforcement database under another member’s name or to use the password of another member to log in to the MDC system unless directed to do so by a supervisor. Members are required to log off the MDC or secure the MDC when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

424.4.1 USE WHILE DRIVING
Use of the MDC by the vehicle operator should be limited to times when the vehicle is stopped. Information that is required for immediate enforcement, investigative, tactical or safety needs should be transmitted over the radio.
Short transmissions, such as a license plate check, are permitted if it reasonably appears that it can be done safely. In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

424.5 DOCUMENTATION OF ACTIVITY
Except as otherwise directed by the Watch Commander or other department-established protocol, all calls for service assigned by a dispatcher should be communicated by voice over the police radio and electronically via the MDC unless security or confidentiality prevents such broadcasting.

MDC and voice transmissions are used to document the member’s daily activity. To ensure accuracy:

(a) All contacts or activity shall be documented at the time of the contact.
(b) Whenever the activity or contact is initiated by voice, it should be documented by a dispatcher.
(c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDC.

424.5.1 STATUS CHANGES
All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted over the police radio or through the MDC system.

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDC when the vehicle is not in motion.

424.5.2 EMERGENCY ACTIVATION
If there is an emergency activation and the member does not respond to a request for confirmation of the need for emergency assistance or confirms the need, available resources will be sent to assist in locating the member. If the location is known, the nearest available officer should respond in accordance with the Officer Response to Calls Policy.

Members should ensure a field supervisor and the Watch Commander are notified of the incident without delay.

Officers not responding to the emergency shall refrain from transmitting on the police radio until a no-further-assistance broadcast is made or if they are also handling an emergency.

424.6 EQUIPMENT CONSIDERATIONS

424.6.1 MALFUNCTIONING MDC
Whenever possible, members will not use vehicles with malfunctioning MDCs. Whenever members must drive a vehicle in which the MDC is not working, they shall notify the Communications Center. It shall be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the police radio.
424.6.2  BOMB CALLS
When investigating reports of possible bombs, members should not communicate on their MDCs when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDC could cause some devices to detonate.
Body Worn Cameras (BWC)

425.1 PURPOSE AND SCOPE
The Anaheim Police Department recognizes that audio and video recording of contacts between Department personnel and the public provides an objective record of these events, and the use of a recording system complements field personnel in the performance of their duties by providing a digital record of enforcement and investigative field contacts. A recording of an event or contact also enables the delivery of timely, relevant and appropriate training to maximize safety for our personnel and improve the provision of services to the community.

The Department provides Body Worn Cameras (BWC) to both uniformed and non-uniformed personnel for use while on-duty. These recorders are intended to assist personnel in the performance of their duties by providing audio and video records of contacts. Except as provided below, all enforcement and investigative contacts, as well as all contacts specifically related to a call for service, will be recorded to ensure we collect the best evidence for criminal investigations. These recordings will also protect personnel from false accusations and can be instrumental in resolving citizen complaints.

While recordings obtained from a BWC provide an objective record of these events, it is understood video recordings captured by a BWC (or any other recording device) provide a limited perspective and do not necessarily reflect the experience or state of mind of the individual employee(s) in a given incident. Moreover, the video recording has limitations and may depict events differently than the events recalled by the involved employee. Specifically, it is understood the BWC may capture information that may not have been heard and/or observed by the involved employee and may not capture information observed by the employee. Accordingly, BWC video should be considered with all other available evidence, including witness statements, officer interviews and forensic analysis.

425.2 UNIFORMED PERSONNEL RESPONSIBILITIES
Prior to going into service, each employee issued a BWC is responsible for making sure the BWC is in proper working order. Uniformed personnel assigned to field and enforcement duties during regular and extra duty assignments shall wear the BWC on their person in a forward facing position that facilitates comprehensive recording of the contact and/or incident.

The BWC is designed to be powered on and left on during the entirety of a shift for ease of activation. All personnel wearing a BWC shall have their BWC powered on at all times while in public. Employees utilizing the restroom, while within a police building, or other location where the need to create a recording (per the ACTIVATION OF BODY WORN CAMERA section of this policy) is improbable, are encouraged to power off their BWC. Employees must power on their BWCs once they re-enter the public.

The vendor provides BWC docking stations that are directly connected to Evidence.com. By placing a BWC in the dock, the videos are automatically uploaded directly to Evidence.com. At the end of end of each work shift, personnel shall dock their BWC in a docking station. If an employee
Body Worn Cameras (BWC)

creates a recording(s) during an extra duty assignment, that employee will dock his/her BWC at the conclusion of his/her next normal work day. If the recording is of an arrest or major incident, the BWC shall be docked at, or before, the conclusion of the extra duty assignment to ensure the incident is uploaded to Evidence.com.

If an employee is scheduled to work an extra duty event during the employee's normal off-duty time, and it is impracticable to dock their BWC at the end of their normal shift, a supervisor may authorize the employee to take their BWC home. It is the employee's responsibility to ensure the BWC is fully charged prior to their next shift.

Each employee will be responsible for the use and care of the BWC recorder he or she is using. When an employee determines a BWC is not operating properly, the employee shall notify a supervisor at the earliest practicable time.

425.2.1 NON-UNIFORMED PERSONNEL RESPONSIBILITIES
Any detective/officer/investigator issued a BWC and assigned to a non-uniformed position shall carry and activate his/her department issued BWC when making enforcement and investigative contacts and at any time the employee believes such a device may be beneficial to the situation.

Investigators working undercover or detectives conducting follow-up interviews in the field may use discretion as to when to record conversations with the BWC or DAR.

All non-uniformed personnel who are executing pre-planned enforcement activities such as serving a search or arrest warrant or parole/probation searches shall wear and operate a BWC.

Non-uniformed employees shall be responsible for uploading their digital recordings in the same manner as described above for uniformed employees. Field Training Officers who are wearing civilian clothing during the "shadow phase" are not required to wear a BWC, but may do so if they wish. However, they are still responsible for ensuring their assigned trainee is recording all contacts.

425.3 IDENTIFYING INFORMATION REQUIRED FOR ALL RECORDINGS (CAD INTEGRATION)
Every video created by a BWC shall have a minimum amount of identifying information (metadata) attached to it. In most cases, the required information will be automatically populated by Evidence.com through CAD Integration; however, there will be some instances when that information will not be automatically populated. The main cause for the failure to auto-populate metadata will be if an employee's presence at an incident is not recorded in CAD. Therefore, it is imperative every employee notify dispatch when they respond to a call for service and arrive on-scene.

In the event an employee does not notify dispatch of their presence at an incident, that employee shall be responsible for adding the necessary metadata in the listed fields. That information shall include:

(a) ID FIELD: General offense (G.O) or incident number in the following format:
Body Worn Cameras (BWC)

1. APD followed by a space and the two digit year followed by a hyphen followed by six digits. (Examples: APD 15-000001, APD 15-000012, APD 15-000123, APD 15-001234, APD 15-012345, APD 15-123456)

2. Do not enter anything other than the GO or incident number in the ID field.

   (b) TITLE: Describe the type of incident.

   (c) CATEGORY: Choose the appropriate category from the drop-down list. For initial categorization, do not choose any of the following:

   1. Restricted
   2. Training Demo
   3. Pending Review
   4. Retained Evidence
   5. Sealed by Court

If you activate your BWC accidentally, choose “Accidental” from the category list and enter “99-999999” in the ID field. All accidental recordings must be viewed by the BWC administrator before deletion. If the video is of a sensitive nature, notify the BWC administrator so a member of the same gender can review the video.

425.4 ACTIVATION OF BODY WORN CAMERA

All enforcement and investigative contacts, as well as all contacts specifically related to a call for service by uniformed personnel issued a BWC, will be recorded. An employee should initiate a recording during a moment of safety, prior to the actual contact and at a time that ensures sufficient pre-contact coverage to record the employee’s approach. In addition to enforcement, investigative and calls for service related contacts, employee’s shall record high risk and critical incidents, which includes Code 3 responses, in the same manner as described above. If an employee is unable to activate his/her BWC prior to initiating contact or enforcement activities, a BWC recording shall be initiated as soon as it is practical and safe to do so.

Additionally, while transporting a prisoner or detainee, employees shall record that transport with their BWC.

Pre-planned police actions shall stipulate when BWC recordings should be initiated. This should be documented in the Event Action Plan. BWC recordings shall commence prior to the initiation of the police action and in the same manner as described above.

In the event an employee is unable to initiate a BWC recording as directed above, or in any instance during which an employee determines a BWC cannot or should not be used, the employee shall document the reason the BWC was not activated and/or why a recording was delayed, interrupted or inadvertently terminated.
Body Worn Cameras (BWC)

425.4.1 PERMISSIBLE NON-ACTIVATION
Circumstances when a BWC recording may not be initiated include, but are not limited to:

(a) Officer safety would be compromised due to unexpected or sudden altercation.
(b) The recording would potentially endanger a confidential informant or an undercover officer.
(c) While in a patient care area of a hospital or other health care facility. However, a BWC recording should be initiated in the hospital if a situation arises which requires police action, but employees should consider medical privacy and other sensitive information in determining the duration and scope of the recording.
(d) A health care provider is discussing medical issues with a patient.
(e) An informant or community member requests the BWC be turned off before giving confidential or sensitive information and the encounter is non-confrontational.
(f) While conferring with other employees regarding the specifics or tactics of a call.

Under the circumstances described in (d), (e) and (f), employees should consider utilizing the BWC mute function (see the MUTING AUDIO section of this policy) as an alternative to not activating a BWC or terminating a recording.

425.4.2 PROHIBITED USES
Employees are prohibited from utilizing a department issued BWC for personal use.

Penal Code § 632 prohibits an individual from surreptitiously recording a conversation in which any party to the conversation has a reasonable belief the conversation is private or confidential; however, Penal Code § 633 expressly exempts law enforcement from this prohibition during the course of a criminal investigation.

(a) No member of this department may surreptitiously record a conversation of any other member of this department without the express knowledge and consent of all parties. Nothing in this section is intended to interfere with an officer's right to openly record any interrogation pursuant to Government Code § 3303(g).
(b) Any member of this department may surreptitiously record any conversation during the course of a criminal investigation if the officer reasonably believes that such a recording will be beneficial to the investigation.

1. For the purpose of this policy, any officer contacting an individual suspected of violating any law or during the course of any official law enforcement related activity shall be presumed to be engaged in a criminal investigation. This presumption shall not apply to contacts with other employees conducted solely for administrative purposes.

425.4.3 MUTING AUDIO
The BWC has a mute function, which disables audio recording when the function button on the BWC is pressed and held for 4 seconds. Circumstances when a BWC recording may be muted include, but are not limited to, those set forth in the PERMISSIBLE NON-ACTIVATION section
Body Worn Cameras (BWC)

of this policy, specifically (d)-(f) and when the audio portion of the recording would potentially endanger a confidential informant or an undercover officer.

The mute function shall be disengaged as soon as the employee re-engages a member of the public.

425.5 STATEMENTS AND REPORTING

All police reports documenting incidents during which a BWC was activated shall include written documentation that a video was recorded. In order to assist with that documentation, all MRE templates have been updated to include a mandatory BWC usage field which reflects:

(a) BWC recording – Yes, No, N/A
   1. If “Yes”, enter your BWC serial number in the comments field.
   2. If “No” or "N/A", explain why no video was recorded.

Whenever any employee believes a particular contact may lead to a citizen complaint, he/she should bring the contact to the attention of a supervisor or the Section/Watch Commander.

425.6 RETENTION OF BWC MEDIA

Recorded media uploaded to Evidence.com shall be retained as specified in the City of Anaheim Record Retention Schedule. In general, the retention schedule requires recordings to be retained for two (2) years unless they are identified as evidence. If a recording is identified as evidence the retention will follow the Evidence/Property Files retention schedule. Recordings which become part of a citizen complaint or administrative/internal investigation will follow the retention time identified for the complaint/investigation. Inadvertent/accidental recordings of personal events and conversations shall be purged as soon as practicable upon the approval of a Watch/Bureau Commander or Records Administrator, or BWC Administrator.

425.7 REVIEW OF BWC MEDIA FILES

Unless prohibited by applicable law, recorded files may be reviewed in any of the following situations by the following personnel:

(a) Except as provided under (l) and/or (m) below:
   1. By the employee(s) who originally recorded the incident.

(b) With prior supervisory approval, an employee may review another employee’s recording provided the other employee was also directly involved in the incident in question.

(c) By a supervisor investigating a specific incident involving a department employee;

(d) By members of the City Attorney's office or Risk Management in connection with a pending legal action;

(e) Upon approval by a supervisor/manager, by a Department employee who is conducting an official investigation such as a personnel, administrative or criminal investigation;
Body Worn Cameras (BWC)

(f) Pursuant to lawful process or by court personnel otherwise authorized to view evidence in a related case;

(g) Third party investigations: In the event a third party law enforcement agency (e.g. the Orange County District Attorney’s Office) is conducting a criminal investigation related to an incident involving a Department employee, recordings may be made available to that agency.

(h) With approval by the Chief of Police by members of the OIR Group for review of a critical incident, internal affairs investigation, use of force review or other internal review.

(i) Except as provided under (l) and/or (m) of this section, the Internal Affairs Detail shall provide subject employees the opportunity to view recordings obtained from their BWC relating to an Internal Affairs investigation prior to the administrative interview.

(j) The Chief of Police has the discretion to allow viewing or release of recorded files if the Chief determines it is in the best interest of the Police Department or the City of Anaheim. When appropriate, every effort will be made to notify involved employees prior to release.

(k) As part of department approved training.

(l) An officer involved in the intentional discharge of a firearm, an incident where any party sustains great bodily injury, or an in custody death shall not review recorded files unless approved by the Chief of Police or the Deputy Chief of Police.

(m) Subject to the provisions of this policy, the Chief of Police or the Deputy Chief of Police has the discretion to prohibit the review of any recordings by Department employees if it is determined it is in the best interest of the Police Department or the City of Anaheim.

Subject to the provisions of (l) and (m) above, in the event that an employee is to be interviewed pursuant to an investigation related to an incident which results in injury, bodily harm, death or involves the use of force, the employee and/or his/her attorney will be afforded an opportunity to review his/her video of the incident prior to the interview or after the employee has been interviewed by the appropriate investigative personnel. If the employee elects to view the video after being interviewed, the employee shall be afforded the opportunity to review the video immediately after providing his/her statement regarding the underlying incident and be given an opportunity to offer a supplemental statement. Prior to the employee offering an initial statement, the following admonishment shall be provided to the employee:

“In this case, there is video evidence that you have had (or will have) an opportunity to view before (after) giving your initial statement. Video evidence has limitations and may depict the events differently than you recall, and may not depict all of the events as seen or heard by you. Video has a limited field of view and may not capture events normally seen by the human eye. The “frame rate” of video may limit the camera’s ability to capture movements normally seen by the human eye. Lighting as seen on the video may be different than what is seen by the human eye. Videos are a two dimensional medium and may not capture depth, distance or positional orientation as well as the human eye. Remember, the video evidence is intended to assist your memory and ensure that your initial statement explains your state of mind at the time of the incident.”
425.8 AUDITING
The BWC system may be subject to periodic audit to ensure that police-related incidents are being recorded and categorized consistent this policy.

425.9 BWC RECORDINGS STORAGE & INTEGRITY
(a) Only the Administration Captain or his/her designees may transfer or copy recordings onto any third party media storage device. Examples of a third party media storage device include but are not limited to: CompactDisc, floppy disk, portable hard drive, memory stick, thumb-drive, DVD, or other electronic media device.
(b) Only the Administration Captain or his/her designees may produce, reproduce or modify recordings for production in response to a subpoena, Public Records Act request or other request.
(c) No files shall be transferred or sent via email.
(d) All recordings are considered official Department records and shall not be shared with any person not having authorization to access the files as part of his or her official duties.
(e) In the event video files are utilized for training purposes and an involved employee objects to the use of the video, such objection shall be submitted to the Operations Support Captain, who shall weigh the value of the video for training purposes against the nature of the employee’s objection.

Digital files may not be deleted by any person without the authorization of a Watch/Bureau Commander or BWC Administrator.

425.9.1 COPIES OF ORIGINAL BWC STORAGE MEDIA
A copy of a recording may only be released to a third party in response to a valid court order or by approval of the Chief of Police or his/her designee. All requests generated by the District Attorney, City Attorney and/or a Defense Attorney will be handled by the Administration Division or assigned Investigative Detail. Requests for recordings in civil matters will be handled by the Administration Division.

425.9.2 BWC STORAGE MEDIA AS EVIDENCE
In exceptional circumstances, the BWC may be booked into evidence prior to any uploading of media storage. Exceptional circumstances may include a major or significant incident; at the direction of a Watch Commander/Bureau Commander or above; or in the event the data cannot be uploaded due to a mechanical or technological malfunction. If the BWC is booked into evidence, established booking procedures shall be followed and referenced in the police report.

425.9.3 BWC ADMINISTRATOR
The Department shall designate a BWC Administrator who has oversight responsibilities including, but not limited to:
(a) Documenting system malfunctions as well as equipment failures related to BWC;
(b) Properly training administrative staff regarding the use, retention and confidentiality of video records;

(c) Maintain digital video files and equipment in a secure and confidential environment and released only in accordance with this Policy and applicable federal, state, local statutes and other applicable laws;

(d) Issue BWC devices and provide BWC training and instruction on use and operation of BWC; and

(e) Provide recommendations on additional policy development and equipment integrity.
Foot Pursuits

426.1 PURPOSE AND SCOPE
This policy provides guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot.

426.2 POLICY
It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to department members, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances.

426.3 DECISION TO PURSUE
The safety of department members and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and department members.

Officers are justified in initiating a foot pursuit of any individual the officer reasonably believes is about to engage in, is engaging in or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances presented at the time.

Mere flight by a person who is not suspected of criminal activity shall not serve as justification for engaging in a foot pursuit without the development of reasonable suspicion regarding the individual's involvement in criminal activity or being wanted by law enforcement.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits may place department members and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to a foot pursuit based upon the circumstances and resources available, such as:

(a) Containment of the area.
(b) Saturation of the area with law enforcement personnel, including assistance from other agencies.
(c) A canine search.
(d) Thermal imaging or other sensing technology.
Foot Pursuits

(e) Air support.

(f) Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

426.4 GENERAL GUIDELINES
When reasonably practicable, officers should consider alternatives to engaging in or continuing a foot pursuit when:

(a) Directed by a supervisor to terminate the foot pursuit; such an order shall be considered mandatory

(b) The officer is acting alone.

(c) Two or more officers become separated, lose visual contact with one another, or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.

(d) The officer is unsure of his/her location and direction of travel.

(e) The officer is pursuing multiple suspects and it is not reasonable to believe that the officer would be able to control the suspect should a confrontation occur.

(f) The physical condition of the officer renders him/her incapable of controlling the suspect if apprehended.

(g) The officer loses radio contact with the dispatcher or with assisting or backup officers.

(h) The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.

(i) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.

(j) The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.

(k) The officer loses possession of his/her firearm or other essential equipment.

(l) The officer or a third party is injured during the pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.

(m) The suspect’s location is no longer definitely known.
Foot Pursuits

(n) The identity of the suspect is established or other information exists that will allow for the suspect’s apprehension at a later time, and it reasonably appears that there is no immediate threat to department members or the public if the suspect is not immediately apprehended.

(o) The officer’s ability to safely continue the pursuit is impaired by inclement weather, darkness or other environmental conditions.

426.5 RESPONSIBILITIES IN FOOT PURSUITS

426.5.1 INITIATING OFFICER RESPONSIBILITIES

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and available:

(a) Location and direction of travel
(b) Call sign identifier
(c) Reason for the foot pursuit, such as the crime classification
(d) Number of suspects and description, to include name if known
(e) Whether the suspect is known or believed to be armed with a dangerous weapon

Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the foot pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

When a foot pursuit terminates, the officer will notify the dispatcher of his/her location and the status of the pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary, to include requesting medical aid as needed for officers, suspects or members of the public.

426.5.2 ASSISTING OFFICER RESPONSIBILITIES

Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize non-essential radio traffic to permit the involved officers maximum access to the radio frequency.
426.5.3 SUPERVISOR RESPONSIBILITIES
Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor should respond to the area whenever possible; the supervisor does not, however, need not be physically present to exercise control over the foot pursuit. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

426.5.4 THE COMMUNICATIONS CENTER RESPONSIBILITIES
Upon notification or becoming aware that a foot pursuit is in progress, the dispatcher is responsible for:

(a) Clearing the radio channel of non-emergency traffic.
(b) Coordinating pursuit communications of the involved officers.
(c) Broadcasting pursuit updates as well as other pertinent information as necessary.
(d) Ensuring that a field supervisor is notified of the foot pursuit.
(e) Notifying and coordinating with other involved or affected agencies as practicable.
(f) Notifying the Watch Commander as soon as practicable.
(g) Assigning an incident number and logging all pursuit activities.
(h) Begin tactical analytical support.

426.6 REPORTING REQUIREMENTS
When warranted, the initiating officer shall complete appropriate crime/arrest reports documenting, at minimum:

(a) Date and time of the foot pursuit.
(b) Initial reason and circumstances surrounding the foot pursuit.
(c) Course and approximate distance of the foot pursuit.
(d) Alleged offenses.
(e) Involved vehicles and officers.
(f) Whether a suspect was apprehended as well as the means and methods used.
   1. Any use of force shall be reported and documented in compliance with the Use of Force Policy.
(g) Arrestee information, if applicable.
(h) Any injuries and/or medical treatment.
Foot Pursuits

(i) Any property or equipment damage.
(j) Name of the supervisor at the scene or who handled the incident.

Assisting officers taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed.

The supervisor reviewing the report will make a preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.

In any case in which a suspect is not apprehended and there is insufficient information to support further investigation, a supervisor may authorize that the initiating officer need not complete a formal report.
Automated License Plate Readers (ALPRs)

427.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance for the capture, storage and use of digital data obtained through the use of Automated License Plate Reader (ALPR) technology.

427.2 POLICY
The policy of the Anaheim Police Department is to utilize ALPR technology to capture and store digital license plate data and images while recognizing the established privacy rights of the public.

All data and images gathered by the ALPR are for the official use of this department. Because such data may contain confidential information, it is not open to public review.

427.3 ADMINISTRATION
The ALPR technology allows for the automated detection of license plates. It is used by the Anaheim Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. It may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Special Operations Division Lieutenant. The Special Operations Division Lieutenant may assign one or more members under his/her command to administer the day-to-day operation of the ALPR equipment and data.

427.3.1 ALPR ADMINISTRATOR
The Special Operations Division Lieutenant shall monitor the ALPR system to ensure the security of the information accessed and compliance with privacy laws, and shall implement and retain this policy in compliance with the requirements of Civil Code § 1798.90.5 et seq.

427.4 OPERATIONS
Use of an ALPR is restricted to the purposes outlined in this policy. Department members shall not use, or allow others to use the equipment or database records for any unauthorized purpose (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

(a) An ALPR shall only be collected, accessed and/or used for official law enforcement business.

(b) An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before using an ALPR.

(c) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars to canvass areas around homicides, shootings and other major incidents. Partial license plates
Automated License Plate Readers (ALPRs)

reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.

(d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training appropriate to each member's job classification and corresponding level of authorized access.

(e) No ALPR operator may access department, state or federal data unless otherwise authorized to do so.

(f) If practicable, the officer should verify an ALPR response through the California Law Enforcement Telecommunications System (CLETS) before taking enforcement action that is based solely on an ALPR alert.

(g) All authorized users are directed to ensure the accuracy of ALPR information and to correct data errors when identified.

Any person who accesses or provides access to ALPR information shall require that it only be used for the authorized purposes described in this policy, and shall maintain a record of that access that includes:

(a) The date and time the information is accessed.

(b) The license plate number or other data elements used to query the ALPR system.

(c) The username of the person who accesses the information, and, as applicable, the organization or entity with whom the person is affiliated.

(d) The purpose for accessing the information.

427.5 DATA COLLECTION AND RETENTION
The Special Operations Division Lieutenant is responsible to ensure proper collection and retention of ALPR data.

All ALPR data downloaded to the server should be stored for a minimum of five years (Government Code § 34090.6) and in accordance with the established records retention schedule. Thereafter, ALPR data should be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to a discovery request or other lawful action to produce records. In those circumstances the applicable data should be downloaded from the server onto portable media and booked into evidence.

427.6 ACCOUNTABILITY
All ALPR data will be closely safeguarded using reasonable security procedures and practices, including operational, administrative, technical, and physical safeguards to protect ALPR information from unauthorized access, destruction, use modification, or disclosure. The Anaheim Police Department will observe the following safeguards regarding access to and use of stored data (Civil Code § 1798.90.51; Civil Code § 1798.90.53):
Automated License Plate Readers (ALPRs)

(a) All ALPR data downloaded to the mobile workstation and in storage shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time (Civil Code § 1798.90.52).

(b) Members approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.

(c) All ALPR data queries must be accompanied by the law enforcement case number corresponding with the investigation. Without a case number entered, the system will not allow a query of license plate data. A training case number will be developed for training purposes.

(d) ALPR audits should be conducted annually and shall include verification of compliance with this policy and proper system usage consistent with ALPR training.

For security or data breaches, see the Records Release and Maintenance Policy.

427.7 RELEASING ALPR DATA
The ALPR data may be shared only with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law, using the following procedures:

(a) The agency makes a written request for the ALPR data that includes:
   1. The name of the agency.
   2. The name of the person requesting.
   3. The intended purpose of obtaining the information.

(b) The request is reviewed by the Special Operations Division Lieutenant or the authorized designee and approved before the request is fulfilled.

(c) The approved request is retained on file.

ALPR data is not open to public review. Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in the Records Maintenance and Release Policy (Civil Code § 1798.90.55).

427.8 TRAINING
The Training Sergeant should ensure that members receive department-approved training for those authorized to use or access the ALPR system (Civil Code § 1798.90.51; Civil Code § 1798.90.53).
Radio Frequency Measurement Equipment

428.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the use of Radio Frequency Measurement Equipment (RF Equipment) such as cellular site simulators.

Cellular site simulator technology provides valuable assistance in support of important public safety objectives. Whether deployed as part of a felony fugitive apprehension effort, terrorism investigation, or to locate and rescue a kidnap victim or at-risk missing person, cellular site simulators fulfill critical operational needs.

428.2 POLICY
(a) Except as provided in Section 462.4, the use of the RF Equipment shall only occur after a search warrant is obtained.

(b) In all cases, use of the RF Equipment, including cellular site simulators, shall be reasonable and reflect a level of necessity that balances public safety and the safety of officers with the safety and privacy of involved and uninvolved civilians. The Division Commander shall periodically review the uses of the equipment to ensure that it is being used in accordance with applicable law and this policy.

(c) The Anaheim Police Department shall delete all RF Equipment data at the conclusion of each use.

428.3 DEPLOYMENT
(a) Cellular site simulator technology must be used in a manner that is consistent with the requirements and protections of the Constitution, including the Fourth Amendment and applicable statutory authorities. Moreover, any information resulting from the use of cellular site simulators must be handled in a way that is consistent with the array of applicable statutes, regulations, and policies that guide law-enforcement and how it may and may not collect, retain, and disclose data.

(b) Except as provided in Section 462.4, the party desiring to use RF Equipment shall obtain a search warrant prior to its use.

1. The search warrant shall include:
   (a) An advisement that the RF Equipment sends signals to all cellular devices within range which will cause the devices to emit unique identifiers.
   (b) An advisement when the intent is to determine unique identifiers at multiple locations and/or multiple times.
   (c) An advisement that all data collected during use of the RF Equipment will be deleted at the conclusion of the use.

2. As a means of protecting investigative integrity and operational capabilities of the RF Equipment, the author shall:
Radio Frequency Measurement Equipment

(a) Request that the court order and all papers in support of any search warrant application be sealed unless otherwise ordered.

(b) Address privileged information as it relates to California Evidence Code 1040.

428.4 DEPLOYMENT-EXIGENT CIRCUMSTANCES

(a) As an exception to the general requirement that use of RF Equipment shall occur only in circumstances where a search warrant has been obtained, use without a search warrant may occur in exigent circumstances.

1. Examples of exigent circumstances may include, but are not limited to the following:
   (a) Missing persons
   (b) Disaster response
   (c) Any circumstance where death or great bodily injury may occur.

(b) In exigent circumstances, the Unit Sergeant with authority over use of the RF Equipment shall:
   1. Advise the Section Lieutenant regarding the use of the RF Equipment.
   2. Identify the facts and reasoning for not obtaining a search warrant. In most cases of exigent circumstances, as search warrant will be obtained within three (3) days of use of the equipment and will be completed in accordance with the requirements set forth in 462.3(b).

428.5 OPERATION OF EQUIPMENT

(a) RF Equipment data shall not be used to support probable cause for an arrest warrant. Officers from the department and allied agencies shall develop independent probable cause for any arrest warrant.

(b) Only trained, sworn, Anaheim police officers will operate RF Equipment. A minimum of 40 hours of training specific to the RF equipment being operated is required.

428.6 ASSISTING OUTSIDE AGENCIES

(a) The Anaheim Police Department may assist any Federal, State, or local law enforcement agency after the requestor provides the following information:

   1. A copy of a signed search warrant as may be necessary under the circumstances.
   2. A summary of the need for assistance. The summary should address how alternative investigative procedures have failed or are unlikely to succeed and/or why alternative procedures excessively impair public safety or are overly dangerous to personnel.
(b) Prior to the Department assisting outside agencies, such agencies will be notified that information collected shall not be used to support probable cause for arrest and that independent probable cause for arrest must be developed.

428.7 DISCLOSURE OF INFORMATION AND RECORDS
No member of the Anaheim Police Department shall disclose RF Equipment information or records that are privileged or otherwise exempt from disclosure under applicable law.
Homeless Persons

429.1 PURPOSE AND SCOPE
It is the policy of the Anaheim Police Department to provide law enforcement services to all members of the community, while protecting the rights, dignity and private property of the homeless. Homelessness is not a crime and members of this department will not use homelessness solely as a basis for detention or law enforcement action.

429.2 HOMELESS COMMUNITY LIAISON
The Anaheim Police Department will maintain and make available to all department employees a list of assistance programs and other resources that are available to the homeless.
Medical Aid and Response

430.1 PURPOSE AND SCOPE
This policy recognizes that members often encounter persons in need of medical aid and establishes a law enforcement response to such situations.

430.2 POLICY
It is the policy of the Anaheim Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

430.3 FIRST RESPONDING MEMBER RESPONSIBILITIES
Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR, use of an automated external defibrillator (AED)) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should contact the Communications Center and request response by Emergency Medical Services (EMS) as the member deems appropriate.

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the member should provide the Communications Center with information for relay to EMS personnel in order to enable an appropriate response, including:

(a) The location where EMS is needed.
(b) The nature of the incident.
(c) Any known scene hazards.
(d) Information on the person in need of EMS, such as:
   1. Signs and symptoms as observed by the member.
   2. Changes in apparent condition.
   3. Number of patients, sex, and age, if known.
   4. Whether the person is conscious, breathing, and alert, or is believed to have consumed drugs or alcohol.
   5. Whether the person is showing signs or symptoms of excited delirium or other agitated chaotic behavior.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS.

Members should not direct EMS personnel whether to transport the person for treatment.
430.4 TRANSPORTING ILL AND INJURED PERSONS
Except in extraordinary cases where alternatives are not reasonably available, members should not transport persons who are unconscious, who have serious injuries or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Officers should search any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes or when so directed by a supervisor.

Members should not provide emergency escort for medical transport or civilian vehicles.

430.5 PERSONS REFUSING EMS CARE
If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive care or be transported. However, members may assist EMS personnel when EMS personnel determine the person lacks mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the officer should consider proceeding with a 72-hour treatment and evaluation commitment (5150 commitment) process in accordance with the Mental Illness Commitments Policy.

If an officer believes that a person who is in custody requires EMS care and the person refuses, he/she should encourage the person to receive medical treatment. The officer may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

If the person who is in custody still refuses, the officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

430.6 SICK OR INJURED ARRESTEE
If an arrestee appears ill or injured, or claims illness or injury, he/she should be medically cleared prior to booking. If the officer has reason to believe the arrestee is feigning injury or illness, the officer should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking.

If the jail or detention facility refuses to accept custody of an arrestee based on medical screening, the officer should note the name of the facility person refusing to accept custody and the reason for refusal, and should notify a supervisor to determine the appropriate action.
Medical Aid and Response

Arrestees who appear to have a serious medical issue should be transported by ambulance. Officers shall not transport an arrestee to a hospital without a supervisor’s approval.

Nothing in this section should delay an officer from requesting EMS when an arrestee reasonably appears to be exhibiting symptoms that appear to be life threatening, including breathing problems or an altered level of consciousness, or is claiming an illness or injury that reasonably warrants an EMS response in accordance with the officer’s training.

430.7 MEDICAL ATTENTION RELATED TO USE OF FORCE
Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies.

430.8 AIR AMBULANCE
Generally, when on-scene, EMS personnel will be responsible for determining whether an air ambulance response should be requested. An air ambulance may be appropriate when there are victims with life-threatening injuries or who require specialized treatment (e.g., gunshot wounds, burns, obstetrical cases), and distance or other known delays will affect the EMS response.

The Field Services Division Commander should develop guidelines for air ambulance landings or enter into local operating agreements for the use of air ambulances, as applicable. In creating those guidelines, the Department should identify:

- Responsibility and authority for designating a landing zone and determining the size of the landing zone.
- Responsibility for securing the area and maintaining that security once the landing zone is identified.
- Consideration of the air ambulance provider’s minimum standards for proximity to vertical obstructions and surface composition (e.g., dirt, gravel, pavement, concrete, grass).
- Consideration of the air ambulance provider’s minimum standards for horizontal clearance from structures, fences, power poles, antennas or roadways.
- Responsibility for notifying the appropriate highway or transportation agencies if a roadway is selected as a landing zone.
- Procedures for ground personnel to communicate with flight personnel during the operation.

One department member at the scene should be designated as the air ambulance communications contact. Headlights, spotlights and flashlights should not be aimed upward at the air ambulance. Members should direct vehicle and pedestrian traffic away from the landing zone.

Members should follow these cautions when near an air ambulance:

- Never approach the aircraft until signaled by the flight crew.
Medical Aid and Response

- Always approach the aircraft from the front.
- Avoid the aircraft’s tail rotor area.
- Wear eye protection during landing and take-off.
- Do not carry or hold items, such as IV bags, above the head.
- Ensure that no one smokes near the aircraft.

430.9 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE
A member may use an AED only after receiving appropriate training from an approved public safety first aid and CPR course (22 CCR 100014; 22 CCR 100017; 22 CCR 100018).

430.9.1 AED USER RESPONSIBILITY
Members who are issued AEDs for use in department vehicles should check the AED at the beginning of the shift to ensure it is properly charged and functioning. Any AED that is not functioning properly will be taken out of service and given to the Training Sergeant who is responsible for ensuring appropriate maintenance.

Following use of an AED, the device shall be cleaned and/or decontaminated as required. The electrodes and/or pads will be replaced as recommended by the AED manufacturer.

Any member who uses an AED should contact the Communications Center as soon as possible and request response by EMS.

430.9.2 AED REPORTING
Any member using an AED will complete an incident report detailing its use.

430.9.3 AED TRAINING AND MAINTENANCE
The Training Sergeant should ensure appropriate training and refresher training is provided to members authorized to use an AED. A list of authorized members and training records shall be made available for inspection by the local EMS agency (LEMSA) or EMS authority upon request (22 CCR 100021; 22 CCR 100022; 22 CCR 100029).

The Training Sergeant is responsible for ensuring AED devices are appropriately maintained and will retain records of all maintenance in accordance with the established records retention schedule (22 CCR 100021).

430.10 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION
Trained members may administer opioid overdose medication (Civil Code § 1714.22; Business and Professions Code § 4119.9).

430.10.1 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES
Members who are qualified to administer opioid overdose medication, such as naloxone, should handle, store and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure
they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Training Sergeant.

Any member who administers an opioid overdose medication should contact the Communications Center as soon as possible and request response by EMS.

430.10.2 OPIOID OVERDOSE MEDICATION REPORTING
Any member administering opioid overdose medication should detail its use in an appropriate report.

The Training Sergeant will ensure that the Records Manager is provided enough information to meet applicable state reporting requirements.

430.10.3 OPIOID OVERDOSE MEDICATION TRAINING
The Training Sergeant should ensure initial and refresher training is provided to members authorized to administer opioid overdose medication. Training should be coordinated with the local health department and comply with the requirements in 22 CCR 100019 and any applicable POST standards (Civil Code § 1714.22).

430.10.4 DESTRUCTION OF OPIOID OVERDOSE MEDICATION
The Training Sergeant shall ensure the destruction of any expired opioid overdose medication (Business and Professions Code § 4119.9).

430.10.5 OPIOID OVERDOSE MEDICATION RECORD MANAGEMENT
Records regarding acquisition and disposition of opioid overdose medications shall be maintained and retained in accordance with the established records retention schedule and at a minimum of three years from the date the record was created (Business and Professions Code § 4119.9).

430.11 FIRST AID TRAINING
The Training Sergeant should ensure officers receive initial first aid training within one year of employment and refresher training every two years thereafter (22 CCR 100016; 22 CCR 100022).
First Amendment Assemblies

433.1 PURPOSE AND SCOPE
This policy provides guidance for responding to public assemblies or demonstrations.

433.2 POLICY
The Anaheim Police Department respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

433.3 GENERAL CONSIDERATIONS
Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, and loitering. However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:
- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Officers should not:
(a) Engage in assembly or demonstration-related discussion with participants.
(b) Harass, confront or intimidate participants.
(c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.
First Amendment Assemblies

433.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS
Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious or social views of associations, or the activities of any individual, group, association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

433.4 UNPLANNED EVENTS
When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to the Communications Center, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

433.5 PLANNED EVENT PREPARATION
For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

433.5.1 INFORMATION GATHERING AND ASSESSMENT
In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.
First Amendment Assemblies

- The potential time, duration, scope, and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

433.5.2 OPERATIONAL PLANS
An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for:

(a) Command assignments, chain of command structure, roles and responsibilities.
(b) Staffing and resource allocation.
(c) Management of criminal investigations.
(d) Designation of uniform of the day and related safety equipment (e.g., helmets, shields).
(e) Deployment of specialized resources.
(f) Event communications and interoperability in a multijurisdictional event.
(g) Liaison with demonstration leaders and external agencies.
(h) Liaison with City government and legal staff.
(i) Media relations.
(j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.
(k) Traffic management plans.
(l) First aid and emergency medical service provider availability.
(m) Prisoner transport and detention.
(n) Review of policies regarding public assemblies and use of force in crowd control.
(o) Parameters for declaring an unlawful assembly.
(p) Arrest protocol, including management of mass arrests.
(q) Protocol for recording information flow and decisions.
(r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.
(s) Protocol for handling complaints during the event.
First Amendment Assemblies

(t) Parameters for the use of body-worn cameras and other portable recording devices.

433.5.3 MUTUAL AID AND EXTERNAL RESOURCES
The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Mutual Aid and Outside Agency Assistance Policy).

433.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS
If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

433.7 USE OF FORCE
Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and TASER® devices should be considered only when the participants’ conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage (see the Control Devices and Techniques and the Conducted Energy Device policies).
First Amendment Assemblies

Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

433.8 ARRESTS
The Anaheim Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been, or reasonably appear likely to be, unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

(a) Reasonable measures to address the safety of officers and arrestees.
(b) Dedicated arrest, booking and report writing teams.
(c) Timely access to medical care.
(d) Timely access to legal resources.
(e) Timely processing of arrestees.
(f) Full accountability for arrestees and evidence.
(g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Cite and Release Policy).

433.9 MEDIA RELATIONS
The Public Information Officer should use all available avenues of communication, including press releases, briefings, press conferences, and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the Media Relations Policy).

433.10 DEMOBILIZATION
When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.
433.11 POST EVENT
The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

(a) Operational plan
(b) Any incident logs
(c) Any assignment logs
(d) Vehicle, fuel, equipment and supply records
(e) Incident, arrest, use of force, injury and property damage reports
(f) Photographs, audio/video recordings, the Communications Center records/tapes
(g) Media accounts (print and broadcast media)

433.11.1 AFTER-ACTION REPORTING
The Incident Commander should work with City legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

(a) Date, time and description of the event
(b) Actions taken and outcomes (e.g., injuries, property damage, arrests)
(c) Problems identified
(d) Significant events
(e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

433.12 TRAINING
Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management (Penal Code § 13514.5). The Department should, when practicable, train with its external and mutual aid partners.
Chapter 5 - Traffic Operations
Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE
The ultimate goal of traffic law enforcement is to reduce traffic collisions. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on accident data, enforcement activity records, traffic volume, and traffic conditions. This department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in accident situations, but also in terms of traffic-related needs.

500.2 TRAFFIC OFFICER DEPLOYMENT
Several factors are considered in the development of deployment schedules for officers of the Anaheim Police Department. Information provided by the California Statewide Integrated Traffic Reporting System (SWITRS) is a valuable resource for traffic accident occurrences and therefore officer deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

All officers assigned to patrol or traffic enforcement functions will emphasize enforcement of accident causing violations during high accident hours and at locations of occurrence. All officers will take directed enforcement action on request, and random enforcement action when appropriate against violators as a matter of routine. All officers shall maintain high visibility while working general enforcement, especially at high accident locations.

Other factors to be considered for deployment are requests from the public, construction zones or special events.

500.3 ENFORCEMENT
Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas and the number of arrests or citations issued by any officer shall not be used as the sole criterion for evaluating officer overall performance (Vehicle Code § 41603). The visibility and quality of an officer’s work effort will be commensurate with the philosophy of this policy. Several methods are effective in the reduction of collisions:
Traffic Function and Responsibility

500.3.1 WARNINGS
Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant, especially in the case of inadvertent violations.

500.3.2 CITATIONS
Citations may be issued when an officer believes it is appropriate. It is essential that officers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Officers should provide the following information at a minimum:

(a) Explanation of the violation or charge
(b) Court appearance procedure including the optional or mandatory appearance by the motorist
(c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court

500.3.3 PHYSICAL ARREST
Physical arrest can be made on a number of criminal traffic offenses outlined in the Vehicle Code or Penal Code. These physical arrest cases usually deal with, but are not limited to:

(a) Vehicular manslaughter
(b) Felony and misdemeanor driving under the influence of alcohol/drugs
(c) Felony or misdemeanor hit-and-run
(d) Refusal to sign notice to appear
(e) Any other misdemeanor at the discretion of the officer, such as reckless driving with extenuating circumstances

500.4 SUSPENDED OR REVOKED DRIVERS LICENSES
If an officer contacts a traffic violator for driving on a suspended or revoked license, the officer may issue a traffic citation pursuant to Vehicle Code § 14601.

If a computer check of a traffic violator's license status reveals a suspended or revoked driver license and the traffic violator still has his or her license in possession, the license shall be seized by the officer. The officer shall verbally advise the traffic violator of the suspension or revocation and issue the citation. The officer will be responsible for filling out the Verbal Notice form (DMV form DL-310) and causing that form and license to be forwarded to the Department of Motor Vehicles.

500.5 HIGH-VISIBILITY VESTS
The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of department members who may be exposed to hazards presented by passing traffic, maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601; 8 CCR 1598).
Although intended primarily for use while performing traffic related assignments, high-visibility vests should be worn at any time increased visibility would improve the safety or efficiency of the member.

500.5.1 REQUIRED USE
Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment. Examples of when high-visibility vests should be worn include traffic control duties, accident investigations, lane closures and while at disaster scenes, or anytime high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, officers should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

Vests maintained in the investigation units may be used any time a plainclothes officer might benefit from being readily identified as a member of law enforcement.

500.5.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS
High-visibility vests shall be maintained in the trunk of each patrol and investigation unit, in the side box of each police motorcycle and in the saddlebag or gear bag of each police bicycle. Each vest should be stored inside the re-sealable plastic bag provided to protect and maintain the vest in a serviceable condition. Before going into service each employee shall ensure a serviceable high-visibility vest is properly stored.

A supply of high-visibility vests will be maintained in the equipment room for replacement of damaged or unserviceable vests. The Training Sergeant should be promptly notified whenever the supply of vests in the equipment room needs replenishing.

500.6 TRAFFIC CONTROL
The Traffic Commander or the authorized designee shall oversee planning for any event requiring temporary traffic control. All events requiring temporary traffic control shall conform to the standards and guidelines outlined in the California Manual on Uniform Traffic Control Devices (CA-MUTCD). Traffic shall consult with the City of Anaheim Traffic Engineering regarding any major traffic closure or permanent change to traffic configuration.
Traffic Collision Reporting

501.1 PURPOSE AND SCOPE
The Anaheim Police Department prepares traffic collision reports in compliance with the California Highway Patrol Collision Investigation Manual (CIM) and as a public service makes traffic collision reports available to the community with some exceptions.

501.2 RESPONSIBILITY
The Traffic Lieutenant will be responsible for distribution of the Collision Investigation Manual. The Traffic Lieutenant will receive all changes in the state manual and ensure conformity with this policy.

501.3 TRAFFIC COLLISION REPORTING
All traffic collision reports taken by members of this department shall be forwarded to the Traffic Section for approval and data entry into the Records Management System. The Traffic Lieutenant will be responsible for monthly and quarterly reports on traffic collision statistics to be forwarded to the Operations Support Division Commander or other persons as required.

501.4 REPORTING SITUATIONS

501.4.1 CLARIFICATION OF TERMS USED IN TRAFFIC COLLISION POLICIES
"Injury" includes the following classifications for purposes of traffic collision reporting:

(a) Fatal
(b) Serious
(c) Other Visible Injuries
(d) Complaint of Pain.

1. "Complaint of Pain" includes the following sub-classifications:
   (a) Persons who seem dazed, confused, or incoherent (unless such behavior can be attributed to intoxication, extreme age, illness or mental infirmities).
   (b) Any person who is known to have been unconscious as a result of the collision, although it appears he/she has recovered.
   (c) Persons who say they want to be listed as injured but do not appear to be so.

"Workable information" for Hit and Run collisions includes:

(a) Partial license number, containing at least two characters coupled with a vehicle description.
(b) Vehicle with unique identifiable markings such as a business name.
(c) Named suspect.
"Prosecution is desired" for Property Damage Only reports includes:

(a) Any involved party desires prosecution.

(b) The investigating officer taking the traffic collision report desires prosecution or recommends investigative follow-up for prosecution.

(c) A supervisor determines prosecution should be sought in the matter.

"All traffic collisions" in 501.4.6-Traffic Collisions on Roadways or Highways includes all incidents of Hit and Run.

501.4.2 TRAFFIC COLLISIONS INVOLVING CITY VEHICLES
Traffic collision investigation reports shall be taken when a city/department-owned vehicle is involved in a traffic collision upon a roadway or highway wherein any damage or injury results. Personnel shall contact and request a field response from the reporting agency in the jurisdiction where the collision occurred.

Employees involved in minor, non-injury collisions that do not involve another vehicle, or collisions involving slight property damage, may contact their Section Commander or Manager, who will decide if a traffic collision investigation report is necessary.

Whenever there is damage to a city/department vehicle, a Vehicle Accident Report (VAR) shall be completed and forwarded to the appropriate Division Commander.

Photographs of the collision scene and vehicle damage shall be taken at the discretion of the Traffic Investigator or any supervisor.

Damage sustained during motor training on a closed course under the supervision of a Motor Instructor and damage sustained during Motor Pre-Academy Training and Motor Academy training under the supervision of a Motor Instructor, may be exempt from the above-noted reporting requirements at the discretion of the Division Commander.

501.4.3 TRAFFIC COLLISIONS WITH POLICE DEPARTMENT EMPLOYEES
When an employee of the Anaheim Police Department, either on duty or off duty, is involved in a major traffic collision within the city limits of Anaheim resulting in a fatality or a serious injury, the Watch Commander should make a formal request to the California Highway Patrol or the Orange County Sheriff's Department to conduct the investigation. Their investigators are well qualified to investigate and reconstruct any traffic collision.

If the collision involves a commercial vehicle, the Watch Commander should request the California Highway Patrol's Major Accident Investigation Team (M.A.I.T.) respond to conduct the investigation due to their expertise in the investigation of traffic collisions involving commercial vehicles.

The term serious injury is defined as any injury that may result in a fatality.
0501.4.4 TRAFFIC COLLISIONS WITH OTHER CITY EMPLOYEES OR OFFICIALS
The Watch Commander may request assistance from the California Highway Patrol or the Orange County Sheriff's Department for the investigation of a major traffic collision involving a City of Anaheim official or employee when there is a fatality or a serious injury.

0501.4.5 TRAFFIC COLLISIONS ON PRIVATE PROPERTY
Traffic collision reports shall be taken for traffic collisions occurring on private property when;

(a) There is a death or injury to any persons involved in the collision.
(b) A hit and run has occurred and there is workable information.
(c) A driver involved is under the influence of alcohol or drugs.
(d) At the direction of a supervisor.

0501.4.6 TRAFFIC COLLISIONS ON ROADWAYS OR HIGHWAYS
Traffic collision reports shall be taken when they occur on a roadway or highway, within the city limits, under any of the following circumstances:

(a) When there is death, injury, or complaint of pain to any persons involved in a traffic collision.
(b) When a collision occurs during a police pursuit where the suspect driver is involved or contributes to the cause of other collisions.
(c) When the collision involves a violation of Vehicle Code Sections 12500, 14601, 20001 or a Hit and Run Collision with workable information.
(d) When a collision occurs in which a City roadway or other engineering defect may be the primary or contributing cause of the collision or any other potential City liability exists.
(e) When a collision occurs involving any federal, state, or municipality owned vehicle or property and documentation is requested.

0501.4.7 NON-INJURY OR PROPERTY DAMAGE ONLY COLLISIONS
This department will not respond to non-injury or property damage only collisions unless one or more of the following are present:

(a) The collision is causing a traffic hazard in the roadway, which requires police assistance.
(b) When one or more parties involved in the collision refuse to exchange identifying information.
(c) When one of the parties cannot furnish evidence of financial responsibility to the other party. If the driver fails to provide evidence of financial responsibility when requested by the officer, the officer may cite the driver per 16028 (a) CVC.

Although not required, traffic reports may be taken during any non-injury or property damage only collision response at the discretion of the investigating officer or the direction of a supervisor.
501.4.8 TRAFFIC COLLISIONS INVOLVING PROPERTY DAMAGE ONLY
CHP Traffic Collision Report, "Property Damage Only Form 555-03" can be used when reporting traffic collisions involving property damage only. It cannot be used if any of the following apply:

(a) When there is any injury, including complaint of pain, to any person involved.
(b) When any misdemeanor traffic offense is involved with the exception of hit and run offenses with no workable information.
(c) When an identifiable traffic violation is involved and prosecution is desired.
(d) When a supervisor determines a short form collision report is required.

501.5 NOTIFICATION OF TRAFFIC SECTION SUPERVISION
In the event of a serious injury or death related traffic collision, the Watch Commander shall notify the Traffic Lieutenant to relate the circumstances of the traffic collision and seek assistance from the Traffic Section. In the absence of a Traffic Lieutenant, the Watch Commander or any supervisor may assign an accident investigator or motor officer to investigate the traffic collision.
Vehicle Towing and Release

502.1 PURPOSE AND SCOPE
This policy provides the procedures for towing a vehicle by or at the direction of the Anaheim Police Department. Nothing in this policy shall require the Department to tow a vehicle.

502.2 STORAGE AND IMPOUNDS
When circumstances permit, for example when towing a vehicle for parking or registration violations, the handling employee should, prior to having the vehicle towed, make a good faith effort to notify the owner of the vehicle that it is subject to removal. This may be accomplished by personal contact, telephone or by leaving a notice attached to the vehicle at least 24 hours prior to removal. If a vehicle presents a hazard, such as being abandoned on the roadway, it may be towed immediately.

The responsibilities of those employees towing, storing or impounding a vehicle are listed below.

502.2.1 VEHICLE STORAGE REPORT
Department members requesting towing, storage or impound of a vehicle shall complete CHP Form 180 and accurately record the mileage and a description of property within the vehicle (Vehicle Code § 22850). A copy of the storage report should be given to the tow truck operator and the original shall be submitted to the Records Section as soon as practicable after the vehicle is stored.

502.2.2 REMOVAL FROM TRAFFIC COLLISION SCENES
When a vehicle has been involved in a traffic collision and must be removed from the scene, the officer shall have the driver select a towing company, if possible, and shall relay the request for the specified towing company to the dispatcher. When there is no preferred company requested, a company will be selected from the rotational list of towing companies in the Communications Center.

If the owner is incapacitated, or for any reason it is necessary for the Department to assume responsibility for a vehicle involved in a collision, the officer shall request the dispatcher to call the official towing garage for the City of Anaheim. The officer will then store the vehicle using a CHP Form 180.

502.2.3 STORAGE AT ARREST SCENES
Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this department to provide reasonable safekeeping by storing the arrestee’s vehicle subject to the exceptions described below. The vehicle, however, shall be stored whenever it is needed for the furtherance of the investigation or prosecution of the case, or when the community caretaker doctrine would reasonably suggest that the vehicle should be stored (e.g., traffic hazard, high-crime area).
Vehicle Towing and Release

The following are examples of situations where consideration should be given to leaving a vehicle at the scene in lieu of storing, provided the vehicle can be lawfully parked and left in a reasonably secured and safe condition:

- Traffic-related warrant arrest.
- Situations where the vehicle was not used to further the offense for which the driver was arrested.
- Whenever the licensed owner of the vehicle is present, willing, and able to take control of any vehicle not involved in criminal activity.
- Whenever the vehicle otherwise does not need to be stored and the owner requests that it be left at the scene. In such cases, the owner shall be informed that the Department will not be responsible for theft or damages.

502.2.4 IMPOUNDMENT AT SOBRIETY CHECKPOINTS
Whenever a driver is stopped at a sobriety checkpoint and the only violation is that the operator is driving without a valid driver’s license, the officer shall make a reasonable attempt to identify the registered owner of the vehicle (Vehicle Code § 2814.2). The officer shall release the vehicle to the registered owner if the person is a licensed driver, or to another licensed driver authorized by the registered owner, provided the vehicle is claimed prior to the conclusion of the checkpoint operation.

If the vehicle is released at the checkpoint, the officer shall list on his/her copy of the notice to appear the name and driver’s license number of the person to whom the vehicle is released.

When a vehicle cannot be released at the checkpoint, it shall be towed (Vehicle Code § 22651(p)). When a vehicle is removed at the checkpoint, it shall be released during the normal business hours of the storage facility to the registered owner or his/her agent upon presentation of a valid driver’s license and current vehicle registration.

502.2.5 DRIVING A NON-CITY VEHICLE
Vehicles which have been towed by or at the direction of the Department should not be driven by police personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or to comply with posted signs.

502.2.6 DISPATCHER’S RESPONSIBILITIES
Upon receiving a request for towing, the dispatcher shall promptly telephone the specified authorized towing service. The officer shall be advised when the request has been made and the towing service has been dispatched.

When there is no preferred company requested, the dispatcher shall call the next firm in rotation from the list of approved towing companies and shall make appropriate entries on that form to ensure the following firm is called on the next request.
Vehicle Towing and Release

502.2.7 RECORDS BUREAU RESPONSIBILITY
Records personnel shall promptly enter pertinent data from the MRE submitted E-impound report into the Stolen Vehicle System (SVS). For non-MRE users, Records personnel will promptly enter impound information into SVS upon the officer's/employee's telephonic notification.

Completed E-Impounds will be auto routed to the Traffic Bureau so that they are immediately available for release or review should inquiries be made.

Within 48 hours, excluding weekends and holidays, of the storage of any such vehicle it shall be the responsibility of the Traffic Bureau to determine the names and addresses of any individuals having an interest in the vehicle through DMV or CLETS computers. Notice shall be sent to all such individuals by first-class mail (Vehicle Code § 22851.3(d); Vehicle Code § 22852(a); Vehicle Code § 14602.6(a)(2)). The notice shall include the following (Vehicle Code § 22852(b)):

(a) The name, address, and telephone number of this Department.
(b) The location of the place of storage and description of the vehicle, which shall include, if available, the name or make, the manufacturer, the license plate number, and the mileage.
(c) The authority and purpose for the removal of the vehicle.
(d) A statement that, in order to receive their post-storage hearing, the owners, or their agents, shall request the hearing in person, in writing, or by telephone within 10 days of the date appearing on the notice.

502.3 TOWING SERVICES
The City of Anaheim periodically selects a firm to act as the official tow service and awards a contract to that firm. This firm will be used in the following situations:

(a) When it is necessary to safeguard a vehicle due to the inability of the owner or operator to take the required action.
(b) When a vehicle is being held as evidence in connection with an investigation.
(c) When it is otherwise necessary to store a motor vehicle. This would include situations involving the recovery of stolen or abandoned vehicles, and the removal of vehicles obstructing traffic in violation of state or local regulations.

502.3.1 "NO PREFERENCE" TOW SERVICES
Upon proper application, the department may approve qualified towing services to be called when a citizen needs towing but has "no preference" as to which service to call.

The Police Department will assist citizens by calling any towing company desired. If the citizen has no preference and requests that an officer call a towing company, one of the authorized firms shall be called in rotation.

All officers are specifically prohibited from directly or indirectly soliciting for or recommending any garage or tow service.
Vehicle Towing and Release

502.4 VEHICLE INVENTORY
All property in a stored or impounded vehicle shall be inventoried and listed on the vehicle storage form. This includes the trunk and any compartments or containers, even if closed and/or locked. Members conducting inventory searches should be as thorough and accurate as practical in preparing an itemized inventory. These inventory procedures are for the purpose of protecting an owner’s property while in police custody, to provide for the safety of officers, and to protect the Department against fraudulent claims of lost, stolen, or damaged property.

502.5 SECURITY OF VEHICLES AND PROPERTY
Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, officers should make reasonable accommodations to permit a driver/owner to retrieve small items of value or personal need (e.g., cash, jewelry, cell phone, prescriptions) that are not considered evidence or contraband.

If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft, or damage, personnel conducting the search shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property from such hazards.

502.6 RELEASE OF VEHICLE
The Department will maintain a listed, 24-hour telephone number to provide information regarding impoundment of vehicles and the right of the registered owner to request a storage hearing. Releases for towed vehicles will be made available during regular, non-emergency business hours (Vehicle Code § 14602.6).

(a) Vehicles removed pursuant to Vehicle Code § 22850 shall be released after proof of current registration is provided by the owner or the person in control of the vehicle and after all applicable fees are paid (Vehicle Code § 22850.3; Vehicle Code § 22850.5).

(b) Vehicles removed that require payment of parking fines or proof of valid driver’s license shall only be released upon presentation of proof of compliance, proof of payment, completion of affidavit, and payment of applicable fees related to the removal (Vehicle Code § 22651 et seq., Vehicle Code § 22652 et seq., Vehicle Code § 22850.3; Vehicle Code § 22850.5).

(c) A vehicle removed pursuant to Vehicle Code § 14602.6(a) shall be released to the registered owner or his/her agent with proof of current registration, proof of a valid driver’s license, and applicable fees paid prior to the end of the 30-day impoundment period under any of the following circumstances:

1. The vehicle was stolen.
2. If the driver reinstates his/her driver’s license or acquires a license and provides proof of proper insurance.
4. When there is no remaining community caretaking need to continue impound of the vehicle or the continued impound would not otherwise comply with the Fourth Amendment.
Vehicle Towing and Release

(d) An autonomous vehicle removed under authority of Vehicle Code § 22651(o)(1)(D) shall be released to the registered owner or person in control of the autonomous vehicle if the requirements of Vehicle Code § 22651(o)(3)(B) are met.

Personnel whose duties include releasing towed vehicles should consult the Vehicle Code under which the vehicle was towed or impounded for any specific requirements prior to release.

Employees who suspect that a vehicle was impounded in error should promptly advise a supervisor. Supervisors should approve, when appropriate, the release of the vehicle without requiring the registered owner or his/her agent to request a hearing, as described in the Vehicle Impound Hearings Policy.
Vehicle Impound Hearings

503.1 PURPOSE AND SCOPE
This policy establishes a procedure for the requirement to provide vehicle storage or impound hearings pursuant to Vehicle Code § 22852.

503.2 STORED OR IMPOUND HEARING
When a vehicle is stored or impounded by any member of the Anaheim Police Department, a hearing will be conducted upon the request of the registered or legal owner of the vehicle or his/her agent (Vehicle Code § 22650(a); Vehicle Code § 22852(a)).

The hearing shall be conducted within 48 hours of the request, excluding weekends and holidays. The hearing officer must be a person other than the person who directed the storage or impound of the vehicle (Vehicle Code § 22852(c)).

503.2.1 HEARING PROCEDURES
The vehicle storage hearing is an informal process to evaluate the validity of an order to store or impound a vehicle. The employee who caused the storage or removal of the vehicle does not need to be present for this hearing.

All requests for a hearing on a stored or impounded vehicle shall be submitted in person, in writing or by telephone within 10 days of the date appearing on the notice (Vehicle Code § 22852(b)). The Traffic Lieutenant will generally serve as the hearing officer. The person requesting the hearing may record the hearing at his/her own expense.

The failure of either the registered or legal owner or interested person or his/her agent to request a hearing in a timely manner or to attend a scheduled hearing shall be considered a waiver of and satisfaction of the post-storage hearing requirement (Vehicle Code § 22851.3(e)(2); Vehicle Code § 22852(d)).

Any relevant evidence may be submitted and reviewed by the hearing officer to determine if reasonable grounds have been established for the storage or impound of the vehicle. The initial burden of proof established by a preponderance of the evidence that the storage/impound was based on probable cause rests with the Department.

After consideration of all information, the hearing officer shall determine the validity of the storage or impound of the vehicle in question and then render a decision. The hearing officer shall also consider any mitigating circumstances attendant to the storage that reasonably would warrant the release of the vehicle or a modification or reduction of the period the vehicle is impounded (Vehicle Code §14602.6(b); Vehicle Code § 14602.8(b)).

Aside from those mitigating circumstances enumerated in the Vehicle Code, the registered owner's lack of actual knowledge that the driver to whom the vehicle was loaned was not validly licensed may constitute a mitigating circumstance under Vehicle Code § 14602.6(b) or 14602.8(b), warranting release of the vehicle. This mitigating circumstance exception is not limited to situations...
where the owner made a reasonable inquiry as to the licensed status of the driver before lending the vehicle.

The legislative intent and this department’s policy is to prevent unlicensed driving pursuant to Vehicle Code §14602.6. If this purpose is not furthered by the continued impoundment of a vehicle, release is most often appropriate.

(a) If a decision is made that reasonable grounds for storage or impound have been established, the hearing officer shall advise the inquiring party of the decision and that the inquiring party may pursue further civil remedies if desired.

1. If mitigating circumstances are found to be relevant, the hearing officer shall make reasonable adjustments to the impound period, storage or assessment of fees as warranted.

(b) If a decision is made that reasonable grounds for storage or impound have not been established or sufficient mitigating circumstances exist, the vehicle in storage shall be released immediately. Towing and storage fees will be paid at the Department’s expense (Vehicle Code § 22852(e)).

(c) If a decision is made that reasonable grounds for storage have not been established or sufficient mitigating circumstances exist, and the vehicle has been released with fees having been paid, the receipt for such fees will be forwarded with a letter to the appropriate Division Commander. The hearing officer will recommend to the appropriate Division Commander that the fees paid by the registered or legal owner of the vehicle in question or their agent be reimbursed by the Department.
Impaired Driving

504.1 PURPOSE AND SCOPE
This policy provides guidance to those department members who play a role in the detection and investigation of driving under the influence (DUI).

504.2 POLICY
The Anaheim Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of California’s impaired driving laws.

504.3 INVESTIGATIONS
Officers should not enforce DUI laws to the exclusion of their other duties unless specifically assigned to DUI enforcement. All officers are expected to enforce these laws with due diligence.

The Traffic Lieutenant will develop and maintain, in consultation with the prosecuting attorney, report forms with appropriate checklists to assist investigating officers in documenting relevant information and maximizing efficiency. Any DUI investigation will be documented using these forms. Information documented elsewhere on the form does not need to be duplicated in the report narrative. Information that should be documented includes, at a minimum:

(a) The field sobriety tests (FSTs) administered and the results.
(b) The officer’s observations that indicate impairment on the part of the individual, and the officer’s health-related inquiries that may help to identify any serious health concerns (e.g., diabetic shock).
(c) Sources of additional information (e.g., reporting party, witnesses) and their observations.
(d) Information about any audio and/or video recording of the individual’s driving or subsequent actions.
(e) The location and time frame of the individual’s vehicle operation and how this was determined.
(f) Any prior related convictions in California or another jurisdiction.

504.4 FIELD TESTS
The Traffic Lieutenant should identify standardized FSTs and any approved alternate tests for officers to use when investigating violations of DUI laws.

504.5 CHEMICAL TESTS
A person implies consent to a chemical test or tests, and to providing the associated chemical sample, under any of the following (Vehicle Code § 23612):

(a) The person is arrested for driving a vehicle while under the influence, pursuant to Vehicle Code § 23152.
Impaired Driving

(b) The person is under 21 years of age and is arrested by an officer having reasonable cause to believe that the person’s blood alcohol content is 0.05 or more (Vehicle Code § 23140).

(c) The person is under 21 years of age and detained by an officer having reasonable cause to believe that the person was driving a vehicle while having a blood alcohol content of 0.01 or more (Vehicle Code § 23136).

(d) The person was operating a vehicle while under the influence and proximately caused bodily injury to another person (Vehicle Code § 23153).

If a person withdraws this implied consent, or is unable to withdraw consent (e.g., the person is unconscious), the officer should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

504.5.1 CHOICE OF TESTS

Officers shall respect a viable choice of chemical test made by an arrestee, as provided for by law (e.g., breath will not be acceptable for suspected narcotics influence).

A person arrested for DUI has the choice of whether the test is of his/her blood or breath, and the officer shall advise the person that he/she has that choice. If the person arrested either is incapable, or states that he/she is incapable, of completing the chosen test, the person shall submit to the remaining test.

If the person chooses to submit to a breath test and there is reasonable cause to believe that the person is under the influence of a drug or the combined influence of alcohol and any drug, the officer may also request that the person submit to a blood test. If the person is incapable of completing a blood test, the person shall submit to and complete a urine test (Vehicle Code § 23612(a)(2)(C)).

504.5.2 BREATH SAMPLES

The Traffic Lieutenant should ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested, and that a record of such service and testing is properly maintained.

Officers obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the Traffic Lieutenant.

When the arrested person chooses a breath test, the handling officer shall advise the person that the breath-testing equipment does not retain a sample, and the person may, if desired, provide a blood or urine specimen, which will be retained to facilitate subsequent verification testing (Vehicle Code § 23614).

The officer should also require the person to submit to a blood test if the officer has a clear indication that a blood test will reveal evidence of any drug or the combined influence of an
**Impaired Driving**

alcoholic beverage and any drug. Evidence of the officer’s belief shall be included in the officer’s report (Vehicle Code § 23612(a)(2)(C)).

504.5.3 BLOOD SAMPLES

Only persons authorized by law to draw blood shall collect blood samples (Vehicle Code § 23158). The blood draw should be witnessed by the assigned officer. No officer, even if properly certified, should perform this task.

Officers should inform an arrestee that if he/she chooses to provide a blood sample, a separate sample can be collected for alternate testing. Unless medical personnel object, two samples should be collected and retained as evidence, so long as only one puncture is required.

The blood sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

If an arrestee cannot submit to a blood draw because he/she has a bleeding disorder or has taken medication that inhibits coagulation, he/she shall not be required to take a blood test. Such inability to take a blood test should not be considered a refusal. However, that arrestee may be required to complete another available and viable test.

504.5.4 URINE SAMPLES

If a urine test will be performed, the arrestee should be promptly transported to the appropriate testing site. The officer shall follow any directions accompanying the urine evidence collection kit.

Urine samples shall be collected and witnessed by an officer or jail staff member of the same sex as the individual giving the sample. The arrestee should be allowed sufficient privacy to maintain his/her dignity, to the extent possible, while still ensuring the accuracy of the sample (Vehicle Code § 23158(i)).

The sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

504.5.5 COLLECTING URINE AS EVIDENCE

If the arrested person chooses a urine test, as permitted by law, he/she shall be promptly transported to the jail. The jailer will furnish a urine kit for collecting samples of the arrested person’s urine. The officer shall follow the directions listed on the container instruction sheet. If the arrested person’s urine is necessarily collected elsewhere, the procedure will remain the same.

The collection kit shall then be marked accordingly with the suspect’s name, offense, department, case number, and the name of the witnessing officer.

The collection kit shall then be placed in the evidence refrigerator to await transportation to the crime laboratory.

Urine samples shall be collected and/or witnessed by an officer or matron of the same gender as the suspect.
504.5.6 STATUTORY NOTIFICATIONS
Officers requesting that a person submit to chemical testing shall provide the person with the mandatory warning pursuant to Vehicle Code § 23612(a)(1)(D) and Vehicle Code § 23612(a)(4).

504.5.7 PRELIMINARY ALCOHOL SCREENING
Officers may use a preliminary alcohol screening (PAS) test to assist in establishing reasonable cause to believe a person is DUI. The officer shall advise the person that the PAS test is being requested to assist in determining whether the person is under the influence of alcohol or drugs, or a combination of the two. Unless the person is under the age of 21, he/she shall be advised that the PAS test is voluntary. The officer shall also advise the person that submitting to a PAS test does not satisfy his/her obligation to submit to a chemical test as otherwise required by law (Vehicle Code § 23612).

504.5.8 PRELIMINARY ALCOHOL SCREENING FOR A PERSON UNDER AGE 21
If an officer lawfully detains a person under 21 years of age who is driving a motor vehicle and the officer has reasonable cause to believe that the person has a blood alcohol content of 0.01 or more, the officer shall request that the person take a PAS test to determine the presence of alcohol in the person, if a PAS test device is immediately available. If a PAS test device is not immediately available, the officer may request the person to submit to chemical testing of his/her blood, breath or urine, conducted pursuant to Vehicle Code § 23612 (Vehicle Code § 13388).

If the person refuses to take or fails to complete the PAS test or other chemical test, or if the result of either test reveals a blood alcohol content of 0.01 or more, the officer shall proceed to serve the person with a notice of order of suspension pursuant to this policy (Vehicle Code § 13388).

504.6 REFUSALS
When an arrestee refuses to provide a viable chemical sample, officers should:

(a) Advise the arrestee of the requirement to provide a sample (Vehicle Code § 23612).

(b) Audio- and/or video-record the admonishment when it is practicable.

(c) Document the refusal in the appropriate report.

504.6.1 BLOOD SAMPLE WITHOUT CONSENT
A blood sample may be obtained from a person who refuses a chemical test when any of the following conditions exist:

(a) A search warrant has been obtained (Penal Code § 1524).

(b) The officer can articulate that exigent circumstances exist. Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person’s bloodstream. Exigency can be established by the existence of special facts such as a lengthy time delay in obtaining a blood sample due to an accident investigation or medical treatment of the person.
Impaired Driving

504.6.2 FORCED BLOOD SAMPLE
If an arrestee indicates by word or action that he/she will physically resist a blood draw, the officer should request a supervisor to respond.

The responding supervisor should:

(a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.

(b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes a viable form of testing in a timely manner.

(c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another officer) and attempt to persuade the individual to submit to such a sample without physical resistance.
   1. This dialogue should be recorded on audio and/or video if practicable.

(d) Ensure that the blood sample is taken in a medically approved manner.

(e) Ensure the forced blood draw is recorded on audio and/or video when practicable.

(f) Monitor and ensure that the type and level of force applied appears reasonable under the circumstances:
   1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.
   2. In misdemeanor cases, if the arrestee becomes violent or more resistant, no additional force will be used and a refusal should be noted in the report.
   3. In felony cases, force which reasonably appears necessary to overcome the resistance to the blood draw may be permitted.

(g) Ensure the use of force and methods used to accomplish the collection of the blood sample are documented in the related report.

If a supervisor is unavailable, officers are expected to use sound judgment and perform as a responding supervisor, as set forth above.

504.7 RECORDS SECTION RESPONSIBILITIES
The Records Manager will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney’s office.

504.8 ADMINISTRATIVE HEARINGS
The Records Manager will ensure that all appropriate reports and documents related to administrative license suspensions are reviewed and forwarded to DMV.

Any officer who receives notice of required attendance to an administrative license suspension hearing should promptly notify the prosecuting attorney.
An officer called to testify at an administrative hearing should document the hearing date and DMV file number in a supplemental report. Specific details of the hearing generally should not be included in the report unless errors, additional evidence or witnesses are identified.

504.9 TRAINING
The Training Sergeant should ensure that officers participating in the enforcement of DUI laws receive regular training. Training should include, at minimum, current laws on impaired driving, investigative techniques and rules of evidence pertaining to DUI investigations. The Training Sergeant should confer with the prosecuting attorney’s office and update training topics as needed.

504.10 ARREST AND INVESTIGATION

504.10.1 WARRANTLESS ARREST
In addition to the arrest authority granted to officers pursuant to Penal Code § 836, an officer may make a warrantless arrest of a person that the officer has reasonable cause to believe has been driving under the influence of an alcoholic beverage or any drug, or under the combined influence of the same when (Vehicle Code § 40300.5):

(a) The person is involved in a traffic accident.
(b) The person is observed in or about a vehicle that is obstructing the roadway.
(c) The person will not be apprehended unless immediately arrested.
(d) The person may cause injury to him/herself or damage property unless immediately arrested.
(e) The person may destroy or conceal evidence of a crime unless immediately arrested.

504.10.2 OFFICER RESPONSIBILITIES
The officer serving the arrested person with a notice of an order of suspension shall immediately (Vehicle Code § 23612):

(a) Forward a copy of the completed notice of suspension or revocation form and any confiscated driver’s license to the Department of Motor Vehicles (DMV).
(b) Forward a sworn report to DMV that contains the required information in Vehicle Code § 13380.
(c) Forward the results to the appropriate forensic laboratory if the person submitted to a blood or urine test.
Traffic Citations

505.1 PURPOSE AND SCOPE
This policy outlines the responsibility for traffic citations, the procedure for dismissal, correction, and voiding of traffic citations.

505.2 RESPONSIBILITIES
The Traffic Bureau Commander shall be responsible for the development and design of all Department traffic citations in compliance with state law and the Judicial Council.

The Property Clerk shall be responsible for the supply and accounting of all traffic citations issued to employees of the Police Department.

505.3 DISMISSAL OF TRAFFIC CITATIONS
Employees of this department do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued (Vehicle Code § 40500(d)). Any request from a recipient to dismiss a citation shall be referred to the Traffic Bureau Commander. Upon a review of the circumstances involving the issuance of the traffic citation, the Traffic Bureau Commander may request the Operations Division Commander to recommend dismissal of the traffic citation. If approved, the citation will be forwarded to the appropriate court with a request for dismissal. All recipients of traffic citations whose request for the dismissal of a traffic citation has been denied shall be referred to the appropriate court.

An officer may determine that a traffic citation should be dismissed during a court proceeding in the interest of justice or where prosecution is deemed inappropriate. In such cases, the officer may request that the court dismiss the citation. Upon dismissal of the traffic citation by the court, the officer shall notify his/her immediate supervisor of the circumstances.

505.4 VOIDING TRAFFIC CITATIONS
Voiding a traffic citation may occur when a traffic citation has not been completed or where it is completed, but not issued. All copies of the citation shall be presented to a supervisor to approve the voiding of the citation. The citation and copies shall then be forwarded to the Traffic Bureau.

505.5 CORRECTION OF TRAFFIC CITATIONS
When a traffic citation is issued and in need of correction, the officer issuing the citation shall submit the citation and a Judicial Council of California Form TR-100 requesting a specific correction to his/her immediate supervisor. The citation and TR-100 Form shall then be forwarded to the Traffic Bureau. The Traffic Bureau will mail a "Notice of Correction and Proof of Service" to the court having jurisdiction and to the recipient of the citation.
Traffic Citations

505.6 DISPOSITION OF TRAFFIC CITATIONS
Upon separation from employment with the this department, all employees issued traffic citations books shall return any unused citations to the Traffic Bureau.

505.7 NOTICE OF PARKING VIOLATION APPEAL PROCEDURE
Disposition of notice of parking violation appeals is conducted pursuant to Vehicle Code § 40215.

505.7.1 APPEAL STAGES
Appeals may be pursued sequentially at three different levels (Vehicle Code § 40215; Vehicle Code § 40230):

(a) Requests for Administrative reviews are available at the front desk of the Police Department or online at the Anaheim Police Department's website. These requests are informal written statements outlining why the notice of parking violation should be dismissed. The request for dismissal must be mailed to the current mailing address of the processing agency.

(b) If the appellant wishes to pursue the matter beyond administrative review, an administrative hearing may be conducted in person or by written application, at the election of the appellant. Independent referees review the existent administrative file, amendments, and/or testimonial material provided by the appellant and may conduct further investigation or follow-up on their own.

(c) If the appellant wishes to pursue the matter beyond an administrative hearing, a Superior Court review may be presented in person by the appellant after an application for review and designated filing fees have been paid to The Superior Court of California.

505.7.2 TIME REQUIREMENTS
Administrative review or appearance before a hearing examiner will not be provided if the mandated time limits are not adhered to by the violator.

(a) Requests for an administrative review must be postmarked within 21 calendar days of issuance of the notice of parking violation, or within 14 calendar days of the mailing of the Notice of Delinquent Parking Violation (Vehicle Code § 40215(a)).

(b) Requests for administrative hearings must be made no later than 21 calendar days following the notification mailing of the results of the administrative review (Vehicle Code § 40215(b)).

(c) An administrative hearing shall be held within 90 calendar days following the receipt of a request for an administrative hearing, excluding time tolled pursuant to Vehicle Code § 40200 - 40225. The person requesting the hearing may request one continuance, not to exceed 21 calendar days (Vehicle Code § 40215).

(d) Registered owners of vehicles may transfer responsibility for the violation via timely affidavit of non-liability when the vehicle has been transferred, rented or under certain other circumstances (Vehicle Code § 40209; Vehicle Code § 40210).
505.7.3 COSTS

(a) There is no cost for an administrative review.

(b) Appellants must deposit the full amount due for the citation before receiving an administrative hearing, unless the person is indigent, as defined in Vehicle Code § 40220, and provides satisfactory proof of inability to pay (Vehicle Code § 40215).

(c) An appeal through Superior Court requires prior payment of filing costs, including applicable court charges and fees. These costs will be reimbursed to the appellant in addition to any previously paid fines if appellant's liability is overruled by the Superior Court.

505.8 JUVENILE CITATIONS
Completion of traffic citation forms for juveniles may vary slightly from the procedure for adults. The juvenile’s age, place of residency, and the type of offense should be considered before issuing the juvenile a citation.
Disabled Vehicles

506.1 PURPOSE AND SCOPE
Vehicle Code § 20018 provides that all law enforcement agencies having responsibility for traffic enforcement may develop and adopt a written policy to provide assistance to motorists in disabled vehicles within their primary jurisdiction.

506.2 OFFICER RESPONSIBILITY
When an on-duty officer observes a disabled vehicle on the roadway, the officer should make a reasonable effort to provide assistance. If that officer is assigned to a call of higher priority, the dispatcher should be advised of the location of the disabled vehicle and the need for assistance. The dispatcher should then assign another available officer to respond for assistance as soon as practical.

506.3 EXTENT OF ASSISTANCE
In most cases, a disabled motorist will require assistance. After arrangements for assistance are made, continued involvement by department personnel will be contingent on the time of day, the location, the availability of department resources, and the vulnerability of the disabled motorist.

506.3.1 MECHANICAL REPAIRS
Department personnel shall not make mechanical repairs to a disabled vehicle. The use of push bumpers to relocate vehicles to a position of safety is not considered a mechanical repair.

506.3.2 RELOCATION OF DISABLED VEHICLES
The relocation of disabled vehicles by members of this department by pushing or pulling a vehicle should only occur when the conditions reasonably indicate that immediate movement is necessary to reduce a hazard presented by the disabled vehicle.

506.3.3 RELOCATION OF DISABLED MOTORIST
The relocation of a disabled motorist should only occur with the person’s consent and should be suggested when conditions reasonably indicate that immediate movement is necessary to mitigate a potential hazard. The department member may stay with the disabled motorist or transport him/her to a safe area to await pickup.

506.4 PUBLIC ACCESS TO THIS POLICY
This written policy is available upon request.
72-Hour Parking Violations

507.1 PURPOSE AND SCOPE
This policy provides procedures for the marking, recording, and storage of vehicles parked in violation of the Anaheim City Ordinance regulating 72-hour parking violations and abandoned vehicles under the authority of Vehicle Code § 22669.

507.2 MARKING VEHICLES
Vehicles suspected of being in violation of the City of Anaheim 72-Hour Parking Ordinance shall be marked and noted on the Anaheim Police Department Marked Vehicle Card. No case number is required at this time.

A visible chalk mark should be placed on the left rear tire tread at the fender level unless missing tires or other vehicle conditions prevent marking. Any deviation in markings shall be noted on the Marked Vehicle Card. The investigating employee should make a good faith effort to notify the owner of any vehicle subject to towing prior to having the vehicle removed. This may be accomplished by personal contact, telephone or by leaving notice attached to the vehicle at least 24 hours prior to removal.

All Marked Vehicle Cards shall be submitted to the Traffic Bureau for computer data entry.

If a marked vehicle has been moved or the markings have been removed during a 72-hour investigation period, the vehicle shall be marked again for the 72-hour parking violation and a Marked Vehicle Card completed and forwarded to the Traffic Bureau.

Parking citations for the 72-hour parking ordinance shall not be issued when the vehicle is stored for the 72-hour parking violation.

507.2.1 MARKED VEHICLE FILE
The Traffic Bureau shall be responsible for maintaining a file for all Marked Vehicle Cards.

Parking control officers assigned to the Traffic Bureau shall be responsible for the follow up investigation of all 72-hour parking violations noted on the Marked Vehicle Cards.

507.2.2 VEHICLE STORAGE
Any vehicle in violation shall be stored by the authorized towing service and a vehicle storage report shall be completed by the officer authorizing the storage of the vehicle.

The storage report form shall be submitted to the Records Section immediately following the storage of the vehicle. It shall be the responsibility of the Records Section to immediately notify the Stolen Vehicle System (SVS) of the Department of Justice in Sacramento (Vehicle Code § 22851.3(b)). Notification may also be made to the National Law Enforcement Telecommunications System (NLETS)(Vehicle Code § 22854.5).

Within 48 hours of the storage of any such vehicle, excluding weekends and holidays, it shall be the responsibility of the Records Section to determine the names and addresses of any individuals
having an interest in the vehicle through DMV or CLETS computers. Notice to all such individuals shall be sent first-class or certified mail pursuant to Vehicle Code § 22851.3(d).

507.3 VEHICLE DISPOSAL
If, after 15 days from the notification, the vehicle remains unclaimed and the towing and storage fees have not been paid, and if no request for a post storage hearing has been made, the Department may provide the lienholder storing the vehicle with authorization on an approved DMV form to dispose of any vehicle which the lienholder has determined has an estimated value of $500 or less. Vehicle Code § 22851.3(h)
Drug Recognition Expert Program

508.1 PURPOSE AND SCOPE
The Drug Recognition Expert (DRE) Program is intended to provide a standardized program and continued certification process for officers who complete training and are certified Drug Recognition Experts.

508.2 POLICY
All Drug Recognition Experts are required to complete and obtain certification according to requirements from the International Association of Chiefs of Police (IACP) and the International Drug Evaluation and Classification (DEC) Program with, support from the National Highway Traffic Safety Administration (NHTSA) of the U.S. Department of Transportation.

508.3 RESPONSIBILITY
The Traffic Commander shall be responsible for overseeing the DRE Program. A DRE Program supervisor should be selected from the rank of sergeant or above by the Traffic Commander or a designee and should possess, or be eligible to receive, a POST Supervisory Certificate.

508.4 DRUG RECOGNITION EXPERT - SELECTION AND TRAINING
Drug Recognition Expert certification requires an extensive training and certification process. The Program Supervisor shall be responsible for ensuring initial certification and subsequent requirements are completed to maintain certification. The Program Supervisor will also provide certified Drug Recognition Experts a path to become instructors for those who desire to do so.

508.4.1 SELECTION PROCESS
Drug Recognition Experts will be selected based on the following requirements:
   (a) Desire to be a DRE
   (b) Minimum of two years of patrol experience
   (c) Participate and pass an internal oral interview selection process
   (d) Evaluation by supervisors

508.5 REQUIRED TRAINING AND CONTINUED PROGRAM PARTICIPATION REQUIREMENTS
Drug Recognition Experts are required to successfully complete approved courses in Standardized Field Sobriety Testing (SFSTs) and Advanced Roadside Impaired Driving Enforcement (ARIDE) or equivalent approved, before beginning the Drug Evaluation and Classification (DEC) Program. This department requires Drug Recognition Experts complete eight primary evaluations annually. The required evaluations will be tracked by the DRE Program Supervisor or their designee and must be completed in compliance with IACP requirements.
Chapter 6 - Investigation Operations
Investigation and Prosecution

600.1 PURPOSE AND SCOPE
The purpose of this policy is to set guidelines and requirements pertaining to the handling and disposition of criminal investigations.

600.2 POLICY
It is the policy of the Anaheim Police Department to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

600.3 INITIAL INVESTIGATION

600.3.1 OFFICER RESPONSIBILITIES
An officer responsible for an initial investigation shall complete no less than the following:

(a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum:
   1. An initial statement from any witnesses or complainants.
   2. A cursory examination for evidence.

(b) If information indicates a crime has occurred, the officer shall:
   1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
   2. Determine if additional investigative resources (e.g., investigators or scene processing) are necessary and request assistance as required.
   3. If assistance is warranted, or if the incident is not routine, notify a supervisor or the Watch Commander.
   4. Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects.
   5. Collect any evidence.
   6. Take any appropriate law enforcement action.
   7. Complete and submit the appropriate reports and documentation.

(c) If the preliminary determination is that no crime occurred, determine what other action may be necessary, what other resources may be available, and advise the informant or complainant of this information.

600.3.2 PROFESSIONAL CIVILIAN MEMBER RESPONSIBILITIES
A professional civilian member assigned to any preliminary investigation is responsible for all investigative steps, except making any attempt to locate, contact or interview a suspect face-to-
face or take any enforcement action. Should an initial investigation indicate that those steps are required, the assistance of an officer shall be requested.

600.4   CUSTODIAL INTERROGATION REQUIREMENTS
Suspects who are in custody and subjected to an interrogation shall be given the *Miranda* warning, unless an exception applies. Interview or interrogation of a juvenile shall be in accordance with the Temporary Custody of Juveniles Policy.

600.4.1   AUDIO/VIDEO RECORDINGS
Any custodial interrogation of an individual who is suspected of having committed any violent felony offense should be recorded (audio or video with audio as available) in its entirety. Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment to accomplish such recordings.

Consideration should also be given to recording a custodial interrogation, or any investigative interview, for any other offense when it is reasonable to believe it would be appropriate and beneficial to the investigation and is otherwise allowed by law.

No recording of a custodial interrogation should be destroyed or altered without written authorization from the prosecuting attorney and the Investigations Division supervisor. Copies of recorded interrogations or interviews may be made in the same or a different format as the original recording, provided the copies are true, accurate and complete and are made only for authorized and legitimate law enforcement purposes.

Recordings should not take the place of a thorough report and investigative interviews. Written statements from suspects should continue to be obtained when applicable.

600.4.2   MANDATORY RECORDING OF ADULTS
Any custodial interrogation of an adult who is suspected of having committed any murder shall be recorded in its entirety. The recording should be video with audio if reasonably feasible (Penal Code § 859.5).

This recording is not mandatory when (Penal Code § 859.5):

(a) Recording is not feasible because of exigent circumstances that are later documented in a report.

(b) The suspect refuses to have the interrogation recorded, including a refusal any time during the interrogation, and the refusal is documented in a report. If feasible, the refusal shall be electronically recorded.

(c) The custodial interrogation occurred in another state by law enforcement officers of that state, unless the interrogation was conducted with the intent to avoid the requirements of Penal Code § 859.5.

(d) The interrogation occurs when no member conducting the interrogation has a reason to believe that the individual may have committed murder. Continued custodial interrogation concerning that offense shall be electronically recorded if the interrogating member develops a reason to believe the individual committed murder.
(e) The interrogation would disclose the identity of a confidential informant or would jeopardize the safety of an officer, the individual being interrogated or another individual. Such circumstances shall be documented in a report.

(f) A recording device fails despite reasonable maintenance and the timely repair or replacement is not feasible.

(g) The questions are part of a routine processing or booking, and are not an interrogation.

(h) The suspect is in custody for murder and the interrogation is unrelated to a murder. However, if any information concerning a murder is mentioned during the interrogation, the remainder of the interrogation shall be recorded.

The Department shall maintain an original or an exact copy of the recording until a conviction relating to the interrogation is final and all appeals are exhausted or prosecution is barred by law (Penal Code § 859.5).

600.5 DISCONTINUATION OF INVESTIGATIONS

The investigation of a criminal case or efforts to seek prosecution should only be discontinued if one of the following applies:

(a) All reasonable investigative efforts have been exhausted, no reasonable belief that the person who committed the crime can be identified, and the incident has been documented appropriately.

(b) The perpetrator of a misdemeanor has been identified and a warning is the most appropriate disposition.
   1. In these cases, the investigator shall document that the person was warned and why prosecution was not sought.
   2. Warnings shall not be given for felony offenses or other offenses identified in this policy or by law that require an arrest or submission of a case to a prosecutor.

(c) The case has been submitted to the appropriate prosecutor but no charges have been filed. Further investigation is not reasonable nor has the prosecutor requested further investigation.

(d) The case has been submitted to the appropriate prosecutor, charges have been filed, and further investigation is not reasonable, warranted or requested, and there is no need to take the suspect into custody.

(e) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.

(f) Investigation has proven that a crime was not committed (see the Sexual Assault Investigations Policy for special considerations in these cases).

The Domestic Violence, Child Abuse Sexual Assault Investigations and Adult Abuse policies may also require an arrest or submittal of a case to a prosecutor.
600.6 INVESTIGATIVE USE OF SOCIAL MEDIA AND INTERNET SOURCES
Use of social media and any other Internet source to access information for the purpose of criminal investigation shall comply with applicable laws and policies regarding privacy, civil rights and civil liberties. Information gathered via the Internet should only be accessed by members while on-duty and for purposes related to the mission of this department. If a member encounters information relevant to a criminal investigation while off-duty or while using his/her own equipment, the member should note the dates, times and locations of the information and report the discovery to his/her supervisor as soon as practicable. The member, or others who have been assigned to do so, should attempt to replicate the finding when on-duty and using department equipment. Information obtained via the Internet should not be archived or stored in any manner other than department-established record keeping systems (see the Records Maintenance and Release and the Criminal Organizations policies).

600.6.1 ACCESS RESTRICTIONS
Information that can be accessed from any department computer, without the need of an account, password, email address, alias or other identifier (unrestricted websites), may be accessed and used for legitimate investigative purposes without supervisory approval.

Accessing information from any Internet source that requires the use or creation of an account, password, email address, alias or other identifier, or the use of nongovernment IP addresses, requires supervisor approval prior to access. The supervisor will review the justification for accessing the information and consult with legal counsel as necessary to identify any policy or legal restrictions. Any such access and the supervisor approval shall be documented in the related investigative report.

Accessing information that requires the use of a third party’s account or online identifier requires supervisor approval and the consent of the third party. The consent must be voluntary and shall be documented in the related investigative report.

Information gathered from any Internet source should be evaluated for its validity, authenticity, accuracy and reliability. Corroborative evidence should be sought and documented in the related investigative report.

Any information collected in furtherance of an investigation through an Internet source should be documented in the related report. Documentation should include the source of information and the dates and times that the information was gathered.

600.6.2 INTERCEPTING ELECTRONIC COMMUNICATION
Intercepting social media communications in real time may be subject to federal and state wiretap laws. Officers should seek legal counsel before any such interception.

600.7 MODIFICATION OF CHARGES FILED
Members are not authorized to recommend to the prosecutor or to any other official of the court that charges on a pending case be amended or dismissed without the authorization of a Division
Investigation and Prosecution

Commander or the Chief of Police. Any authorized request to modify the charges or to recommend dismissal of charges shall be made to the prosecutor.
Sexual Assault Investigations

601.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims.

Mandatory notifications requirements are addressed in the Child Abuse and Adult Abuse policies.

601.1.1 DEFINITIONS
Definitions related to this policy include:

Sexual assault - Any crime or attempted crime of a sexual nature, to include but not limited to offenses defined in Penal Code § 243.4, Penal Code § 261 et seq., and Penal Code § 285 et seq.

Sexual Assault Response Team (SART) - A multidisciplinary team generally comprised of advocates; law enforcement officers; forensic medical examiners, including sexual assault forensic examiners (SAFEs) or sexual assault nurse examiners (SANEs) if possible; forensic laboratory personnel; and prosecutors. The team is designed to coordinate a broad response to sexual assault victims.

601.2 POLICY
It is the policy of the Anaheim Police Department that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will aggressively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community.

601.3 QUALIFIED INVESTIGATORS
Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

(a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations.

(b) Conduct follow-up interviews and investigation.

(c) Present appropriate cases of alleged sexual assault to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies and medical personnel as needed.

(e) Provide referrals to therapy services, victim advocates and support for the victim.

(f) Participate in or coordinate with SART.
Sexual Assault Investigations

601.4 REPORTING
In all reported or suspected cases of sexual assault, a report should be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated.

601.5 VICTIM INTERVIEWS
The primary considerations in sexual assault investigations, which begin with the initial call to the Communications Center, should be the health and safety of the victim, the preservation of evidence, and preliminary interviews to determine if a crime has been committed and to attempt to identify the suspect.

No opinion of whether the case is unfounded shall be included in the report.

Victims shall not be asked or required to take a polygraph examination (34 USC § 10451; Penal Code § 637.4).

Victims should be apprised of applicable victim’s rights provisions, as outlined in the Victim and Witness Assistance Policy.

601.5.1 VICTIM RIGHTS
Whenever there is an alleged sexual assault, the assigned officer shall accomplish the following:

(a) Advise the victim in writing of the right to have a victim advocate and a support person of the victim’s choosing present at any interview or contact by law enforcement, any other rights of a sexual assault victim pursuant to Penal Code § 680.2, and the right to have a person of the same or opposite gender present in the room during any interview with a law enforcement official unless no such person is reasonably available (Penal Code § 679.04).

(b) If the victim is transported to a hospital for any medical evidentiary or physical examination, the officer shall immediately cause the local rape victim counseling center to be notified (Penal Code § 264.2).

1. The officer shall not discourage a victim from receiving a medical evidentiary or physical examination (Penal Code § 679.04).

2. A support person may be excluded from the examination by the officer or the medical provider if his/her presence would be detrimental to the purpose of the examination (Penal Code § 264.2).

601.5.2 VICTIM CONFIDENTIALITY
Officers investigating or receiving a report of an alleged sex offense shall inform the victim, or the victim’s parent or guardian if the victim is a minor, that his/her name will become a matter of public record unless the victim requests that his/her name not be made public. The reporting officer shall document in his/her report that the victim was properly informed and shall include any related response made by the victim, or if a minor, any response made by the victim’s parent or guardian (Penal Code § 293).
Sexual Assault Investigations

Except as authorized by law, members of this department shall not publicly disclose the name of any victim of a sex crime who has exercised his/her right to confidentiality (Penal Code § 293).

601.6 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE
Whenever possible, a SART member should be involved in the collection of forensic evidence from the victim.

When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault.

If a drug-facilitated sexual assault is suspected, urine and blood samples should be collected from the victim as soon as practicable.

Subject to requirements set forth in this policy, biological evidence from all sexual assault cases, including cases where the suspect is known by the victim, should be submitted for testing.

Victims who choose not to assist with an investigation, do not desire that the matter be investigated, or wish to remain anonymous may still consent to the collection of evidence under their control. In these circumstances, the evidence should be collected and stored appropriately.

601.6.1 COLLECTION AND TESTING REQUIREMENTS
Members investigating a sexual assault offense should take every reasonable step to ensure that DNA testing of such evidence is performed in a timely manner and within the time periods prescribed by Penal Code § 803(g). SAFE kits should be submitted to the crime lab within 20 days after being booked into evidence (Penal Code § 680).

In order to maximize the effectiveness of such testing and identify the perpetrator of any sexual assault, the assigned detective shall ensure that an information profile for the SAFE kit evidence has been created in the California Department of Justice (DOJ) SAFE-T database within 120 days of collection and should further ensure that the results of any such test have been timely entered into and checked against both the DOJ Cal-DNA database and the Combined DNA Index System (CODIS) (Penal Code § 680.3).

If the assigned detective determines that a SAFE kit submitted to a private laboratory for analysis has not been tested within 120 days after submission, the detective shall update the SAFE-T database to reflect the reason for the delay in testing. The assigned detective shall continue to update the status every 120 days thereafter until the evidence has been analyzed or the statute of limitations has run (Penal Code § 680.3).

If, for any reason, DNA evidence in a sexual assault case in which the identity of the perpetrator is in issue and is not going to be analyzed within 18 months of the crime, the assigned detective shall notify the victim of such fact in writing no less than 60 days prior to the expiration of the 18-month period (Penal Code § 680).

Additional guidance regarding evidence retention and destruction is found in the Property and Evidence Policy.
601.6.2 DNA TEST RESULTS
A SART member should be consulted regarding the best way to deliver biological testing results to a victim so as to minimize victim trauma, especially in cases where there has been a significant delay in getting biological testing results (e.g., delays in testing the evidence or delayed DNA databank hits). Members should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as provided in the Victim and Witness Assistance Policy.

(a) Upon receipt of a written request from a sexual assault victim or the victim’s authorized designee, members investigating sexual assault cases shall inform the victim of the status of the DNA testing of any evidence from the victim’s case (Penal Code § 680).
   1. Although such information may be communicated orally, the assigned officer should thereafter follow-up with and retain a copy of confirmation by either written or electronic mail.
   2. Absent a written request, no member of this department is required to, but may, communicate with the victim or the victim’s authorized designee regarding the status of any DNA testing.

(b) Subject to the commitment of sufficient resources to respond to requests for information, sexual assault victims shall further have the following rights (Penal Code § 680):
   1. To be informed if a DNA profile of the assailant was obtained from the testing of the SAFE kit or other crime scene evidence from their case.
   2. To be informed if there is a match between the DNA profile of the assailant developed from the evidence and a DNA profile contained in the DOJ Convicted Offender DNA Database, providing that disclosure would not impede or compromise an ongoing investigation.
   3. To be informed if the DNA profile of the assailant developed from the evidence has been entered into the DOJ Databank of case evidence.

(c) Provided that the sexual assault victim or the victim’s authorized designee has kept the assigned officer informed with regard to current address, telephone number, and email address (if available), any victim or the victim’s authorized designee shall, upon request, be advised of any known significant changes regarding the victim’s case (Penal Code § 680).
   1. Although such information may be communicated orally, the assigned officer should thereafter follow-up with and retain a copy of confirmation by either written or electronic mail.
   2. No officer shall be required or expected to release any information which might impede or compromise any ongoing investigation.

601.6.3 STANDARDIZED SEXUAL ASSAULT FORENSIC MEDICAL EVIDENCE KIT
The Forensic Nurse at SAFE Place should make California standardized sexual assault forensic medical evidence (SAFE) kits available to members who may investigate sexual assault cases. Members investigating a sexual assault should use these SAFE kits when appropriate and follow
related usage guidelines issued by the California Clinical Forensic Medical Training Center (Penal Code § 13823.14).

601.7 DISPOSITION OF CASES
If the assigned investigator has reason to believe the case is without merit, the case may be classified as unfounded only upon review and approval of the Sexual Assault Detail Sergeant. Classification of a sexual assault case as unfounded requires the Sexual Assault Detail Sergeant to determine that the facts have significant irregularities with reported information and that the incident could not have happened as it was reported. When a victim has recanted his/her original statement, there must be corroborating evidence that the allegations were false or baseless (i.e., no crime occurred) before the case should be determined as unfounded.

601.8 CASE REVIEW
The Sexual Assault Detail Sergeant supervisor should ensure case dispositions are reviewed on a periodic basis, at least annually, using an identified group that is independent of the investigation process. The reviews should include an analysis of:

- Case dispositions.
- Decisions to collect biological evidence.
- Submissions of biological evidence for lab testing.

601.9 RELEASING INFORMATION TO THE PUBLIC
In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appear to be related, consideration should be given to releasing information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The Sexual Assault Detail Sergeant should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes.

601.10 TRAINING
Subject to available resources, periodic training should be provided to:

(a) Members who are first responders. Training should include:

1. Initial response to sexual assaults.
2. Legal issues.
3. Victim advocacy.
4. Victim’s response to trauma.
5. Proper use and handling of the California standardized SAFE kit (Penal Code § 13823.14).
(b) Qualified investigators, who should receive advanced training on additional topics. Advanced training should include:

1. Interviewing sexual assault victims.
2. SART.
3. Medical and legal aspects of sexual assault investigations.
4. Serial crimes investigations.
5. Use of community and other federal and state investigative resources, such as the Violent Criminal Apprehension Program (ViCAP).
6. Techniques for communicating with victims to minimize trauma.
Asset Forfeiture

602.1 PURPOSE AND SCOPE
This policy describes the authority and procedure for the seizure, forfeiture and liquidation of property associated with designated offenses.

602.1.1 DEFINITIONS
Definitions related to this policy include:

Fiscal agent - The person designated by the Chief of Police to be responsible for securing and maintaining seized assets and distributing any proceeds realized from any forfeiture proceedings. This includes any time the Anaheim Police Department seizes property for forfeiture or when the Anaheim Police Department is acting as the fiscal agent pursuant to a multi-agency agreement.

Forfeiture - The process by which legal ownership of an asset is transferred to a government or other authority.

Forfeiture reviewer - The department member assigned by the Chief of Police who is responsible for reviewing all forfeiture cases and for acting as the liaison between the Department and the assigned attorney.

Property subject to forfeiture - The following may be subject to forfeiture:

(a) Property related to a narcotics offense, which includes (Health and Safety Code § 11470; Health and Safety Code § 11470.1):

1. Property (not including real property or vehicles) used, or intended for use, as a container for controlled substances, materials to manufacture controlled substances, etc.

2. Interest in a vehicle (car, boat, airplane, other vehicle) used to facilitate the manufacture, possession for sale or sale of specified quantities of controlled substances.

3. Money, negotiable instruments, securities or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance, proceeds traceable to an exchange, etc.

4. Real property when the owner is convicted of violating Health and Safety Code § 11366, Health and Safety Code § 11366.5 or Health and Safety Code § 11366.6 (drug houses) when the property was not used as a family residence or for other lawful purposes, or property owned by two or more persons, one of whom had no knowledge of its unlawful use.

5. The expenses of seizing, eradicating, destroying or taking remedial action with respect to any controlled substance or its precursors upon conviction for the unlawful manufacture or cultivation of any controlled substance or its precursors.
Asset Forfeiture

(b) Property related to criminal profiteering (may include gang crimes), to include (Penal Code § 186.2; Penal Code § 186.3):

1. Any property interest, whether tangible or intangible, acquired through a pattern of criminal profiteering activity.

2. All proceeds acquired through a pattern of criminal profiteering activity, including all things of value that may have been received in exchange for the proceeds immediately derived from the pattern of criminal profiteering activity.

Seizure - The act of law enforcement officials taking property, cash or assets that have been used in connection with or acquired by specified illegal activities.

602.2 POLICY
The Anaheim Police Department recognizes that appropriately applied forfeiture laws are helpful to enforce the law, deter crime and reduce the economic incentive of crime. However, the potential for revenue should never compromise the effective investigation of criminal offenses, officer safety or any person's due process rights.

It is the policy of the Anaheim Police Department that all members, including those assigned to internal or external law enforcement task force operations, shall comply with all state and federal laws pertaining to forfeiture.

602.3 ASSET SEIZURE
Property may be seized for forfeiture as provided in this policy.

602.3.1 PROPERTY SUBJECT TO SEIZURE
The following may be seized upon review and approval of a supervisor and in coordination with the forfeiture reviewer:

(a) Property subject to forfeiture authorized for seizure under the authority of a search warrant or court order.

(b) Property subject to forfeiture not authorized for seizure under the authority of a search warrant or court order when any of the following apply (Health and Safety Code § 11471; Health and Safety Code § 11488):

1. The property subject to forfeiture is legally seized incident to an arrest.

2. There is probable cause to believe that the property was used or is intended to be used in a violation of the Uniform Controlled Substances Act and the seizing officer can articulate a nexus between the property and the controlled substance offense that would lead to the item being property subject for forfeiture.

Officers aware of assets that may be forfeitable as a result of criminal profiteering or human trafficking should consider contacting the district attorney regarding a court order to protect the assets (Penal Code § 186.6; Penal Code § 236.6).
Asset Forfeiture

Whenever practicable, a search warrant or court order for seizure prior to making a seizure is the preferred method. A large amount of money standing alone is insufficient to establish the probable cause required to make a seizure.

602.3.2 PROPERTY NOT SUBJECT TO SEIZURE
The following property should not be seized for forfeiture:

(a) Cash and property that does not meet the forfeiture counsel’s current minimum forfeiture thresholds should not be seized.

(b) Real property is not subject to seizure, absent exigent circumstances, without a court order (Health and Safety Code § 11471).

(c) A vehicle which may be lawfully driven on the highway if there is a community property interest in the vehicle by a person other than the suspect and the vehicle is the sole vehicle available to the suspect’s immediate family (Health and Safety Code § 11470).

(d) Vehicles, boats or airplanes owned by an “innocent owner,” such as a common carrier with no knowledge of the suspected offense (Health and Safety Code § 11490).

(e) Any property when the associated activity involves the possession of marijuana or related paraphernalia that is permissible under the Control, Regulate and Tax Adult Use of Marijuana Act (Health and Safety Code § 11362.1).

602.4 PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS
When property or cash subject to this policy is seized, the officer making the seizure should ensure compliance with the following:

(a) Complete applicable seizure forms and present the appropriate copy to the person from whom the property is seized. If cash or property is seized from more than one person, a separate copy must be provided to each person, specifying the items seized. When property is seized and no one claims an interest in the property, the officer must leave the copy in the place where the property was found, if it is reasonable to do so.

(b) Complete and submit a report and original seizure forms within 24 hours of the seizure, if practicable.

(c) Forward the original seizure forms and related reports to the forfeiture reviewer within two days of seizure.

The officer will book seized property as evidence with the notation in the comment section of the property form, “Seized Subject to Forfeiture.” Property seized subject to forfeiture should be booked on a separate property form. No other evidence from the case should be booked on this form.

Photographs should be taken of items seized, particularly cash, jewelry and other valuable items.
Asset Forfeiture

Officers who suspect property may be subject to seizure but are not able to seize the property (e.g., the property is located elsewhere, the whereabouts of the property is unknown, it is real estate, bank accounts, non-tangible assets) should document and forward the information in the appropriate report to the forfeiture reviewer.

602.5 MAINTAINING SEIZED PROPERTY
The Property and Evidence Detail Supervisor is responsible for ensuring compliance with the following:

(a) All property received for forfeiture is reasonably secured and properly stored to prevent waste and preserve its condition.
(b) All property received for forfeiture is checked to determine if the property has been stolen.
(c) All property received for forfeiture is retained in the same manner as evidence until forfeiture is finalized or the property is returned to the claimant or the person with an ownership interest.
(d) Property received for forfeiture is not used unless the forfeiture action has been completed.

602.6 FORFEITURE REVIEWER
The Chief of Police will appoint an Asset Forfeiture Specialist as the forfeiture reviewer. Prior to assuming duties, or as soon as practicable thereafter, the forfeiture reviewer should attend a department-approved course on asset forfeiture.

The responsibilities of the forfeiture reviewer include:

(a) Remaining familiar with forfeiture laws, particularly Health and Safety Code § 11469 et seq. and Penal Code § 186.2 et seq. and the forfeiture policies of the forfeiture counsel.
(b) Serving as the liaison between the Department and the forfeiture counsel and ensuring prompt legal review of all seizures.
(c) Making reasonable efforts to obtain annual training that includes best practices in pursuing, seizing and tracking forfeitures.
(d) Ensuring that property seized under state law is not referred or otherwise transferred to a federal agency seeking the property for federal forfeiture as prohibited by Health and Safety Code § 11471.2.
(e) Ensuring that responsibilities, including the designation of a fiscal agent, are clearly established whenever multiple agencies are cooperating in a forfeiture case.
(f) Ensuring that seizure forms are available and appropriate for department use. These should include notice forms, a receipt form and a checklist that provides relevant guidance to officers. The forms should be available in languages appropriate for the region and should contain spaces for:
Asset Forfeiture

1. Names and contact information for all relevant persons and law enforcement officers involved.

2. Information as to how ownership or other property interests may have been determined (e.g., verbal claims of ownership, titles, public records).

3. A space for the signature of the person from whom cash or property is being seized.

4. A tear-off portion or copy, which should be given to the person from whom cash or property is being seized, that includes the legal authority for the seizure, information regarding the process to contest the seizure and a detailed description of the items seized.

(g) Ensuring that officers who may be involved in asset forfeiture receive training in the proper use of the seizure forms and the forfeiture process. The training should be developed in consultation with the appropriate legal counsel and may be accomplished through traditional classroom education, electronic media, Daily Training Bulletins (DTBs) or Department Directives. The training should cover this policy and address any relevant statutory changes and court decisions.

(h) Reviewing each asset forfeiture case to ensure that:
   1. Written documentation of the seizure and the items seized is in the case file.
   2. Independent legal review of the circumstances and propriety of the seizure is made in a timely manner.
   3. Notice of seizure has been given in a timely manner to those who hold an interest in the seized property (Health and Safety Code § 11488.4).
   4. Property is promptly released to those entitled to its return (Health and Safety Code § 11488.2).
   5. All changes to forfeiture status are forwarded to any supervisor who initiates a forfeiture case.
   6. Any cash received is deposited with the fiscal agent.
   7. Assistance with the resolution of ownership claims and the release of property to those entitled is provided.
   8. Current minimum forfeiture thresholds are communicated appropriately to officers.
   9. This policy and any related policies are periodically reviewed and updated to reflect current federal and state statutes and case law.

(i) Ensuring that a written plan that enables the Chief of Police to address any extended absence of the forfeiture reviewer, thereby ensuring that contact information for other law enforcement officers and attorneys who may assist in these matters is available.

(j) Ensuring that the process of selling or adding forfeited property to the department’s regular inventory is in accordance with all applicable laws and consistent with the department’s use and disposition of similar property.
(k) Keeping a manual that details the statutory grounds for forfeitures and department procedures related to asset forfeiture, including procedures for prompt notice to interest holders, the expeditious release of seized property, where appropriate, and the prompt resolution of claims of innocent ownership (Health and Safety Code § 11469).

(l) Providing copies of seized business records to the person or business from whom such records were seized, when requested (Health and Safety Code §11471).

(m) Notifying the California Franchise Tax Board when there is reasonable cause to believe that the value of seized property exceeds $5,000.00 (Health and Safety Code § 11471.5).

Forfeiture proceeds should be maintained in a separate fund or account subject to appropriate accounting control, with regular reviews or audits of all deposits and expenditures.

Forfeiture reporting and expenditures should be completed in the manner prescribed by the law and City financial directives (Health and Safety Code § 11495).

602.7 DISPOSITION OF FORFEITED PROPERTY

Forfeited funds distributed under Health and Safety Code § 11489 et seq. shall only be used for purposes allowed by law, but in no case shall a peace officer’s employment or salary depend upon the level of seizures or forfeitures he/she achieves (Health and Safety Code § 11469).

The Department may request a court order so that certain uncontaminated science equipment is relinquished to a school or school district for science classroom education in lieu of destruction (Health and Safety Code § 11473; Health and Safety Code § 11473.5).

602.7.1 RECEIVING EQUITABLE SHARES

When participating in a joint investigation with a federal agency, the Anaheim Police Department shall not receive an equitable share from the federal agency of all or a portion of the forfeiture proceeds absent either a required conviction under Health and Safety Code § 11471.2 or the flight, death or willful failure to appear of the defendant. This does not apply to forfeited cash or negotiable instruments of $40,000 or more.

602.8 CLAIM INVESTIGATIONS

An investigation shall be made as to any claimant of a vehicle, boat or airplane whose right, title, interest or lien is on the record in the Department of Motor Vehicles or in an appropriate federal agency. If investigation reveals that any person, other than the registered owner, is the legal owner, and that ownership did not arise subsequent to the date and time of arrest or notification of the forfeiture proceedings or seizure of the vehicle, boat or airplane, notice shall be made to the legal owner at his/her address appearing on the records of the Department of Motor Vehicles or the appropriate federal agency (Health and Safety Code § 11488.4).
Informants

603.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the use of informants.

603.1.1 DEFINITIONS
Definitions related to this policy include:

**Informant** - A person who covertly interacts with other individuals or suspects at the direction of, request of, or by agreement with, the Anaheim Police Department for law enforcement purposes, or provides information to law enforcement related to another’s criminal activity in confidence due to fear of retaliation. The person’s desire to remain confidential may be expressly stated or implied in cases where revealing the person’s identity would expose the person to danger. This also includes a person agreeing to supply information to the Anaheim Police Department for a benefit (e.g., a quid pro quo in the form of a reduced criminal penalty, money).

Informants include the following:

(a) **Citizen Informant** – A person who provides information outside the scope of their employment without any form of compensation or benefit. These informants could provide information on a frequent basis and are not active participants at the direction of law enforcement. An informant file is not required with these informants if the citizen informant provides information on an infrequent basis or their identity is unknown. An informant file should be completed if an officer directs them to gather information from other individuals or suspects.

(b) **Paid Informant** – A person that receives compensation or benefit from law enforcement in return for their participation in an investigation, providing information or testimony about another’s criminal activity. These informants are commonly referred to as “mercenary informants.” An informant file is required with these informants.

Defendant Informant – A person with a pending criminal matter, including parole and/or probation violations. A defendant informant also includes an individual prosecuted, convicted and awaiting sentencing, or is on probation. A defendant informant provides information in return for a benefit or consideration in their pending criminal matter. An informant file is required with these informants.

Note: Simply advising a person to report suspicious activity to the police is not the equivalent of directing someone to gather information. Officers may continue to request citizens to remain alert and record suspicious activities (e.g., suspect vehicle license plate numbers, suspect descriptions, etc.).

603.2 POLICY
The Anaheim Police Department recognizes the value of informants to law enforcement efforts and will strive to protect the integrity of the informant process. It is the policy of this department that all funds related to informant payments will be routinely audited and that payments to informants will be made according to the criteria outlined in this policy.
Informants

603.3 USE OF INFORMANTS

603.3.1 INITIAL APPROVAL
Before using an individual as an informant, an officer must receive approval from his/her supervisor. The officer shall compile sufficient information through a background investigation and experience with the informant to determine the suitability of the individual, including age, maturity and risk of physical harm, as well as any indicators of his/her reliability and credibility.

Members of this department should not guarantee absolute safety or confidentiality to an informant.

603.3.2 JUVENILE INFORMANTS
The use of informants under the age of 13 is prohibited.

Except for the enforcement of laws related to the commercial sale of alcohol, marijuana or tobacco products, a juvenile 13 years of age or older may only be used as an informant with the written consent of each of the following:

(a) The juvenile’s parents or legal guardians
(b) The juvenile’s attorney, if any
(c) The court in which the juvenile’s case is being handled, if applicable (Penal Code § 701.5)
(d) The Chief of Police or the authorized designee

603.3.3 INFORMANT AGREEMENTS
All informants requiring an informant file shall be advised of, and abide by the provisions of the designated department informant agreement. The officer providing the admonishment and the witnessing officer shall sign the agreement. Unless the informant refuses, or an informant packet is not required, the informant should also sign the agreement.

Details of the agreement are to be approved in writing by a supervisor before being finalized with the informant.

603.4 INFORMANT INTEGRITY
To maintain the integrity of the informant process, the following must be adhered to:

(a) The identity of an informant acting in a confidential capacity shall not be withheld from the Chief of Police, Division Commander, Vice, Narcotics and Criminal Intelligence Section Commander or their authorized designees.
   1. Identities of informants acting in a confidential capacity shall be kept confidential.

(b) Criminal activity by informants shall not be condoned.

(c) Informants shall be told they are not acting as police officers, employees or agents of the Anaheim Police Department, and that they shall not represent themselves as such.
Informants

(d) The relationship between Department members and informants shall always be ethical and professional.
   1. Members shall not become intimately involved with an informant.
   2. Social contact shall be avoided unless it is necessary to conduct an official investigation, and only with prior approval of the handling officer’s direct supervisor or the Vice, Narcotics and Criminal Intelligence Section Commander.
   3. Department members shall neither solicit nor accept gratuities or engage in any private business transaction with an informant.

(e) Officers shall not meet with informants in a private place unless accompanied by at least one additional officer or with prior approval of the officer’s direct supervisor or the Vice, Narcotics and Criminal Intelligence Section Commander.
   1. Officers may meet informants alone in an occupied public place, such as a restaurant.

(f) When contacting informants for the purpose of making payments, officers shall arrange for the presence of another officer.

(g) Since the decision rests with the appropriate prosecutor, officers shall not promise that the informant will receive any form of leniency or immunity from criminal prosecution.

603.4.1 UNSUITABLE INFORMANTS
The suitability of any informant should be considered before engaging him/her in any way in a covert or other investigative process. Department members who become aware that an informant may be unsuitable will notify the supervisor, who will initiate a review to determine suitability. Until a determination has been made by a supervisor, the informant should not be used by any Department member. The supervisor shall determine whether the informant should be used by the Department and, if so, what conditions will be placed on his/her participation or any information the informant provides. The supervisor shall document the decision and conditions in file notes and mark the file “unsuitable” when appropriate.

Considerations for determining whether an informant is unsuitable include, but are not limited to, the following:

(a) The informant has provided untruthful or unreliable information in the past.
(b) The informant behaves in a way that may endanger the safety of an officer.
(c) The informant reveals to suspects the identity of an officer or the existence of an investigation.
(d) The informant appears to be using his/her affiliation with this department to further criminal objectives.
(e) The informant creates officer-safety issues by providing information to multiple law enforcement agencies simultaneously, without prior notification and approval of each agency.
(f) The informant engages in any other behavior that could jeopardize the safety of officers or the integrity of a criminal investigation.
(g) The informant commits criminal acts subsequent to entering into an informant agreement.

603.5 INFORMANT FILES
Informant files shall be utilized as a source of background information about the informant, to enable review and evaluation of information provided by the informant, and to minimize incidents that could be used to question the integrity of Department members or the reliability of the informant.

Informant files shall be maintained in a secure area within the Vice, Narcotics and Criminal Intelligence Section. The Vice, Narcotics and Criminal Intelligence Section Commander or the authorized designee shall be responsible for maintaining informant files. Access to the informant files shall be restricted to the Chief of Police, Division Commander, Vice, Narcotics and Criminal Intelligence Section Commander or their authorized designees.

The Special Enforcement Division Commander should arrange for an audit using a representative sample of randomly selected informant files on a periodic basis, but no less than one time per year. If the Vice, Narcotics and Criminal Intelligence Section Commander is replaced, the files will be audited before the new supervisor takes over management of the files. The purpose of the audit is to ensure compliance with file content and updating provisions of this policy. The audit should be conducted by a supervisor who does not have normal access to the informant files.

603.5.1 FILE SYSTEM PROCEDURE
A separate file shall be maintained on each informant and shall be coded with an assigned informant control number. An informant history that includes the following information shall be prepared for each file:

(a) Name and aliases
(b) Date of birth
(c) Physical description: sex, race, height, weight, hair color, eye color, scars, tattoos or other distinguishing features
(d) Photograph
(e) Current home address and telephone numbers
(f) Current employers, positions, addresses and telephone numbers
(g) Vehicles owned and registration information
(h) Briefs of information provided by the informant and his/her subsequent reliability
   1. If an informant is determined to be unsuitable, the informant's file is to be marked "unsuitable" and notations included detailing the issues that caused this classification.
(i) Name of the officer initiating use of the informant
(j) A signed Anaheim Police Department Special Consent Form
(k) Update on active or inactive status of the informant
Informants

603.6 INFORMANT PAYMENTS
The amount of funds to be paid to any informant will be evaluated against the following criteria:

- The extent of the informant's personal involvement in the case
- The significance, value or effect on crime
- The value of assets seized
- The quantity of the drugs or other contraband seized
- The informant's previous criminal activity
- The level of risk taken by the informant

603.6.1 PAYMENT PROCESS
Approved payments to an informant should be in providing the admonishment and the witnessing officer shall sign the agreement. Unless the informant refuses, or an informant packet is not required, the informant should also sign the agreement.

603.6.2 REPORTING OF PAYMENTS
Each informant receiving a cash payment shall be advised of his/her responsibility to report the cash to the Internal Revenue Service (IRS) as income. If funds distributed exceed $600 in any reporting year, the informant should be provided IRS Form 1099 (26 CFR 1.6041-1). If such documentation or reporting may reveal the identity of the informant and by doing so jeopardize any investigation, the safety of officers or the safety of the informant (26 CFR 1.6041-3), then IRS Form 1099 should not be issued.

In such cases, the informant shall be advised of the amount he/she must report on a tax return as "other income" and shall be required to provide a signed acknowledgement of understanding. The completed acknowledgement shall be retained in the informant's file.

603.6.3 AUDIT OF PAYMENTS
The Vice, Narcotics and Criminal Intelligence Section Commander or the authorized designee shall be responsible for compliance with any audit requirements associated with the Department of Justice and the Department of the Treasury Equitable Sharing Program, applicable grant provisions and applicable state and federal law.

At least once every six months, the Chief of Police or the authorized designee should conduct an audit of all informant funds for the purpose of accountability and security of the funds. The funds and related documents will assist with the audit process.

603.7 LETTERS OF CONSIDERATION
All letters of consideration on behalf of confidential informants or other material witnesses involved in open criminal cases must be case-specific in nature, vetted through the Informant Index Coordinator of the Orange County District Attorney's Office, or other appropriate jurisdiction, and
Informants

reviewed by a Division Commander. In all cases, the Chief of Police, Deputy Chief of Police or their designee will have final approval and will sign the letter.

Officers may provide other benefits to informants (e.g., food, motels, gas, etc.). Such benefits require the approval of the handling officer’s direct supervisor and are subject to the same IRS reporting guidelines.
Identification of Plainclothes Officers

604.1 PURPOSE AND SCOPE
When officers assigned to plainclothes or undercover assignments contact subjects with the intent to detain or arrest them, it is important that the officers be clearly identifiable as police officers. When such contacts occur, and whenever practical, officers should don equipment that will enable them to be clearly and easily recognizable.

604.1.1 POLICY
The following guidelines are hereby established for the use of equipment used by plainclothes officers engaged in detention or arrest situations for the purpose of identifying themselves as police officers.

(a) Whenever practical, plainclothes officers who contact subjects with the intent to detain or arrest them should don equipment specifically utilized to identify them as police officers.

(b) Equipment utilized for identification purposes include, but are not limited to, visible police badges worn on the belt, hanging from the neck or affixed to outer clothing or ballistic vests and clothing or ballistic vests clearly marked with the word "POLICE" on both the front and back.

(c) Additional equipment, which would assist in identification, should also be worn when practical. This equipment could include exposed duty firearms, ammo or magazine containers, police radios and/or exposed handcuff cases.
U Visa Certification

605.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines and procedures for officers who receive requests for a U-Visa Certification (Form I-918, Supplement B).

605.2 INTRODUCTION AND ELIGIBILITY
Under certain circumstances federal law allows temporary immigration benefits to victims and certain family members of victims of certain qualifying crimes (8 U.S.C. §1101 (a) (15) (U). The purpose of the U-Visa is give victims of certain crimes temporary legal status and work eligibility in the United States for up to 4 years. To begin the process of applying for this benefit, a petition for a U-Visa from the U.S. Citizenship and Immigration Services must be completed on DHS Form I-918 and be certified by the designated certifying officer.

To be eligible for a U-Visa, victims must have suffered substantial physical or mental abuse due to a qualifying criminal activity, possess information concerning the qualifying criminal activity and be able to demonstrate they have been helpful, are being helpful or are likely to be helpful to law enforcement, prosecutors or other authorities in the investigation and that the crime occurred in the United States or violated the laws of the United States.

605.3 QUALIFYING CRIMINAL ACTIVITY
Under the relevant state and federal laws, qualifying criminal activity includes rape, torture, incest, human trafficking, domestic violence, abusive sexual assault, prostitution, sexual exploitation, female genital mutilation, being held hostage, peonage, perjury, involuntary servitude, slavery, kidnapping, abduction, unlawful criminal restraint, false imprisonment, blackmail, extortion, manslaughter, murder, felonious assault, witness tampering, obstruction of justice, fraud in foreign labor contracting, stalking, and other related crimes which include any similar activity where the elements of the crime is substantially similar to the above specified offenses. (Penal Code 679.10(c))

605.4 CERTIFYING AGENCY
The Anaheim Police Department qualifies as a certifying agency. The decision to certify a U-Visa application, however, is entirely up to the discretion of the Chief of Police or his/her designee.

605.5 CERTIFYING OFFICER
The Chief of Police has designated the Investigations Division Captain as the certifying officer for the Anaheim Police Department.

605.6 PROCEDURE
605.6.1 RECEIPT OF APPLICATIONS
All applications will be forwarded to the person designated at the Orange County Family Justice Center (OCFJC) to receive, complete, and process the U-Visa applications for the Anaheim Police Department.

Penal Code 679.10 mandates a certifying agency to complete U-Visa certification form I-918 Supplemental B, upon request and complete the certification within 90 days or within 14 days if the applicant is in immigration removal proceedings. Certifying agencies must report to the Legislature on or before January 1, 2017, and annually thereafter, the number of victims requesting certifications, the number of certificates signed, and the number of certificates denied. There is no statute of limitations that bars immigrant crime victims from applying for a U-Visa. Law enforcement can sign a certification at any time, and it can be submitted for a victim in an investigation or case that is already closed. This includes victims who are no longer in the United States.

605.6.2 INITIAL REVIEW
An initial review of the application to determine eligibility will be completed by the designated person at the OCFJC assigned to process the U-Visa applications for the Anaheim Police Department. The Anaheim Police Department will not certify the following applications:

(a) Applications containing inaccurate information.
(b) Applications that do not include all required information.
(c) Applicant/victim of qualifying crime was not helpful with the investigation and/or prosecution of the incident.

605.6.3 CERTIFICATION PROCESS
The person designated to review and process U-Visa applications will complete a single page summary sheet outlining the facts and either recommending or not recommending certification of the application. The summary will be attached to the application, along with a copy of the police report and any other documentation, and will be submitted to the OCFJC Section Commander for review. After review, the OCFJC Section Commander will submit the application with all documentation to the Investigations Division Captain for review and certification.

Upon certification, the Investigations Division Captain or his/her designee will ensure accurate records are kept of U-Visa certifications and will ensure the application is returned to the applicant or applicant's representative.

Applications denied certification for the reasons enumerated in 611.6.2 shall also be returned to the applicant or applicant's representative.

605.7 HUMAN TRAFFICKING T-VISA
Officers and their supervisors who are assigned to investigate a case of human trafficking shall complete the above process and documents needed for a T-Visa application within 15 business days of the first encounter with the victim, whether or not it is requested by the victim (Penal Code § 236.5).
Eyewitness Identification

606.1 PURPOSE AND SCOPE
This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques (Penal Code § 859.7).

606.1.1 DEFINITIONS
Definitions related to the policy include:

**Eyewitness identification process** - Any field identification, live lineup or photographic identification.

**Field identification** - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

**Live lineup** - A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

**Photographic lineup** - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

606.2 POLICY
The Anaheim Police Department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

606.3 INTERPRETIVE SERVICES
Members should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating member should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

606.4 EYEWITNESS IDENTIFICATION PROCESS AND FORM
The Investigations Division supervisor shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications.

The process should include appropriate forms or reports that provide (Penal Code § 859.7):

(a) The date, time and location of the eyewitness identification procedure.
(b) The name and identifying information of the witness.
Eyewitness Identification

(c) The name of the person administering the identification procedure.
(d) If applicable, the names of all of the individuals present during the identification procedure.
(e) An instruction to the witness that it is as important to exclude innocent persons as it is to identify a perpetrator.
(f) An instruction to the witness that the perpetrator may or may not be among those presented and that the witness is not obligated to make an identification.
(g) If the identification process is a photographic or live lineup, an instruction to the witness that the perpetrator may not appear exactly as he/she did on the date of the incident.
(h) An instruction to the witness that the investigation will continue regardless of whether an identification is made by the witness.
(i) A signature line where the witness acknowledges that he/she understands the identification procedures and instructions.
(j) A statement from the witness in the witness's own words describing how certain he/she is of the identification or non-identification. This statement should be taken at the time of the identification procedure.
(k) Any other direction to meet the requirements of Penal Code § 859.7, including direction regarding blind or blinded administrations and filler selection.

The process and related forms should be reviewed at least annually and modified when necessary.

606.5 EYEWITNESS IDENTIFICATION
Members are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case.

Members should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.
- Other witnesses have identified or failed to identify the individual as the suspect.

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

Whenever feasible, the eyewitness identification procedure should be audio and video recorded and the recording should be retained according to current evidence procedures (Penal Code § 859.7).

606.6 PHOTOGRAPHIC LINEUP AND LIVE LINEUP CONSIDERATIONS
When practicable, the member presenting the lineup should not be involved in the investigation of the case or know the identity of the suspect. In no case should the member presenting a lineup to a witness know which photograph or person in the lineup is being viewed by the witness (Penal
Eyewitness Identification

Code § 859.7). Techniques to achieve this include randomly numbering photographs, shuffling folders, or using a computer program to order the persons in the lineup.

Individuals in the lineup should reasonably match the description of the perpetrator provided by the witness and should bear similar characteristics to avoid causing any person to unreasonably stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup (Penal Code § 859.7).

The member presenting the lineup should do so sequentially (i.e., show the witness one person at a time) and not simultaneously. The witness should view all persons in the lineup.

A live lineup should only be used before criminal proceedings have been initiated against the suspect. If there is any question as to whether any criminal proceedings have begun, the investigating member should contact the appropriate prosecuting attorney before proceeding.

606.6.1 OTHER SAFEGUARDS
Witnesses should be asked for suspect descriptions as close in time to the incident as possible and before conducting an eyewitness identification. No information concerning a suspect should be given prior to obtaining a statement from the witness describing how certain he/she is of the identification or non-identification. Members should not say anything to a witness that that may validate or invalidate an eyewitness’ identification. In photographic lineups, writings or information concerning any previous arrest of a suspect shall not be visible to the witness (Penal Code § 859.7).

606.7 DOCUMENTATION
A thorough description of the eyewitness process and the result of any eyewitness identification should be documented in the case report.

If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report.

606.7.1 DOCUMENTATION RELATED TO RECORDINGS
The handling member shall document the reason that a video recording or any other recording of an identification was not obtained (Penal Code § 859.7).

606.7.2 DOCUMENTATION RELATED TO BLIND ADMINISTRATION
If a presentation of a lineup is not conducted using blind administration, the handling member shall document the reason (Penal Code § 859.7).

606.8 FIELD IDENTIFICATION CONSIDERATIONS
Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo or live lineup identifications.

When initiating a field identification, the member should observe the following guidelines:
Eyewitness Identification

(a) Obtain a complete description of the suspect from the witness.

(b) Assess whether a witness should be included in a field identification process by considering:

   (a) The length of time the witness observed the suspect.
   (b) The distance between the witness and the suspect.
   (c) Whether the witness could view the suspect’s face.
   (d) The quality of the lighting when the suspect was observed by the witness.
   (e) Whether there were distracting noises or activity during the observation.
   (f) Any other circumstances affecting the witness’s opportunity to observe the suspect.
   (g) The length of time that has elapsed since the witness observed the suspect.

(c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.

(d) When feasible, members should bring the witness to the location of the subject of the show-up, rather than bring the subject of the show-up to the witness.

(e) The person who is the subject of the show-up should not be shown to the same witness more than once.

(f) In cases involving multiple suspects, witnesses should only be permitted to view the subjects of the show-up one at a time.

(g) The person who is the subject of the show-up should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.
Unmanned Aerial System (UAS) Operations

607.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

607.1.1 DEFINITIONS
Definitions related to this policy include:

**Unmanned Aerial System (UAS)** - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means.

607.2 POLICY
Unmanned aerial systems may be utilized to enhance the department’s mission of protecting lives and property. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

607.3 PRIVACY
The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

607.4 PROGRAM COORDINATOR
The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies and procedures regarding use of the UAS.
- Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.
- Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.
Developing an operational protocol governing the deployment and operation of a UAS including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.

• Developing a protocol for fully documenting all missions.
• Developing a UAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
• Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
• Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
• Facilitating law enforcement access to images and data captured by the UAS.
• Recommending program enhancements, particularly regarding safety and information security.
• Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.

607.5 USE OF UAS
Only authorized operators who have completed the required training shall be permitted to operate the UAS.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

607.6 PROHIBITED USE
The UAS video surveillance equipment shall not be used:

• To conduct random surveillance activities.
• To target a person based solely on actual or perceived characteristics, such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
• To harass, intimidate, or discriminate against any individual or group.
• To conduct personal business of any type.

The UAS shall not be weaponized.
607.7 RETENTION OF UAS DATA
Data collected by the UAS shall be retained as provided in the established records retention schedule.
Warrant Service

608.1 PURPOSE AND SCOPE
This policy establishes guidelines for the planning and serving of arrest and search warrants by members of this department. It is understood that this policy cannot address every variable or circumstance that can arise in the service of a search or arrest warrant, as these tasks can involve rapidly evolving and unique circumstances.

This policy is intended to be used in conjunction with the Operations Planning and Deconfliction Policy, which has additional guidance on planning and serving high-risk warrants.

This policy is not intended to address the service of search warrants on locations or property already secured or routine field warrant arrests by patrol officers.

608.2 POLICY
It is the policy of the Anaheim Police Department to balance the safety needs of the public, the safety of department members, privacy interests and other relevant factors when making decisions related to the service of search and arrest warrants.

608.3 TACTICAL RESPONSE GROUP (TRG) LIEUTENANT (OPERATIONS DIRECTOR)
A TRG Lieutenant (see the Operations Planning and Deconfliction Policy) shall review all risk assessment forms with the involved supervisor to determine the risk level of the warrant service.

The Tactical Response Group (TRG) will have the responsibility to coordinate service of those warrants that are categorized as high-risk. Deconfliction, risk assessment, operational planning, briefing and debriefing should follow guidelines in the Operations Planning and Deconfliction Policy.

608.4 SEARCH WARRANTS
Officers should receive authorization from a supervisor before preparing a search warrant application. Once authorization is received, the officer will prepare the affidavit and search warrant, consulting with the applicable prosecuting attorney as needed. He/she will also complete the risk assessment form and submit it, along with the warrant affidavit, to the appropriate supervisor and a TRG Lieutenant for review and classification of risk (see the Operations Planning and Deconfliction Policy).

608.5 ARREST WARRANTS
All arrest warrants shall require a completed risk assessment form and submission to the appropriate supervisor and a TRG Lieutenant for review and classification of risk (see the Operations Planning and Deconfliction Policy).

If the warrant is classified as high-risk, service will be coordinated by the TRG. If the warrant is not classified as high-risk, the supervisor should weigh the risk of entry into a residence to make
an arrest against other alternatives, such as arresting the person outside the residence where circumstances may pose a lower risk.

608.6 WARRANT PREPARATION
An officer who prepares a warrant should ensure the documentation in support of the warrant contains as applicable:

(a) Probable cause to support the search or arrest, including relevant dates and times to demonstrate timeliness and facts to support any request for nighttime warrant execution.

(b) A clear explanation of the affiant’s training, experience and relevant education.

(c) Adequately supported opinions, when relevant, that are not left to unsubstantiated conclusions.

(d) A nexus between the place to be searched and the persons or items central to the investigation. The facts supporting this nexus should be clear and current. For example, the affidavit shall explain why there is probable cause to believe that a particular person is currently residing at a particular location or that the items sought are present at a particular location.

(e) Full disclosure of known or suspected residents at the involved location and any indication of separate living spaces at the involved location. For example, it should be disclosed that several people may be renting bedrooms at a single location, even if the exact location of the rooms is not known.

(f) A specific description of the location to be searched, including photographs of the location, if reasonably available.

(g) A sufficient description of the items to be seized.

(h) Full disclosure of any known exculpatory information relevant to the warrant application (refer to the Brady Material Disclosure Policy).

608.7 HIGH-RISK WARRANT SERVICE
The TRG or the authorized designee shall coordinate the service of warrants that are categorized as high-risk and shall have sole authority in determining the manner in which the warrant will be served, including the number of officers deployed.

The member responsible for directing the service should ensure the following as applicable:

(a) When practicable and when doing so does not cause unreasonable risk, video or photographic documentation is made of the condition of the location prior to execution of a search warrant. The images should include the surrounding area and persons present.

(b) The warrant service is audio- and video-recorded when practicable and reasonable to do so.

(c) Evidence is handled and collected only by those members who are designated to do so. All other members involved in the service of the warrant should alert one of the
Warrant Service

designated members to the presence of potential evidence and not touch or disturb the items.

(d) Reasonable efforts are made during the search to maintain or restore the condition of the location.

(e) Persons who are detained as part of the warrant service are handled appropriately under the circumstances.

(f) Reasonable care provisions are made for children and dependent adults (see the Child and Dependent Adult Safety Policy).

(g) A list is made of all items seized and a copy provided to the person in charge of the premises if present or otherwise left in a conspicuous place.

(h) A copy of the search warrant is left at the location.

(i) The condition of the property is documented with video recording or photographs after the search.

608.8 DETENTIONS DURING WARRANT SERVICE
Officers must be sensitive to the safety risks of all persons involved with the service of a warrant. Depending on circumstances and facts present, it may be appropriate to control movements of any or all persons present at a warrant service, including those who may not be the subject of a warrant or suspected in the case. However, officers must be mindful that only reasonable force may be used and weapons should be displayed no longer than the officer reasonably believes is necessary (see the Use of Force Policy).

As soon as it can be determined that an individual is not subject to the scope of a warrant and that no further reasonable suspicion or safety concerns exist to justify further detention, the person should be promptly released.

Officers should, when and to the extent reasonable, accommodate the privacy and personal needs of people who have been detained.

608.9 ACTIONS AFTER WARRANT SERVICE
The supervisor shall ensure that all affidavits, warrants, receipts and returns, regardless of any associated cases, are filed with the issuing judge or magistrate as soon as reasonably possible, but in any event no later than any date specified on the warrant.

608.10 OUTSIDE AGENCIES AND CROSS-JURISDICTIONAL WARRANTS
A TRG Lieutenant will ensure that cooperative efforts with other agencies in the service of warrants and high-risk warrants conform to existing mutual aid agreements or other memorandums of understanding and will work cooperatively to mitigate risks including, but not limited to, the following:

• Identity of team members
• Roles and responsibilities
Warrant Service

- Familiarity with equipment
- Rules of engagement
- Asset forfeiture procedures

Any outside agency requesting assistance in the service of a warrant within this jurisdiction should be referred to a TRG Lieutenant. A TRG lieutenant should review and confirm the warrant, including the warrant location, and should discuss the service with the appropriate supervisor from the other agency. ATRG lieutenant should ensure that members of the Anaheim Police Department are utilized appropriately. Any concerns regarding the requested use of Anaheim Police Department members should be brought to the attention of the Chief of Police or the authorized designee. The actual service of the warrant will remain the responsibility of the agency requesting assistance.

If a TRGLieutenant is unavailable, the Watch Commander should assume this role.

If officers intend to serve a warrant outside Anaheim Police Department jurisdiction, the supervisor of the warrant service should provide reasonable advance notice to the applicable agency, request assistance as needed and work cooperatively on operational planning and the mitigation of risks detailed in this policy.

Officers will remain subject to the policies of the Anaheim Police Department when assisting outside agencies or serving a warrant outside Anaheim Police Department jurisdiction.

608.11 MEDIA ACCESS
No advance information regarding warrant service operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the News Media Relations Policy.

608.12 TRAINING
The Training Sergeant should ensure officers receive periodic training on this policy and associated topics, such as legal issues, warrant preparation, warrant service and reporting requirements.
Brady Material Disclosure

609.1 PURPOSE AND SCOPE
This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachement information (so-called "Brady information") to a prosecuting attorney.

609.1.1 DEFINITIONS
Definitions related to this policy include:

*Brady information* - Information known or possessed by the Anaheim Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

609.2 POLICY
The Anaheim Police Department will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Anaheim Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

609.3 DISCLOSURE OF INVESTIGATIVE INFORMATION
Officers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer learns of potentially incriminating or exculpatory information any time after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor's office.

If information is believed to be privileged or confidential (e.g., confidential informant or protected personnel files), the officer should discuss the matter with a supervisor, the police legal advisor and/or the prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If an officer is unsure whether evidence or facts are material, the officer should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the Department case file.
609.4 DISCLOSURE OF PERSONNEL INFORMATION
Whenever it is determined that Brady information is located in the personnel file of a member of this department who is a material witness in a criminal case, the following procedure shall apply:

(a) In the event that a Pitchess motion has not already been filed by the criminal defendant or other party pursuant to Evidence Code § 1043, the prosecuting attorney shall be notified of the potential presence of Brady information in the officer's personnel file.

(b) The prosecuting attorney should then be requested to file a Pitchess motion in order to initiate an in camera review by the court.

(c) Any member who is the subject of such a motion shall be notified in writing that a motion has been filed.

(d) The Custodian of Records shall accompany all relevant files during any in camera inspection and address any issues or questions raised by the court in determining whether any information contained in the files is both material and favorable to the criminal defendant.

(e) If the court determines that there is relevant Brady information contained in the files, only that information ordered released will be copied and released to the parties filing the motion.

1. Prior to the release of any information pursuant to this process, the Custodian of Records should request a protective order from the court limiting the use of such information to the involved case and requiring the return of all copies upon completion of the case.

609.5 INVESTIGATING BRADY ISSUES
If the Department receives information from any source that a member may have issues of credibility, dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

609.6 TRAINING
Department members should receive periodic training on the requirements of this policy.
Operations Planning and Deconfliction

610.1 PURPOSE AND SCOPE
This policy provides guidelines for planning, deconfliction and execution of high-risk operations. Additional guidance on planning and serving high-risk warrants is provided in the Warrant Service Policy.

610.1.1 DEFINITIONS
Definitions related to this policy include:

**High-risk operations** - Operations, including service of search and arrest warrants and sting operations, that are likely to present higher risks than are commonly faced by officers on a daily basis, including suspected fortified locations, reasonable risk of violence or confrontation with multiple persons, or reason to suspect that persons anticipate the operation.

610.2 POLICY
It is the policy of the Anaheim Police Department to properly plan and carry out high-risk operations, including participation in a regional deconfliction system, in order to provide coordination, enhance the safety of members and the public, decrease the risk of compromising investigations and prevent duplicating efforts.

610.3 OPERATIONS DIRECTOR
The Chief of Police will designate the TRG Lieutenant to be the operations director.

The operations director will develop and maintain a risk assessment form to assess, plan and coordinate operations. This form should provide a process to identify high-risk operations.

The operations director will review risk assessment forms with involved supervisors to determine whether a particular incident qualifies as a high-risk operation. The Tactical Response Group (TRG) will have the responsibility for coordinating operations that are categorized as high-risk.

610.4 RISK ASSESSMENT

610.4.1 RISK ASSESSMENT FORM PREPARATION
Officers assigned as operational leads for any arrest or search warrant that involves entry into a business or dwelling shall complete a risk assessment form.

When preparing the form, the officer should query all relevant and reasonably available intelligence resources for information about the subject of investigation, others who may be present and the involved location. These sources may include regional intelligence and criminal justice databases, target deconfliction systems, firearm records, commercial databases and property records. Where appropriate, the officer should also submit information to these resources.

The officer should gather available information that includes, but is not limited to:
(a) Photographs, including aerial photographs, if available, of the involved location, neighboring yards and obstacles.

(b) Maps of the location.

(c) Diagrams of any property and the interior of any buildings that are involved.

(d) Historical information about the subject of investigation (e.g., history of weapon possession or use, known mental illness, known drug use, threats against police, gang affiliation, criminal history).

(e) Historical information about others who may be present at the location (e.g., other criminals, innocent third parties, dependent adults, children, animals).

(f) Obstacles associated with the location (e.g., fortification, booby traps, reinforced doors/windows, surveillance measures, number and type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations).

(g) Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service).

(h) Other available options that may minimize the risk to officers and others (e.g., making an off-site arrest or detention of the subject of investigation).

610.4.2 RISK ASSESSMENT REVIEW
Officers will present the risk assessment form and other relevant documents (such as copies of search warrants and affidavits and arrest warrants) to their supervisor and the operations director.

The supervisor and operations director shall confer and determine the level of risk. Supervisors should take reasonable actions if there is a change in circumstances that elevates the risks associated with the operation.

610.4.3 HIGH-RISK OPERATIONS
If the operations director, after consultation with the involved supervisor, determines that the operation is high risk, the operation will be turned over to TRG and they will:

(a) Determine what resources will be needed at the location, and contact and/or place on standby any of the following appropriate and available resources:

1. (TRG-Tactical Response Group)
2. Additional personnel
3. Outside agency assistance
4. Special equipment
5. Medical personnel
6. Persons trained in negotiation
7. Additional surveillance
Operations Planning and Deconfliction

8. Canines
9. Property and Evidence Detail or analytical personnel to assist with cataloguing seizures
10. Forensic specialists
11. Specialized mapping for larger or complex locations

(b) Contact the appropriate department members or other agencies as warranted to begin preparation.
(c) Ensure that all legal documents such as search warrants are complete and have any modifications reasonably necessary to support the operation.
(d) Coordinate the actual operation.

610.5 DECONFLICTION
Deconfliction systems are designed to identify persons and locations associated with investigations or law enforcement operations and alert participating agencies when others are planning or conducting operations in close proximity or time or are investigating the same individuals, groups or locations.

The officer who is the operations lead shall ensure the subject of investigation and operations information have been entered in an applicable deconfliction system to determine if there is reported conflicting activity. This should occur as early in the process as practicable, but no later than two hours prior to the commencement of the operation. The officer should also enter relevant updated information when it is received.

If any conflict is discovered, the supervisor will contact the involved jurisdiction and resolve the potential conflict before proceeding.

610.6 OPERATIONS PLAN
The TRG should ensure that a written operations plan is developed for all high-risk operations. Plans should also be considered for other operations that would benefit from having a formal plan.

The plan should address such issues as:

(a) Operation goals, objectives and strategies.
(b) Operation location and people:
   1. The subject of investigation (e.g., history of weapon possession/use, known mental illness issues, known drug use, threats against police, gang affiliation, criminal history)
   2. The location (e.g., fortification, booby traps, reinforced doors/windows, surveillance cameras and/or lookouts, number/type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces,
Operations Planning and Deconfliction

availability of keys/door combinations), including aerial photos, if available, and maps of neighboring yards and obstacles, diagrams and other visual aids

3. Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service)

4. Identification of other people who may be present in or around the operation, such as other criminal suspects, innocent third parties and children

(c) Information from the risk assessment form by attaching a completed copy in the operational plan.

1. The volume or complexity of the information may indicate that the plan includes a synopsis of the information contained on the risk assessment form to ensure clarity and highlighting of critical information.

(d) Participants and their roles.

1. An adequate number of uniformed officers should be included in the operation team to provide reasonable notice of a legitimate law enforcement operation.

2. How all participants will be identified as law enforcement.

(e) Whether deconfliction submissions are current and all involved individuals, groups and locations have been deconflicted to the extent reasonably practicable.

(f) Development of a communications plan to include identification of all communications channels and call-signs.

(g) Use of force issues.

(h) Contingencies for handling medical emergencies (e.g., services available at the location, closest hospital, closest trauma center).

(i) Plans for detaining people who are not under arrest.

(j) Contingencies for handling children, dependent adults, animals and other people who might be at the location in accordance with the Child Abuse, Adult Abuse, Child and Dependent Adult Safety and Animal Control policies.

(k) Responsibilities for writing, collecting, reviewing and approving reports.

610.6.1 OPERATIONS PLAN RETENTION
Since the operations plan contains intelligence information and descriptions of law enforcement tactics, it shall not be filed with the report. The operations plan shall be stored separately and retained in accordance with the established records retention schedule.

610.7 OPERATIONS BRIEFING
A briefing should be held prior to the commencement of any high-risk operation to allow all participants to understand the operation, see and identify each other, identify roles and responsibilities and ask questions or seek clarification as needed. Anyone who is not present at the briefing should not respond to the operation location without specific supervisory approval.
(a) The briefing should include a verbal review of plan elements, using visual aids, to enhance the participants’ understanding of the operations plan.

(b) All participants should be provided a copy of the operations plan and search warrant, if applicable. Participating personnel should be directed to read the search warrant and initial a copy that is retained with the operation plan. Any items to be seized should be identified at the briefing.

(c) The TRG shall ensure that all participants are visually identifiable as law enforcement officers.

1. Exceptions may be made by the TRG for officers who are conducting surveillance or working under cover. However, those members exempt from visual identification should be able to transition to a visible law enforcement indicator at the time of enforcement actions, such as entries or arrests, if necessary.

(d) The briefing should include details of the communications plan.

1. It is the responsibility of the operations director to ensure that the Communications Center is notified of the time and location of the operation, and to provide a copy of the operation plan prior to officers arriving at the location.

2. If the radio channel needs to be monitored by the Communications Center, the dispatcher assigned to monitor the operation should attend the briefing, if practicable, but at a minimum should receive a copy of the operation plan.

3. The briefing should include a communications check to ensure that all participants are able to communicate with the available equipment on the designated radio channel.

610.8 TRG-TACTICAL RESPONSE GROUP PARTICIPATION

If the operations director determines that TRG-Tactical Response Group participation is appropriate, the TRG-Tactical Response Group shall develop a written plan. The TRG-Tactical Response Group shall assume operational control until all persons at the scene are appropriately detained and it is safe to begin a search. When this occurs, the TRG-Tactical Response Group shall transfer control of the scene to the handling supervisor. This transfer should be communicated to the officers present.

610.9 MEDIA ACCESS

No advance information regarding planned operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the News Media Relations Policy.

610.10 OPERATIONS DEBRIEFING

High-risk operations should be debriefed as soon as reasonably practicable. The debriefing should include as many participants as possible. This debrief may be separate from any TRG-Tactical Response Group debriefing.
Operations Planning and Deconfliction

610.11 TRAINING
The Training Sergeant should ensure officers and TRG-Tactical Response Group team members who participate in operations subject to this policy should receive periodic training including, but not limited to, topics such as legal issues, deconfliction practices, operations planning concepts and reporting requirements.
Chapter 7 - Equipment
700.1 PURPOSE AND SCOPE
Department employees are expected to properly care for department property assigned or entrusted to them. Employees may also suffer occasional loss or damage to personal or department property while performing their assigned duty. Certain procedures are required depending on the loss and ownership of the item.

700.2 CARE OF DEPARTMENTAL PROPERTY
Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of department property assigned or entrusted to them. An employee’s intentional or negligent abuse or misuse of department property may lead to discipline including, but not limited to the cost of repair or replacement.

(a) Employees shall promptly report through their chain of command, any loss, damage to, or unserviceable condition of any department issued property or equipment assigned for their use.

(b) The use of damaged or unserviceable department property should be discontinued as soon as practical and replaced with comparable Department property as soon as available and following notice to a supervisor.

(c) Except when otherwise directed by competent authority or required by exigent circumstances, department property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.

(d) Department property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without approval of a supervisor.

(e) In the event that any Department property becomes damaged or unserviceable, no employee shall attempt to repair the property without prior approval of a supervisor.

(f) In the event that an employee’s department issued ballistic vest is replaced for any reason including, but not limited to, being damaged, unserviceable, or exceeding the manufacturers recommended service life, the employee shall return the used vest to the Property Division upon the receipt of a replacement vest.

700.3 FILING CLAIMS FOR PERSONAL PROPERTY
Claims for reimbursement for damage or loss of personal property must be made on the proper form. This form is submitted to the employee’s immediate supervisor. The supervisor may require a separate written report of the loss or damage.

The supervisor shall direct a memo to the appropriate Division Commander, which shall include the results of his/her investigation and whether the employee followed proper procedures. The
supervisor's report shall address whether reasonable care was taken to prevent the loss or
damage.

Upon review by staff and a finding that no misconduct or negligence was involved, repair or
replacement may be recommended by the Chief of Police who will then forward the claim to the
Finance Department.

The Department will not replace or repair luxurious or overly expensive items (jewelry, exotic
equipment, etc.) that are not reasonably required as a part of work.

700.3.1 REPORTING REQUIREMENT
A verbal report shall be made to the employee's immediate supervisor as soon as circumstances
permit.

A written report shall be submitted before the employee goes off duty or within the time frame
directed by the supervisor to whom the verbal report is made.

700.4 LOSS OR DAMAGE OF PROPERTY OF ANOTHER
Officers and other employees intentionally or unintentionally may cause damage to the real or
personal property of another while performing their duties. Any employee who damages or causes
to be damaged any real or personal property of another while performing any law enforcement
functions, regardless of jurisdiction, shall report it as provided below.

(a) A verbal report shall be made to the employee's immediate supervisor as soon as
circumstances permit.

(b) A written report shall be submitted before the employee goes off duty or within the
time frame directed by the supervisor to whom the verbal report is made.

700.4.1 DAMAGE BY PERSON OF ANOTHER AGENCY
If employees of another jurisdiction cause damage to real or personal property belonging to the
City of Anaheim, it shall be the responsibility of an Anaheim officer present or the Anaheim officer
responsible for the Department property to make a verbal report to his or her immediate supervisor
as soon as circumstances permit. The officer shall submit a written report before going off duty or
as otherwise directed by the supervisor. These written reports, accompanied by the supervisor's
written report, shall promptly be forwarded to the appropriate Division Commander.

If an officer's personal property is damaged as a result of the actions by an employee of another
jurisdiction, the officer must submit a claim to that city or jurisdiction for reimbursement for or
replacement of the damaged property.
Personal Radiation Detector (PRD)

701.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for personnel who are trained and equipped with a Polimaster Personal Radiation Detector (PRD). Uniform or plainclothes officers can wear a PRD while working at any of the Anaheim venues (Angel Stadium, Honda Center, Convention Center or Downtown Disney).

701.2 BACKGROUND
In a continual effort to prepare for incidents involving chemical, biological, radiological and nuclear weapons (CBRN), the Anaheim Police Department-Special Field Services Division has been issued PRDs to provide personnel with an early detection of unexpected potential radiation sources.

The PRD is a gamma radiation detector specifically designed for use in the detection and location of gamma radiological materials. Radiation is not detectable by human senses. The source of radiation can come in liquid, powder or solid forms, but are generally metallic. They come in all shapes and sizes and are not recognizable unless appropriately marked. PRDs measure radiation from microRem (R) to Rem (R), and have a crystal inside of them which requires no calibration.

701.3 DEFINITIONS
- Rem (R): A unit of measurement for a dose of radiation. When the PRD reads "R," this is a dangerous emergency situation. Immediately implement the appropriate safety protocols.
- milliRem (mR): A unit of measurement for a smaller dose of radiation. This is below a harmful level for personnel, but officers should start planning for a possible response.
- microRem (R): A unit of measurement for an even smaller dose of radiation. This is every day, background radiation which is not harmful to personnel.
- R/h: A dose rate of radiation measured in hourly increments (microRem per hour).

701.4 COMMON INNOCENT RADIATION SOURCES
Medical Isotopes: These might be in a person's bloodstream, medication or implanted as pellets. Someone who has received radiation as part of a medical treatment/procedure might trigger a PRD activation for up to several days after the medical treatment.

There are many commercial products that may also contain radioactive materials. Some of these are marble, concrete, slate, granite, fertilizers, some agricultural products, some antique items, camera lenses, lantern mantles, propane tanker trucks and smoke detectors.
701.5 FALSE ALARM
Due to their low detection capability, the PRD may occasionally produce random "false alarms." Factors such as ambient background of old building materials or concrete may cause false alarm activations. A false alarm activation is random and has an irregular audible tone or vibration. A false alarm is distinguishable from a true alarm signal that has a continuous repetition rate or increases as the PRD moves closer to a radiation source.

701.6 PROCEDURES
Personnel shall not attempt to change the factory set threshold setting on the PRDs. The PRD is very sensitive and will detect extremely low levels of radiation long before it is harmful to personnel. The PRD should be carried on vibrate mode. The PRD operates on one AA battery. The low battery indicator will display on the PRD. Replace the battery when needed. There are two white buttons to the right of the PRD's display screen:

- Push the top button to turn on the PRD. The PRD will cycle through a function check and calibration.
- Bottom button is the light button. When not using the PRD, hold the bottom button down continuously for 6-7 seconds to turn the PRD off.

There are three different display screens:

- 1st screen: Will show a reading of "0-9." This is the normal viewing screen.
- 2nd screen: Will show the dose rate exposure level (this is usually the every day/background exposure).
- 3rd screen: Will show the overall accumulative dose exposure to that particular PRD.

Officers should avoid getting any closer than necessary to a radioactive source with a PRD reading of "8" (radiation intensity of approximately 2 milliRem/hour), even though a sustained reading of "8" is below a harmful level to personnel.

If the PRD alerts (vibrates), personnel should do the following:

- Determine if the source of radiation is static or mobile. If the radiation level on the PRD continues at a sustained level, the source is likely to be static. If the radiation level increases or decreases, the source is likely to be mobile.
- If the PRD reads a sustained "8" or above:
  - Attempt to pinpoint the source of the radiation. Try to determine if the source is emitting from a person, bag and/or vehicle. When available, request another officer with a PRD to assist in the screening of multiple items (persons, bags and/or vehicle). Safely separating the bags/vehicle from the person of at least three feet will help aid the screening process. Officers should make note of their observations so they can later document their reasonable suspicion as they are
checking their surroundings and pinpointing the source. Maintain good officer safety. Also be cognizant of possible secondary devices or sources.

- Establish containment. The size of the containment and evacuation area will be dependent on the sustained radiation level. The perimeter of the containment should be at the point where the sustained radiation level changes from "8" to "7."

- DO NOT TOUCH the source once it has been identified. Officers should utilize time, distance and shielding to protect themselves and others until specialized resources arrive, if needed.

- If you are unable to clear the source of the radiation, notify your Supervisor.

- After conducting your initial assessment, if necessary, notify the Orange County Sheriff Department's (OCSD) Bomb Squad, the Anaheim Fire Department (AFD) Hazmat Team, APD Criminal Intelligence/Homeland Security Detail and Orange County Health Hazmat. After making the notifications, isolate the area, secure the appropriate evacuation perimeter and wait for the necessary resources to arrive.

- If the PRD reads a sustained number below "8."
  - Attempt to pinpoint the specific source of the radiation.
  - Determine if a threat exists or if there is a plausible reason for the PRD reading (i.e., a person has had recent medical radiation treatment).
  - If you believe the source of the radiation is suspicious or illicit (i.e., terrorism), notify the OCSD’s Bomb Squad, AFD Hazmat Team and APD Criminal Intelligence/Homeland Security Detail and Orange County Health Hazmat. Be prepared to answer if this person(s) was carrying radioactive material for illicit purposes.
  - Contain the scene, secure the appropriate evacuation perimeter and DO NOT TOUCH the source. Officers shall utilize time, distance and shielding to protect themselves and others until specialized resources arrive, if needed.

- If the PRD alerts, but the radiation level rapidly decreases, the source is likely to be mobile:
  - Attempt to identify the source of the radiation (i.e., person walking or driving by).
  - If the source is located, determine if a threat exists or if there is an innocent reason for the PRD reading.
  - If you believe the source of the radiation is suspicious or illicit (i.e., terrorism), notify the OCSD’s Bomb Squad, AFD Hazmat Team, APD Criminal Intelligence/ Homeland Security Detail and Orange County Health Hazmat. Be prepared to answer if this person(s) was carrying radioactive material for illicit purposes.
Each situation is unique and should be assessed based on the circumstances. Officers shall consider officer safety, public safety and other risk factors in determining whether to stop, follow or conduct surveillance on the subject.

**IF YOU DEEM THE ITEM "SUSPICIOUS," THEN CONSIDER IT A POSSIBLE IED (aka BOMB) AND IMMEDIATELY INITIATE THE APPROPRIATE EVACUATION AND PERIMETER PROTOCOLS AND MAKE THE NECESSARY NOTIFICATIONS. DO NOT TOUCH OR DISTURB THE ITEM.**

701.7 **MALFUNCTION OF THE PRD**
If you believe the PRD is malfunctioning, do the following:

- Turn off and restart the PRD. If the malfunction continues to exist, remove the battery and then restart the PRD.
- If the malfunction continues, request a second PRD to your location to verify the error.

701.8 **DAMAGE TO THE PRD**
If a PRD is lost or damaged, notify your Supervisor who will write an Unusual Occurrence report. Your Supervisor will contact O.C. Environmental Health Hazmat Team Supervisor Darwin Cheng to get the PRD repaired or replaced.
Personal Communication Devices

702.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Department or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs), wireless capable tablets and similar wireless two-way communications and/or portable Internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games and accessing sites or services on the Internet.

702.2 POLICY
The Anaheim Police Department allows members to utilize department-issued PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations.

The inappropriate use of a PCD while on-duty may impair officer safety. Additionally, members are advised and cautioned that the use of a personally owned PCD either on-duty or after duty hours for business-related purposes may subject the member and the member's PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory personnel.

702.3 PRIVACY EXPECTATION
Members shall have no expectation of privacy with regard to any communication made with or stored in or through PCDs issued by the Department. The use of any department-provided or -funded PCD, computer, Internet service, telephone service or other wireless service is without any expectation of privacy that the member might otherwise have in any communication, including the content of any such communication.

The interception and monitoring of communication and information on PCDs will be done in accordance with City of Anaheim Administrative Regulation 410, which states in part:

The City does not randomly nor routinely monitor or intercept electronic communications nor is any City officer, employee, agent, or representative authorized to monitor or intercept an electronic communications except under the following circumstances and for the following purposes;

(a) Any activity necessary to the provision of service including, without limitation, the maintenance or repair or any communications equipment or software, the retrieval of lost messages, or for the protection of the rights and property of the City;
Personal Communication Devices

(b) Assistance to persons or entities authorized by law to intercept electronic communication or to conduct electronic surveillance provided the City is provided with or obtains a court order or other lawful authorization;

(c) Person is a party to the communication or one of the parties to the communication has given prior consent to such interception;

(d) The electronic communication intercepted is made through an electronic communication system which is configured so the electronic communication is readily accessible to the public;

(e) The logging of statistical information concerning the use of or activity upon any electronic communication system including, without limitation, Internet use statistics and access information for individual users which statistical information may be compiled and forwarded for management review;

(f) Monitoring of communication with the public to assure the quality of public service;

(g) Any other purposes as authorized by any provision of law.

As practicable, searches of Department assigned PCDs will be done in the presence of the affected member. All such searches shall be fully documented in a written report.

702.3.1 CALIFORNIA ELECTRONIC COMMUNICATIONS PRIVACY ACT (CALECPA)

No member is authorized to be the sole possessor of a department-issued PCD. Department-issued PCDs can be retrieved, reassigned, accessed or used by any member as directed by a supervisor without notice. Member use of a department-issued PCD and use of a personal PCD at work or for work-related business constitutes specific consent for access for department purposes. Prior to conducting an administrative search of a PCD, supervisors should consult legal counsel to ensure access is consistent with CalECPA (Penal Code § 1546; Penal Code § 1546.1).

702.4 DEPARTMENT-ISSUED PCD

Depending on a member’s assignment and the needs of the position, the Department may, at its discretion, issue a PCD. Department-issued PCDs are provided as a convenience to facilitate on-duty performance only. Such devices and the associated telephone number shall remain the sole property of the Department and may be subject to inspection or monitoring (including all related records and content) at any time without notice.

702.5 PERSONALLY OWNED PCD

Members may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

(a) The Department accepts no responsibility for loss of or damage to a personally owned PCD.

(b) The PCD and any associated services shall be purchased, used and maintained solely at the member’s expense.
(c) Members will have a reduced expectation of privacy when using a personally owned PCD in the workplace and have no expectation of privacy with regard to any department business-related communication.

(d) The device shall not be utilized to record or disclose any business-related information, including photographs, video or the recording or transmittal of any information or material obtained or made accessible as a result of employment with the Department, without the express authorization of the Chief of Police or the authorized designee.

(e) All work-related documents, emails, photographs, recordings or other public records created or received on a member’s personally owned PCD should be transferred to the Anaheim Police Department and deleted from the member’s PCD as soon as reasonably practicable but no later than the end of the member’s shift.

702.6 USE OF PCD
The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business:

(a) A PCD shall not be carried in a manner that allows it to be visible while in uniform, unless it is in an approved carrier.

(b) Personal use of Department issued PCDs shall be permitted provided such use is limited to occasions where reasonably necessary, such use does not interfere with the duties of the member or the operations of the Department.

(c) Members may use a PCD to communicate with other personnel in situations where the use of radio communications is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid, or in lieu of regular radio communications.

(d) Disclosure of any unauthorized pictures, video, audio recordings or media to any third party through any means, without the express authorization of the Chief of Police or the authorized designee, may result in discipline.

(e) Using PCDs to harass, threaten, coerce or otherwise engage in inappropriate conduct with any third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

702.7 SUPERVISOR RESPONSIBILITIES
The responsibilities of supervisors include, but are not limited to:

(a) Ensuring that members under their command are provided appropriate training on the use of PCDs consistent with this policy.

(b) Monitoring, to the extent practicable, PCD use in the workplace.

702.8 USE WHILE DRIVING
The use of a PCD while driving can adversely affect safety, cause unnecessary distractions and present a negative image to the public. Officers operating emergency vehicles should restrict the
use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

Members who are operating department vehicles that are not authorized emergency vehicles shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use. In an emergency, a wireless phone may be used to place an emergency call to the Department or other emergency services agency (Vehicle Code § 23123; Vehicle Code § 23123.5).
Use of Red / Blue Dash Lights in Unmarked Cars

703.1 PURPOSE AND SCOPE
When officers assigned to plain-clothes or undercover assignments contact subjects with the intent to detain or arrest them, it is important that the officers be clearly identifiable as police officers. When such contacts occur while the officers are in unmarked vehicles, the use of red and blue lights in or affixed to the vehicle can assist in this effort.

703.1.1 POLICY
The following guidelines are hereby established for the use of red and blue dash lights in unmarked cars.

(a) Whenever possible, officers in marked police units should be utilized to make car stops on moving vehicles. Car stops should not be made by plain-clothes officers in unmarked cars not code three equipped (red light affixed to front and siren).

(b) Officers utilizing red and blue lights in or affixed to their unmarked cars shall obey all traffic laws unless their vehicle is equipped with a siren that is sounded as may be reasonably necessary, a red light is visible from the front of the vehicle, they are in response to an emergency call or are in immediate pursuit of an actual or suspected violator of the law, and they drive with due regard for the safety of all persons using the highway (21055 CVC, 21056 CVC).
Vehicle Maintenance

704.1 PURPOSE AND SCOPE
Employees are responsible for assisting in maintaining Department vehicles so that they are properly equipped, properly maintained, properly refueled and present a clean appearance.

704.2 DEFECTIVE VEHICLES
When a Department vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service for repair. Proper documentation shall be promptly completed by the employee who first becomes aware of the defective condition, describing the correction needed. The paperwork shall be promptly forwarded to vehicle maintenance for repair via the Property Detail.

704.2.1 SEVERE USE
Vehicles operated under severe-use conditions, which include operations for which the vehicle is not designed or that exceed the manufacturer’s parameters, should be removed from service and subjected to a safety inspection as soon as practicable. Such conditions may include rough roadway or off-road driving, hard or extended braking, pursuits or prolonged high-speed operation.

704.2.2 DAMAGE OR POOR PERFORMANCE
Vehicles that may have been damaged, or perform poorly shall be removed from service for inspections and repairs as soon as practicable.

704.3 VEHICLE EQUIPMENT
Certain items shall be maintained in all department vehicles for emergency purposes and to perform routine duties.

704.3.1 PATROL VEHICLES
Officers shall inspect the patrol vehicle at the beginning of the shift and ensure that the following equipment, at a minimum, is present in the vehicle:

- Emergency road flares
- 1 Roll barricade tape
- 1 First aid kit
- 1 Fire extinguisher
- Personal Protective Equipment per § 1016 and § 1024

704.3.2 UNMARKED VEHICLES
An employee driving unmarked Department vehicles shall ensure that the minimum following equipment is present in the vehicle:

- 1 First aid kit
704.4 VEHICLE REFUELING
Absent emergency conditions or supervisor approval, officers driving patrol vehicles shall not place a vehicle in service that has less than one-quarter tank of fuel. Vehicles shall only be refueled at the authorized location.

704.5 WASHING OF VEHICLES
All units shall be kept clean at all times and weather conditions permitting, shall be washed as necessary to enhance their appearance.

Officers in patrol shall obtain clearance from the dispatcher before responding to the car wash. Only one marked unit should be at the car wash at the same time unless otherwise approved by a supervisor.

Employees using a vehicle shall remove any trash or debris at the end of their shift. Confidential material should be placed in a designated receptacle provided for the shredding of this matter.
Chapter 8 - Support Services
Crime Analysis

800.1 PURPOSE AND SCOPE
Crime analysis should provide currently useful information to aid operational personnel in meeting their tactical crime control and prevention objectives by identifying and analyzing methods of operation of individual criminals, providing crime pattern recognition, and providing analysis of data from field interrogations and arrests. Crime analysis can be useful to the Department's long range planning efforts by providing estimates of future crime trends and assisting in the identification of enforcement priorities.

800.2 DATA SOURCES
Crime analysis data is extracted from many sources including, but not limited to:

- Crime reports
- Field Interview cards
- Parole and Probation records
- Computer Aided Dispatch data
- Statewide Integrated Traffic Reporting System (SWITRS)

800.3 CRIME ANALYSIS FACTORS
The following minimum criteria should be used in collecting data for Crime Analysis:

- Frequency by type of crime
- Geographic factors
- Temporal factors
- Victim and target descriptors
- Suspect descriptors
- Suspect vehicle descriptors
- Modus operandi factors
- Physical evidence information

800.4 CRIME ANALYSIS DISSEMINATION
For a crime analysis system to function effectively, information should be disseminated to the appropriate units or persons on a timely basis. Information that is relevant to the operational and tactical plans of specific line units should be sent directly to them. Information relevant to the development of the Department's strategic plans should be provided to the appropriate staff units. When information pertains to tactical and strategic plans, it should be provided to all affected units.
Communication Operations

801.1 PURPOSE AND SCOPE
The basic function of the communications system is to satisfy the immediate information needs of the law enforcement agency in the course of its normal daily activities and during emergencies. The latter situation places the greatest demands upon the communications system and tests the capability of the system to fulfill its functions. Measures and standards of performance are necessary to assess the effectiveness with which any department, large or small, uses available information technology in fulfillment of its missions.

801.1.1 FCC COMPLIANCE
Anaheim Police Department radio operations shall be conducted in accordance with Federal Communications Commission (FCC) procedures and guidelines.

801.2 COMMUNICATION OPERATIONS
This department provides 24-hour telephone service to the public for information or assistance that may be needed in emergencies. The ability of citizens to telephone quickly and easily for emergency service is critical. This department provides access to the 911 system for a single emergency telephone number. This department has two-way radio capability providing continuous communication between the Communications Center and officers.

801.2.1 COMMUNICATIONS LOG
The Communications Bureau is responsible for recording relevant information on incidents for criminal and non-criminal service or self-initiated activity. Employees shall attempt to quickly elicit as much information as possible to enhance the safety of the officer and assist in anticipating conditions to be encountered at the scene. Desirable information would include, at a minimum, the following:

- Name and address of complainant, if possible;
- Type of incident reported;
- Location of incident reported

801.3 RADIO COMMUNICATIONS
Operations are more efficient and officer safety is enhanced when dispatchers, supervisors, and fellow officers know the status of officers, their locations and the nature of cases.

801.3.1 OFFICER IDENTIFICATION
Identification systems are based on factors such as beat assignment and officer identification numbers. Employees should use the entire call sign when initiating communication with the dispatcher. The use of the call sign allows for a brief pause so that the dispatcher can acknowledge the appropriate unit. Employees initiating communication with other agencies shall use their entire call sign. This requirement does not apply to continuing conversation between the mobile unit and dispatcher once the mobile unit has been properly identified.
801.3.2 COMMUNICATING FIELD ACTIVITY
All personnel shall notify Communications, via the primary radio frequency, of any self-initiated field activity including but not limited to car stops, pedestrian checks, investigative follow-up, flag downs, etc. When practicable, personnel shall call in the activity prior to initiating the car stop, investigative activity or contact. All communications should be concise, using proper radio codes/terminology to describe the nature of the activity along with the specific location.

801.3.3 FIELD ACTIVITY RECORDS CHECK
It may become necessary to obtain additional information on a subject or vehicle after making contact. This can include CAD/RMS queries on a location, person, or vehicle. These additional queries should be completed via an alternate radio frequency, such as Purple Channel, by contacting the secondary dispatcher on Green-2 or via the MDC.

801.4 AUTOMATIC VEHICLE LOCATOR (AVL)
The AVL system allows the Anaheim Police Department to more efficiently allocate limited resources to maximize efficiency in delivering public service and to enhance the safety of the public and our officers in the field. This policy outlines the procedures by which Communications and other Department personnel will use and access the AVL system.

801.4.1 USE OF AVL
(a) AVL will be utilized in both emergency and non-emergency situations to assist Communications Personnel, Supervisors and mobile users with resource management and allocation.

(b) The AVL system allows the mobile user to view his / her vehicle location and the locations of other mobile users in the field.

(c) The AVL system and its playback feature may be used to assist in criminal and administrative inquiries and investigations.

(d) PRIORITY ONE CALLS FOR SERVICE: Communications will immediately send the closest available patrol, traffic or K-9 unit based on AVL information. If the call has exigent circumstances, any other sworn uniformed personnel including CPT, Safe Schools Officers, Gang Suppression Units, and Field Supervisors can be dispatched.

(e) PRIORITY TWO CALLS FOR SERVICE: If no District Unit is available, Communications will locally broadcast the information to district units to clear and respond. After one minute, if no district unit is available, Communications will immediately send the closest available patrol or K-9 unit.

(f) PRIORITY THREE, FOUR AND FIVE CALLS FOR SERVICE: These calls will remain in the pending call queue until an officer self-dispatches to an incident. Patrol Officers and Field Supervisors will continually monitor the queue, including the details of pending incidents, giving consideration to calls with potential to escalate in priority, to determine the order in which they will respond. They will work diligently to ensure calls are being handled appropriately.
(g) OFFICER INITIATED REQUEST FOR ASSISTANCE: Any time an officer requests an additional unit for assistance, regardless of the priority of response for the follow-up request, AVL will be used in order to send the closest available unit.

801.4.2 RECEIVING AND RESPONDING TO CALLS IN WHICH AVL IS USED
In the event that an officer disagrees with an assigned call or the method of dispatch, the officer is expected to properly handle the call and discuss the situation with his/her supervisor at the conclusion of the call, unless by waiting to do so, he/she would jeopardize his/her safety, the safety of others or cause embarrassment to the department. In this situation, the officers should immediately contact a field supervisor to assist in resolving the problem with dispatch. Field Sergeants, not individual patrol officers, will be responsible for resolving communication issues with the Communications Supervisor.

AVL dispatching may be used in any situation where the safety of the officer(s) will be enhanced by the use of AVL.

801.4.3 TAMPERING WITH AVL
Officers shall not tamper with or modify the system, signal or antenna in any manner. If a user becomes aware of a malfunction with the AVL system, or suspects it has been tampered with, he or she shall notify a supervisor and the Communications Center immediately.
Property and Evidence

802.1 PURPOSE AND SCOPE
This policy provides for the proper collection, storage, and security of evidence and other property. Additionally, this policy provides for the protection of the chain of evidence and identifies those persons authorized to remove and/or destroy property.

802.2 DEFINITIONS
Property - Includes all items of evidence, items taken for safekeeping and found property.
Evidence - Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes photographs and latent fingerprints.
Safekeeping - Includes the following types of property:
  • Property obtained by the Department for safekeeping such as a firearm
  • Personal property of an arrestee not taken as evidence
  • Property taken for safekeeping under authority of a law (e.g., Welfare and Institutions Code § 5150 (mentally ill persons))
Found property - Includes property found by an employee or citizen that has no apparent evidentiary value and where the owner cannot be readily identified or contacted.

802.3 PROPERTY HANDLING
Any employee who first comes into possession of any property shall retain such property in his/her possession until it is properly tagged and placed in an evidence locker, designated storage area, or direct transfer to a Property and Evidence Technician. An employee may designate another to handle such property or evidence, so long as this transfer is documented and the property or evidence is inventoried. Care shall be taken to maintain the chain of custody for all evidence.

Where ownership can be established as to found property with no apparent evidentiary value, such property may be released to the owner without the need for booking. The property form must be completed to document the release of property not booked and the owner shall sign the form acknowledging receipt of the items.

802.3.1 PROCESSING PROPERTY AND EVIDENCE
Property or evidence which has been discovered, gathered, or received in connection with Departmental responsibilities will be processed in accordance with established Departmental procedures.

802.3.2 PROPERTY BOOKING PROCEDURE
All property must be booked prior to the employee going off-duty unless otherwise approved by a supervisor. Employees booking property shall observe the following guidelines:
(a) Enter each item into the Records Management System describing each item of property separately, listing all serial numbers, owner’s name, finder’s name, and other identifying information or markings.

(b) Barcode each item of evidence so as not to deface or damage the value of the property.

(c) When complete, place the evidence in an appropriate sized evidence locker and close the door, making sure it is secure. Ensure the package is actually stored in the area designated in the Records Management System (evidence locker, vestibule, evidence cages, Forensics, etc.). Print the barcode and attach it to each package or envelope in which the property is stored.

(d) When the property is too large to be placed in a locker, the item may be retained in the Property and Evidence vestibule or in one of outdoor evidence cages located outside the building, adjacent to the shipping and receiving bay door. Bicycles shall be booked into the Records Management System similar to other items. Bicycles shall be tagged and stored in one of the outdoor evidence cages.

802.3.3 NARCOTICS AND DANGEROUS DRUGS
All narcotics and dangerous drugs shall be booked separately using the Records Management System. Paraphernalia as defined by Health and Safety Code § 11364 shall also be booked separately.

The officer seizing the narcotics and dangerous drugs shall place them in the narcotic locker.

802.3.4 EXPLOSIVES
Officers who encounter a suspected explosive device shall promptly notify their immediate supervisor or the Watch Commander. The bomb squad will be called to handle explosive-related incidents and will be responsible for the handling, storage, sampling and disposal of all suspected explosives.

Explosives will not be retained in the police facility. Only fireworks that are considered stable and safe and road flares or similar signaling devices may be booked into property. All such items shall be stored in proper containers and in an area designated for the storage of flammable materials. The Property and Evidence Technician is responsible for transporting to the Fire Department, on a regular basis, any fireworks or signaling devices that are not retained as evidence.

All ammunition, that is deemed safe, shall be booked via the Records Management System like any other normal item.

802.3.5 EXCEPTIONAL HANDLING
Certain property items require a separate process. The following items shall be processed in the described manner:

(a) Bodily fluids such as blood or semen stains shall be air dried prior to booking.
(b) License plates found not to be stolen or connected with a known crime, should be entered into the Records Management System and released directly to the Property and Evidence Technician, or placed in the designated container for return to the Department of Motor Vehicles. No formal property booking process is required.

(c) All bicycles and bicycle frames shall be entered into the Records Management System. A barcode will be securely attached to each bicycle or bicycle frame. The bicycle may be released directly to the Property and Evidence Technician, or placed in one of the outdoor evidence cages or the bicycle storage area until a Property and Evidence Technician can book the property.

(d) Money shall be booked directly into the Records Management System, and dropped into the Money Dropbox located in the Property and Evidence vestibule. The Watch Commander shall be contacted for cash in excess of $1,000 for special handling procedures.

(e) Latent prints shall be submitted to the Forensic Services Bureau and retained by that Bureau according to established procedures.

(f) Digital photographs taken within the scope of routine duties shall be processed according to the Digital Imaging Technology Policy.

City property, unless connected to a known criminal case, should be released directly to the appropriate City department. No formal booking is required. In cases where no responsible person can be located, the property should be booked for safekeeping in the normal manner.

802.3.6 BOOKING OF FIREARMS
All firearms, including air-soft, paintball, pellet, toy and BB guns will be handled as follows:

(a) All firearms must be unloaded prior to being brought into the building for booking.

(b) After making sure the firearm is safe to handle, an evidence tag shall be attached to the trigger guard. The evidence tag will include the Records Management System barcode print out sticker.

(c) All firearms that have been recovered as "evidence" or "found property" shall be placed in one of the forensic gun lockers located on the first floor, next to the Detention Facility elevator. Prior to doing so, the employee conducting the booking will render the firearm safe using reasonable care not to disturb possible fingerprint, ballistic or DNA evidence. The firearm shall be unloaded. The chamber of the firearm shall be cleared, the magazine removed or the cylinder opened. No objects shall be inserted into the barrel or firing mechanism. Firearms recovered for "safekeeping" shall be booked into an evidence locker located in the Evidence Vestibule. The Records Management System entry shall reflect the location where the firearm is being booked.

(d) All firearms will be appropriately entered into the Records Management System. Since each firearm will be housed separately, Officers are encouraged not to seize and book ammunition, magazines, cases and/or other accessories unless those items are
Property and Evidence

evidence. This is especially true for situations involving court ordered safekeeping, restraining orders or mental health commitments.

(e) California Penal code section 11108.3(a) requires any firearm, which has been used in a crime (i.e.: found or discarded) or illegally possessed, to be entered into the Automated Firearms System, using the Crime Gun Request Form (APD 167). It is the responsibility of the booking officer to initiate this AFS entry.

(f) When booking firearms, the make, model, caliber and serial number must be include in the Records Management System entry.

(g) If accessories, including magazines and/or ammunition, are seized with a firearm taken as evidence or found property, those accessories shall be entered into the Records Management System along with the firearm. The items shall be placed in the appropriate Forensics Gun Locker along with the firearm.

(h) Forensics Services shall process the firearm, magazine and /or ammunition for fingerprints, DNA and/or other evidence prior to the firearm being booked into Property.

(i) The Homicide and Major Assault Detail Sergeant will evaluate firearms booked as “found property” for OCBULLET testing. Firearms booked as evidence will be OCBULLET tested at the request of the case investigator or detective. Replica firearms are not subject to this procedure.

(j) When entering a firearm, for safekeeping, into the Records Management System, the owner of the firearm shall be noted. Firearms entered into the Records Management System as “found property” will not require owner information if such information is not known.

(k) Officers are encouraged not to advise firearm owners that they can recover their firearms the next day. Specific procedures for the release of firearms typically make the process for release take 6-8 weeks or longer, depending upon the circumstances.

802.3.7 RELINQUISHED FIREARMS

Individuals who relinquish firearms pursuant to the provisions of Penal Code § 29850 shall be issued a receipt that describes the firearm, the serial number or other identification of the firearm at the time of relinquishment (Penal Code § 29810).

Relinquished firearms shall be retained for 30 days, after which time they may be destroyed, retained, sold or otherwise transferred, unless (Penal Code § 29810):

(a) A certificate is issued by a judge of a court of record or the District Attorney stating the firearms shall be retained; or

(b) The convicted person provides written notice of an intent to appeal the conviction that necessitated the relinquishment; or

(c) The Automated Firearms System indicates that the firearm was reported lost or stolen.

1. In such event, the firearm shall be restored to the lawful owner as soon as it is no longer needed as evidence, the lawful owner has identified the weapon
and provided proof of ownership, and the Department has complied with the requirements of Penal Code § 33850 et seq.

The Property and Evidence Technician shall ensure the Records Manager is notified of the relinquished firearm for purposes of updating the Automated Firearms System and the disposition of the firearm for purposes of notifying the California Department of Justice (DOJ) (See the Records Section Policy).

802.4 PACKAGING OF PROPERTY
Certain items require special consideration and shall be booked separately as follows:

(a) Narcotics and dangerous drugs
(b) Firearms (ensure they are unloaded and booked separately from ammunition)
(c) Property with more than one known owner
(d) Paraphernalia as described in Health and Safety Code § 11364
(e) Fireworks
(f) Contraband

802.4.1 PACKAGING CONTAINER
Employees shall package all property, except narcotics and dangerous drugs in a suitable container available for its size. Knife boxes should be used to package knives, and syringe tubes should be used to package syringes and needles.

A barcode sticker shall be securely affixed to a property tag and attached to the outside of all items or group of items that can not be packaged by other means.

802.4.2 PACKAGING NARCOTICS
The officer seizing narcotics and dangerous drugs shall retain such property in his/her possession until it is properly weighed, packaged, tagged, and placed in the designated narcotics locker. The sampling and testing of suspected controlled substance will be conducted by the Orange County Crime Lab.

Narcotics and dangerous drugs shall be packaged in a narcotic envelope of appropriate size available in the Property and Evidence vestibule. The booking officer shall initial and date the sealed envelope and the initials covered with cellophane tape. Narcotics and dangerous drugs shall not be packaged with other property.

A completed property tag shall be attached to the outside of the envelope.

802.5 RECORDING OF PROPERTY
The Property and Evidence Technician receiving custody of evidence or property shall book these items directly into the Records Management System.

Any changes in the location of property or evidence held by the Anaheim Police Department shall be immediately noted in the Records Management System and the Property Control Report (PCR)
if such report exists. The new location, along with the Property and Evidence Technician's initials, will also be noted on the evidence package or tag. Officers, Investigators or Detectives who wish to recover booked property or evidence for court, shall make arrangement with the Property & Evidence Detail to have the item pulled one day prior to the date of their appearance.

802.6 PROPERTY CONTROL
Each time the Property and Evidence Technician receives property or releases property to another person, he/she shall enter this information into the Records Management System. Officers desiring property for court shall contact the Property and Evidence Technician at least one day prior to the court day.

802.6.1 RESPONSIBILITY OF OTHER PERSONNEL
Every time property is released or received, an appropriate entry shall be made in the Records Management System and on the PCR if such form exists. No property or evidence is to be released without first receiving written authorization from a supervisor, investigator, detective or other sworn member of the Anaheim Police Department who has such authority to release said property.

Requests for analysis, for items other than narcotics or drugs, shall be completed on the appropriate forms and submitted to the appropriate detail (forensics, crime lab, etc). This request may be filled out any time after the booking of property or evidence.

802.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY
The evidence technician responsible for transporting evidence to the any crime laboratory must complete the required information on the appropriate crime lab item identification tag. The tag will then be attached to each individual item or package prior transporting the evidence to the respective laboratory. The evidence technician shall create a list of all the items being transported to the lab. Upon delivering the evidence to the lab, the items or packages will be inventoried and then signed for by the receiving lab employee. The information from the list of items will be used to update the Records Management System as soon as possible.

After transporting evidence to the Crime Laboratory, the transporting employee will check the evidence out of property for analysis and ensure that both the Records Management System and the PCR (if one exists) have been updated, indicating the date, time and the name of the technician from the crime lab that received the property.

802.6.3 STATUS OF PROPERTY
Each person receiving property will make the appropriate entry into the Records Management System and the PCR (if one exists) to document the chain of evidence. Temporary release of property to officers for investigative purposes, or for court, shall be noted in the Records Management System and on the PCR (if one exists), stating the reason for release in addition to the date, time and to whom the property was released.

The Property and Evidence Technician shall obtain the signature of the person to whom property is released, and the reason for release. Any employee receiving property shall be responsible for
such property until it is properly returned to the Property and Evidence Detail or properly released
to another authorized person or entity.

The return of the property shall be recorded into the Records Management System and on the
PCR (if one exists), indicating date, time, and the person who returned the property.

802.6.4 AUTHORITY TO RELEASE PROPERTY
Sworn members of Anaheim Police Department shall be the only persons authorized to cause
the release or disposition of any evidence coming into the care and custody of the Department.
Specific case investigators and their supervisors should be authorizing the disposition of evidence
if at all possible. Civilian investigators can authorize the release and disposition of evidence
connected directly to one of their cases with the approval of supervision. The Forensics Bureau
Supervisor may, under special circumstances, authorize the disposition of evidence.

802.6.5 RELEASE OF PROPERTY
All reasonable attempts shall be made to identify the rightful owner of found property or evidence
not needed for an investigation.

Release of property shall be made upon receipt of an authorized release form, listing the name
and address of the person to whom the property is to be released. The release authorization shall
be signed by the authorizing supervisor or detective and must conform to the items listed on the
property form or must specify the specific item(s) to be released. Release of all property shall be
noted in the Records Management System and any attachments shall be scanned to the report.

With the exception of firearms and other property specifically regulated by statute, found property
and property held for safekeeping shall be held for a minimum of 90 days. During such period,
property personnel shall attempt to contact the rightful owner by telephone and/or mail when
sufficient identifying information is available. Property not held for any other purpose and not
claimed within 90 days after notification (or receipt, if notification is not feasible) may be auctioned
to the highest bidder at a properly published public auction. If such property is not sold at auction
or otherwise lawfully claimed, it may thereafter be destroyed (Civil Code § 2080.6). The final
disposition of all such property shall be fully documented in related reports.

A Property and Evidence Technician shall release the property upon proper identification being
presented by the owner for which an authorized release has been received. A signature of the
person receiving the property shall be recorded on the original property form. After release of all
property entered on the property control card, the card shall be forwarded to the Records Section
for filing with the case. If some items of property have not been released, the property card will
remain with the Property and Evidence Detail. Upon release, the proper entry shall be documented
in the Records Management System.

Under no circumstances shall any firearm, magazine, or ammunition be returned to any individual
unless and until such person presents valid identification and written notification from the California
Department of Justice that conforms to the provisions of Penal Code § 33865.
The Property and Evidence Detail Supervisor should also make reasonable efforts to determine whether the person is the subject of any court order preventing the person from possessing a firearm and, if so, the firearm should not be released to the person while the order is in effect.

The Department is not required to retain any firearm or other deadly weapon, magazine, or ammunition longer than 180 days after notice has been provided to the owner that such items are available for return. At the expiration of such period, the firearm or other deadly weapon, magazine, or ammunition may be processed for disposal in accordance with applicable law (Penal Code § 33875).

802.6.6 DISPUTED CLAIMS TO PROPERTY
Occasionally more than one party may claim an interest in property being held by the Department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or other undisputed right to the involved property.

All parties should be advised that their claims are civil and in extreme situations, legal counsel for the Department may wish to file an interpleader to resolve the disputed claim (Code of Civil Procedure § 386(b)).

802.6.7 CONTROL OF NARCOTICS AND DANGEROUS DRUGS
The Narcotic Investigator, Vice Detail Sergeant, or VNCI Section Commander will be responsible for the storage, control and destruction of all narcotics and dangerous drugs coming into the custody of this department, including paraphernalia as described in Health and Safety Code § 11364.

APD Policy and Division procedures shall be followed when storing, booking, controlling, and/or destroying narcotics and dangerous drugs.

802.6.8 RELEASE OF FIREARMS, MAGAZINES, AND AMMUNITION
The Department shall not return any firearm, magazine, or ammunition taken into custody to any individual unless all requirements of Penal Code § 33855 are met.

802.6.9 RELEASE OF FIREARM IN DOMESTIC VIOLENCE MATTERS
Within five days of the expiration of a restraining order issued in a domestic violence matter that required the relinquishment of a firearm, the Property and Evidence Technician shall return the weapon to the owner if the requirements of Penal Code § 33850 and Penal Code § 33855 are met unless the firearm is determined to be stolen, evidence in a criminal investigation or the individual is otherwise prohibited from possessing a firearm (Family Code § 6389(g); Penal Code § 33855).

802.6.10 RELEASE OF FIREARMS AND WEAPONS IN MENTAL ILLNESS MATTERS
Firearms and other deadly weapons confiscated from an individual detained for an evaluation by a mental health professional or subject to the provisions of Welfare and Institutions Code § 8100 or Welfare and Institutions Code § 8103 shall be released or disposed of as follows:

(a) If a petition for a hearing regarding the return of a firearm or a weapon has been initiated pursuant to Welfare and Institutions Code § 8102(c), the firearm or weapon
shall be released or disposed of as provided by an order of the court. If the court orders a firearm returned, the firearm shall not be returned unless and until the person presents valid identification and written notification from the California Department of Justice (DOJ) that conforms to the provisions of Penal Code § 33865.

(b) If no petition has been initiated pursuant to Welfare and Institutions Code § 8102(c) and the firearm or weapon is not retained as evidence, the Department shall make the firearm or weapon available for return. No firearm will be returned unless and until the person presents valid identification and written notification from the California DOJ that conforms to the provisions of Penal Code § 33865.

(c) Unless the person contacts the Department to facilitate the sale or transfer of the firearm to a licensed dealer pursuant to Penal Code § 33870, firearms not returned should be sold, transferred, destroyed, or retained as provided in Welfare and Institutions Code § 8102.

802.6.11 RELEASE OF FIREARMS IN GUN VIOLENCE RESTRAINING ORDER MATTERS
Firearms and ammunition that were taken into temporary custody or surrendered pursuant to a gun violence restraining order shall be returned to the restrained person upon the expiration of the order and in accordance with the requirements of Penal Code § 33850 et seq. (Penal Code § 18120).

If the restrained person who owns the firearms or ammunition does not wish to have the firearm or ammunition returned, he/she is entitled to sell or transfer title to a licensed dealer, provided that the firearms or ammunition are legal to own or possess and the restrained person has right to title of the firearms or ammunition (Penal Code § 18120).

If a person other than the restrained person claims title to the firearms or ammunition surrendered pursuant to Penal Code § 18120 and the Anaheim Police Department determines him/her to be the lawful owner, the firearms or ammunition shall be returned in accordance with the requirements of Penal Code § 33850 et seq. (Penal Code § 18120).

Firearms and ammunition that are not claimed are subject to the requirements of Penal Code § 34000.

802.7 DISPOSITION OF PROPERTY
All property not held for evidence in a pending criminal investigation or proceeding, and held for six months or longer where the owner has not been located or fails to claim the property, may be disposed of in compliance with existing laws upon receipt of proper authorization for disposal. The Property and Evidence Technician shall request a disposition or status on all property which has been held in excess of 120 days, and for which no disposition has been received from an authorized employee.

Firearms that are no longer being held as evidence in a pending investigation or proceeding, and held for six months or longer where the owner has not been located or fails to claim the firearm, may be disposed of in compliance with existing laws.
Prior to returning any firearm, the Property and Evidence Technician will confirm with the California Department of Justice that the firearm is authorized to be returned to the owner. If DOJ deems the firearm not returnable, the Property and Evidence Technician will advise the owner of the firearm by mail or by telephone of the intent to destroy their firearm. The firearm owner shall be directed to make contact with DOJ with regards to any further claim or questions.

Prior to destroying or otherwise releasing any firearm, the Property and Evidence Technician will confirm that no other holds exist. This would include an open investigation on the part of another law enforcement where the firearm is needed as evidence or if there is a judicial order mandating the retention of the firearm.

802.7.1 EXCEPTIONAL DISPOSITIONS
The following types of property shall be destroyed or disposed of in the manner, and at the time prescribed by law, unless a different disposition is ordered by a court of competent jurisdiction:

- Weapons declared by law to be nuisances (Penal Code § 29300; Penal Code § 18010; Penal Code § 32750)
- Animals, birds, and related equipment that have been ordered forfeited by the court (Penal Code § 599a)
- Counterfeiting equipment (Penal Code § 480)
- Gaming devices (Penal Code § 335a)
- Obscene matter ordered to be destroyed by the court (Penal Code § 312)
- Altered vehicles or component parts (Vehicle Code § 10751)
- Narcotics (Health and Safety Code § 11474 et seq.)
- Unclaimed, stolen, or embezzled property (Penal Code § 1411)
- Destructive devices (Penal Code § 19000)
- Sexual assault evidence (Penal Code § 680)

802.7.2 UNCLAIMED MONEY
If found or seized money is no longer required as evidence and remains unclaimed after three years, the Department shall cause a notice to be published each week for a period of two consecutive weeks in a local newspaper of general circulation (Government Code § 50050). Such notice shall state the amount of money, the fund in which it is held and that the money will become the property of the agency on a designated date not less than 45 days and not more than 60 days after the first publication (Government Code § 50051).

Any individual item with a value of less than $15.00, or any amount if the depositor/owner's name is unknown, which remains unclaimed for a year or by order of the court, may be transferred to the general fund without the necessity of public notice (Government Code § 50055).

If the money remains unclaimed as of the date designated in the published notice, the money will become the property of this department to fund official law enforcement operations. Money
representing restitution collected on behalf of victims shall either be deposited into the Restitution Fund or used for purposes of victim services.

802.7.3 RETENTION OF BIOLOGICAL EVIDENCE
The Property and Evidence Detail Supervisor shall ensure that no biological evidence held by the Department is destroyed without adequate notification to the following persons, when applicable:

(a) The defendant
(b) The defendant’s attorney
(c) The appropriate prosecutor and Attorney General
(d) Any sexual assault victim
(e) The Investigations Division supervisor

Biological evidence shall be retained for either a minimum period that has been established by law (Penal Code § 1417.9) or that has been established by the Property and Evidence Detail Supervisor, or until the expiration of any imposed sentence that is related to the evidence, whichever time period is greater. Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed after a date specified in the notice unless a motion seeking an order to retain the sample is filed and served on the Department within 180 days of the date of the notification. A record of all certified mail receipts shall be retained in the appropriate file. Any objection to, or motion regarding, the destruction of the biological evidence should be retained in the appropriate file and a copy forwarded to the Investigations Division supervisor.

Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Chief of Police and the head of the applicable prosecutor’s office.

Biological evidence or other crime scene evidence from an unsolved sexual assault should not be disposed of prior to expiration of the statute of limitations and shall be retained as required in Penal Code § 680. Even after expiration of an applicable statute of limitations, the Investigations Division supervisor should be consulted and the sexual assault victim shall be notified at least 60 days prior to the disposal (Penal Code § 680). Reasons for not analyzing biological evidence shall be documented in writing (Penal Code § 680.3).

802.8 INSPECTIONS OF THE EVIDENCE ROOM

(a) Audit and inspections of the Property and Evidence Detail will be conducted at the discretion of the Division Commander, or as needed. On a monthly basis, the Property and Evidence supervisor shall make an inspection of the evidence storage facilities and practices to ensure adherence to appropriate policies and procedures.

(b) Unannounced inspections of evidence storage areas shall be conducted annually as directed by the Chief of Police.
(c) An annual audit of evidence held by the Department shall be conducted by a Division Commander (as appointed by the Chief of Police) not routinely or directly connected with evidence control.

(d) Whenever a change is made in personnel who have access to the evidence room, that person's complete access will be removed from all areas of the Property and Evidence Detail by the Property and Evidence Detail supervisor.
Records Section

803.1 PURPOSE AND SCOPE
This policy establishes the guidelines for the operational functions of the Anaheim Police Department Records Section. The policy addresses department file access and internal requests for case reports.

803.2 POLICY
It is the policy of the Anaheim Police Department to maintain department records securely, professionally, and efficiently.

803.3 RESPONSIBILITIES

803.3.1 RECORDS MANAGER
The Chief of Police shall appoint and delegate certain responsibilities to a Records Manager. The Records Manager shall be directly responsible to the Support Services Division Commander or the authorized designee.

The responsibilities of the Records Manager include but are not limited to:

(a) Overseeing the efficient and effective operation of the Records Section.
(b) Scheduling and maintaining Records Section time records.
(c) Supervising, training, and evaluating Records Section staff.
(d) Maintaining and updating a Records Section procedure manual.
(e) Ensuring compliance with established policies and procedures.
(f) Supervising the access, use, and release of protected information (see the Protected Information Policy).
(g) Establishing security and access protocols for case reports designated as sensitive, where additional restrictions to access have been implemented. Sensitive reports may include but are not limited to:
   (a) Homicides.
   (b) Cases involving department members or public officials.
   (c) Any case where restricted access is prudent.

803.3.2 RECORDS SECTION
The responsibilities of the Records Section include but are not limited to:

(a) Maintaining a records management system for case reports.
   1. The records management system should include a process for numbering, identifying, tracking, and retrieving case reports.
(b) Entering case report information into the records management system.
1. Modification of case reports shall only be made when authorized by a supervisor.
   
   (c) Providing members of the Department with access to case reports when needed for investigation or court proceedings.
   
   (d) Maintaining compliance with federal, state, and local regulations regarding reporting requirements of crime statistics. This includes reporting statistical data to the California Department of Justice (DOJ) for:
   
   1. All officer-involved shootings and incidents involving use of force resulting in serious bodily injury (Government Code § 12525.2).
   
   2. Suspected hate crimes (Penal Code § 13023).
   
   3. Complaints of racial bias against officers (Penal Code § 13012; Penal Code § 13020).
   
   4. Civilian complaints made against officers (Penal Code § 832.5; Penal Code § 13012).
   
   5. Stop data required by Government Code § 12525.5 and 11 CCR 999.226.
      
      (a) The reported information must not contain personally identifiable information of the person stopped or other information exempt from disclosure pursuant to Government Code § 12525.5 (11 CCR 999.228).
   
   (e) Maintaining compliance with federal, state, and local regulations regarding criminal history reports and auditing.
   
   (f) Identifying missing case reports and notifying the responsible member’s supervisor.
   
   (g) Updating the Automated Firearms System to reflect any firearms relinquished to the Department and the subsequent disposition to the DOJ pursuant to Penal Code § 34010 (Penal Code § 29810).
   
   (h) Entering into the Automated Firearms System information about each firearm that has been reported stolen, lost, found, recovered, held for safekeeping, or under observation within seven calendar days of the precipitating event (Penal Code § 11108.2).
   
   (i) Maintaining compliance with the state and DOJ reporting requirements regarding the number of transfers of individuals to immigration authorities and offenses that allowed for the transfers (Government Code § 7284.6(c)(2)).
   
   (j) Transmitting data to the Joint Regional Information Exchange System on any suspected multi-mission extremist crimes.

803.3.3 RECORDS SECTION PROCEDURE MANUAL

The Records Manager should establish procedures that address:

   (a) Identifying by name persons in reports.
   
   (b) Classifying reports by type of incident or crime.
   
   (c) Tracking reports through the approval process.
   
   (d) Numbers auto-generated during data entry.
(e) Local warrants and Wanted Persons managed by BAT.
(f) Wanted Persons entered by County Repository.

803.4 DETERMINATION OF FACTUAL INNOCENCE
In any case where a person has been arrested by officers of the Anaheim Police Department and no accusatory pleading has been filed, the person arrested may petition the Department to destroy the related arrest records. Petitions should be forwarded to the Records Supervisor. The Records Supervisor will forward the petition to the appropriate Detail Sergeant who shall be responsible for promptly contacting the prosecuting attorney to request a written opinion as to whether the petitioner is factually innocent of the charges (Penal Code § 851.8). Factual innocence means the accused person did not commit the crime.

Upon receipt of a written opinion from the prosecuting attorney affirming factual innocence, the Records Supervisor should forward the petition to the Investigations Division Supervisor and the City Attorney for review. After such review and consultation with the City Attorney, the Investigations Division Supervisor and the Records Supervisor shall decide whether a finding of factual innocence is appropriate.

Upon determination that a finding of factual innocence is appropriate, the Records Supervisor shall ensure that the arrest record and petition are sealed for later destruction and the required notifications are made to the California DOJ and other law enforcement agencies (Penal Code § 851.8).

The Records Supervisor should respond to a petition with the Department’s decision within 60 days of receipt. Responses should include only the decision of the Department, not an explanation of the analysis leading to the decision.

803.5 FILE ACCESS AND SECURITY
The security of files in the Records Section must be a high priority and shall be maintained as mandated by state or federal law. All case reports including but not limited to initial, supplemental, follow-up, evidence, and any other reports related to a police department case, including field interview (FI) cards, local criminal history records, and publicly accessible logs, shall be maintained in the Records Management System.

The Records Section will also maintain a secure file for case reports deemed by the Chief of Police or authorized personnel as sensitive or otherwise requiring extraordinary access restrictions. Access to these restricted reports requires approval from the Records Manager or other authorized Anaheim Police Department personnel.

803.6 ORIGINAL CASE REPORTS
When a request for a copy of an original case report is made by an authorized party, the Records Supervisor will review the request and determine if the requestor is privy to the report; subsequently, the Records Section will provide a printed copy of the report. The photocopied report shall be shredded upon the end of the use of the report.
803.7 CONFIDENTIALITY
Records Section staff has access to information that may be confidential or sensitive in nature. Records Section staff shall not access, view, or distribute, or allow anyone else to access, view, or distribute any record, file, or report, whether in hard copy or electronic file format, or any other confidential, protected, or sensitive information except in accordance with the Records Maintenance and Release and Protected Information policies and the Records Section procedure manual.

803.8 ARREST WITHOUT FILING OF ACCUSATORY PLEADING
The Field Services Division Commander should ensure a process is in place for when an individual is arrested and released and no accusatory pleading is filed so that the following occurs (Penal Code § 849.5; Penal Code § 851.6):

(a) The individual is issued a certificate describing the action as a detention.

(b) All references to an arrest are deleted from the arrest records of the Department and the record reflects only a detention.

(c) The California DOJ is notified.
Restoration of Firearm Serial Numbers

804.1 PURPOSE AND SCOPE
The primary purpose for restoring firearm serial numbers is to determine the prior owners or origin of the item from which the number has been recovered. Thus, property can be returned to rightful owners or investigations can be initiated to curb illegal trade of contraband firearms. The purpose of this plan is to develop standards, methodologies, and safety protocols for the recovery of obliterated serial numbers from firearms and other objects using procedures that are accepted as industry standards in the forensic community. All personnel who are involved in the restoration of serial numbers will observe the following guidelines. This policy complies with Penal Code § 11108.9.

804.2 PROCEDURE
Any firearm coming into the possession of the Anaheim Police Department as evidence, found property, etc., where the serial numbers have been removed or obliterated will be processed in the following manner:

804.2.1 PRELIMINARY FIREARM EXAMINATION
(a) Always keep the muzzle pointed in a safe direction. Be sure the firearm is in an unloaded condition. This includes removal of the ammunition source (e.g., the detachable magazine, contents of the tubular magazine) as well as the chamber contents.

(b) If the firearm is corroded shut or in a condition that would preclude inspection of the chamber contents, treat the firearm as if it is loaded. Make immediate arrangements for a firearms examiner or other qualified examiner to render the firearm safe.

(c) Accurately record/document the condition of the gun when received. Note the positions of the various components such as the safeties, cylinder, magazine, slide, hammer, etc. Accurately record/document cylinder chamber and magazine contents. Package the ammunition separately.

(d) If the firearm is to be processed for fingerprints or trace evidence, process before the serial number restoration is attempted. First record/document important aspects such as halos on the revolver cylinder face or other relevant evidence that might be obscured by the fingerprinting chemicals.

804.2.2 PROPERTY BOOKING PROCEDURE
Any employee taking possession of a firearm with removed/obliterated serial numbers shall book the firearm into property following standard procedures. The employee booking the firearm shall indicate on the property form that serial numbers have been removed or obliterated.
804.2.3 OFFICER RESPONSIBILITY
The property and evidence technician receiving a firearm when the serial numbers have been removed or obliterated shall arrange for the firearm to be transported to the crime lab for restoration and maintain the chain of evidence.

804.2.4 DOCUMENTATION
Case reports are prepared in order to document the chain of custody and the initial examination and handling of evidence from the time it is received/collected until it is released.

This report must include a record of the manner in which and/or from whom the firearm was received. This may appear on the request form or property form depending on the type of evidence.

804.2.5 FIREARM TRACE
After the serial number has been restored (or partially restored) by the criminalistics laboratory, the Property and Evidence Technician will complete a Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Tracing Center (NTC) Obliterated Serial Number Trace Request Form (ATF 3312.1-OBL) and forward the form to the NTC in Falling Waters, West Virginia or enter the data into the ATF eTrace system.

804.3 BULLET AND CASING IDENTIFICATION
Exemplar bullets and cartridge cases from the firearm, depending upon acceptance criteria and protocol, may be submitted to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Integrated Ballistic Information Network (NIBIN) which uses the Integrated Ballistic Identification System (IBIS) technology to search the national database and compare with ballistic evidence recovered from other crime scenes.
Records Maintenance and Release

805.1 PURPOSE AND SCOPE
This policy provides guidance on the maintenance and release of department records. Protected information is separately covered in the Protected Information Policy.

805.2 POLICY
The Anaheim Police Department is committed to providing public access to records in a manner that is consistent with the California Public Records Act (Government Code § 6250 et seq.).

805.2.1 NAME RELEASE
With the increasing amount of personal information on any individual available through the Internet, we must take a measured approach, consistent with applicable law, in balancing the public's right to know about government activities and potential threats against the personal security of our officers and jeopardizing the integrity of a criminal investigation.

Current State law has been interpreted by the Attorney General to require the release of the names of officers involved in police shootings, unless it can be shown that the public interest would be better served by not disclosing the officer(s) name(s). If, for example, releasing the name would jeopardize an investigation or endanger the safety of an officer and/or members of his/her family, an agency would have grounds to withhold the name.

In order to comply with the current law, it will be the policy of the Anaheim Police Department to release the name or names of the officers who are involved in a police shooting or other deadly force situation, upon a California Public Records Act request, as soon as practical, unless, based upon a totality of the facts known to the Department at the time the request is made, such release would:

(a) Undermine the integrity of an investigation
(b) Endanger the safety of an officer and/or the officer's family
(c) Compromise the use of undercover officers
(d) Otherwise unduly interfere with the effectiveness of the Police Department

In the event that the Police Department determines to release the name(s) of the officer(s) involved in the incident, the Department will attempt to notify the officer(s) forty-eight hours prior to the release of the information. The Department will also consult with the District Attorney's Office prior to the release of the officer(s) name(s) to ensure the release will not interfere with their investigation.

805.3 CUSTODIAN OF RECORDS RESPONSIBILITIES
The Chief of Police shall designate a Custodian of Records. The responsibilities of the Custodian of Records include but are not limited to:
(a) Managing the records management system for the Department, including the retention, archiving, release, and destruction of department public records.

(b) Maintaining and updating the department records retention schedule including:
   1. Identifying the minimum length of time the Department must keep records.
   2. Identifying the department division responsible for the original record.

(c) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records (Government Code § 6253).

(d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.

(e) Establishing rules regarding the processing of subpoenas for the production of records.

(f) Ensuring a current schedule of fees for public records as allowed by law is available (Government Code § 6253).

(g) Determining how the department's website may be used to post public records in accordance with Government Code § 6253.

(h) Ensuring that current departmental standards, policies, practices, operating procedures, and education and training materials that would be made available to the public if a request was made under the California Public Records Act are posted on the department website in accordance with Penal Code § 13650.

(i) Ensuring that public records posted on the Department website meet the requirements of Government Code § 6253.10 including but not limited to posting in an open format where a record may be retrieved, downloaded, indexed, and searched by a commonly used internet search application.

(j) Ensuring that a list and description, when applicable, of enterprise systems (as defined by Government Code § 6270.5) is publicly available upon request and posted in a prominent location on the Department's website.

805.3.1 PERSONNEL RECORDS REQUEST
Any request for records relating to Department personnel shall be referred to the Professional Standards Section.

805.4 PROCESSING REQUESTS FOR PUBLIC RECORDS
Any department member who receives a request for any record shall route the request to the Custodian of Records or the authorized designee.

805.4.1 REQUESTS FOR RECORDS
Any member of the public, including the media and elected officials, may access unrestricted records of this department, during regular business hours by submitting a written or verbal request that reasonably describes each record sought and paying any associated fees (Government Code § 6253).
The processing of requests for any record is subject to the following (Government Code § 6253):

(a) The Department is not required to create records that do not exist.

(b) Victims of an incident or their authorized representative shall not be required to show proof of legal presence in the United States to obtain department records or information.

(c) Either the requested record or the reason for non-disclosure will be provided promptly, but no later than 10 days from the date the request is received (unless the 10th day is a weekend, in which case the response is due the next business day), unless unusual circumstances preclude doing so. If more time is needed, an extension of up to 14 additional days may be authorized by the Custodian of Records or the authorized designee. If an extension is authorized, the Department shall provide the requester written notice that includes the reason for the extension and the anticipated date of the response.

1. When the request does not reasonably describe the records sought, the Custodian of Records shall assist the requester in making the request focused and effective in a way to identify the records or information that would be responsive to the request including providing assistance for overcoming any practical basis for denying access to the records or information. The Custodian of Records shall also assist in describing the information technology and physical location in which the record exists (Government Code § 6253.1).

2. If the record requested is available on the department website, the requester may be directed to the location on the website where the record is posted. If the requester is unable to access or reproduce the record, a copy of the record shall be promptly provided.

(d) Upon request, and unless otherwise prohibited by law, a record that is kept in an electronic format shall be provided in an electronic format utilized by the Department. Records shall not be provided only in electronic format unless specifically requested (Government Code § 6253.9).

(e) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.

1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio or video, a copy of the redacted audio/video release should be maintained in the department-approved media storage system and a notation should be made in the case file to document the release and the reasons for the redacted portions.

(f) If a record request is denied in whole or part, the requester shall be provided a written response that includes the statutory exemption for withholding the record or facts that the public interest served by nondisclosure outweighs the interest served by disclosure (Government Code § 6255). The written response shall also include the names, titles or positions of each person responsible for the denial.
805.5 RELEASE RESTRICTIONS

Examples of release restrictions include:

(a) Personal identifying information, including an individual’s photograph; Social Security and driver identification numbers; name, address, and telephone number; and medical or disability information that is contained in any driver license record, motor vehicle record, or any department record including traffic collision reports, are restricted except as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722).

(b) Social Security numbers (Government Code § 6254.29).

(c) Personnel records, medical records, and similar records which would involve an unwarranted invasion of personal privacy except as allowed by law (Government Code § 6254; Penal Code § 832.7; Penal Code § 832.8; Evidence Code § 1043 et seq.).

   1. Peace officer personnel records that are deemed confidential shall not be made public or otherwise released to unauthorized individuals or entities absent a valid court order.

   2. The identity of any officer subject to any criminal or administrative investigation shall not be released without the consent of the involved officer, prior approval of the Chief of Police, or as required by law.

(d) Victim information that may be protected by statutes, including victims of certain crimes who have requested that their identifying information be kept confidential, victims who are minors, and victims of certain offenses (e.g., sex crimes or human trafficking, Penal Code § 293). Addresses and telephone numbers of a victim or a witness to any arrested person or to any person who may be a defendant in a criminal action shall not be disclosed, unless it is required by law (Government Code § 6254; Penal Code § 841.5).

   1. Victims of certain offenses (e.g., domestic violence, sexual assault, stalking, human trafficking, adult abuse) or their representatives shall be provided, upon request and without charge, one copy of all incident report face sheets, one copy of all incident reports, or both, pursuant to the requirements and time frames of Family Code § 6228.

   2. Victims of sexual assault, upon written request, shall be provided a free copy of the initial crime report regardless of whether the report has been closed. Personal identifying information may be redacted (Penal Code § 680.2(b)).

(e) Video or audio recordings created during the commission or investigation of the crime of rape, incest, sexual assault, domestic violence, or child abuse that depicts the face, intimate body part, or voice of a victim of the incident except as provided by Government Code § 6254.4.5.

(f) Information involving confidential informants, intelligence information, information that would endanger the safety of any person involved, or information that would endanger the successful completion of the investigation or a related investigation. This includes analysis and conclusions of investigating officers (Evidence Code § 1041; Government Code § 6254).
1. Absent a statutory exemption to the contrary or other lawful reason to deem information from reports confidential, information from unrestricted agency reports shall be made public as outlined in Government Code § 6254(f).

(g) Local criminal history information including but not limited to arrest history and disposition, and fingerprints shall only be subject to release to those agencies and individuals set forth in Penal Code § 13300.

1. All requests from criminal defendants and their authorized representatives (including attorneys) shall be referred to the District Attorney, City Attorney, or the courts pursuant to Penal Code § 1054.5.

(h) Certain types of reports involving but not limited to child abuse and molestation (Penal Code § 11167.5), elder and dependent abuse (Welfare and Institutions Code § 15633), and juveniles (Welfare and Institutions Code § 827).

(i) Sealed autopsy and private medical information concerning a murdered child with the exceptions that allow dissemination of those reports to law enforcement agents, prosecutors, defendants, or civil litigants under state and federal discovery laws (Code of Civil Procedure §130).

(j) Information contained in applications for licenses to carry firearms or other files that indicates when or where the applicant is vulnerable or which contains medical or psychological information (Government Code § 6254).

(k) Traffic collision reports (and related supplemental reports) shall be considered confidential and subject to release only to the California Highway Patrol, Department of Motor Vehicles (DMV), other law enforcement agencies, and those individuals and their authorized representatives set forth in Vehicle Code § 20012.

(l) Any record created exclusively in anticipation of potential litigation involving this department (Government Code § 6254).

(m) Any memorandum from legal counsel until the pending litigation has been adjudicated or otherwise settled (Government Code § 6254.25).

(n) Records relating to the security of the department’s electronic technology systems (Government Code § 6254.19).

(o) A record of a civilian complaint, or the investigations, findings, or dispositions of that complaint if the complaint is frivolous, as defined by Code of Civil Procedure § 128.5, or if the complaint is unfounded (Penal Code § 832.7 (b)(8)).

(p) Any other record not addressed in this policy shall not be subject to release where such record is exempt or prohibited from disclosure pursuant to state or federal law, including but not limited to provisions of the Evidence Code relating to privilege (Government Code § 6254).

(q) Information connected with juvenile court proceedings or the detention or custody of a juvenile. Federal officials may be required to obtain a court order to obtain certain juvenile information (Welfare and Institutions Code § 827.9; Welfare and Institutions Code § 831).
(r) Records that may reveal intelligence information or security procedures of the department (Government Code § 6254 (f)).

(s) Information and records obtained in the course of providing services to a mentally disordered individual who is a danger to others or him or herself and who is detained and taken into custody by a peace officer are confidential (Welfare and Institutions Code § 5150 and § 5328).

(t) Reports of suspected abuse/neglect of an elder or dependent adult are confidential (Welfare and Institutions Code § 15633).

805.6 SUBPOENAS AND DISCOVERY REQUESTS
Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While compliance with a subpoena duces tecum may be required, a review to determine the validity of the subpoena and what records are required by and/or exempted from the subpoena should be conducted.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the Prosecutor's Office (District Attorney or City Attorney) or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

805.7 RELEASED RECORDS TO BE MARKED
All records released pursuant to this policy will be marked to indicate the authenticity of the confidential nature of the document. Release tracking will be performed on all records that exist within the Records Management System. This will generate an authorized certification of release title page.

Each audio/video recording released should include the department name and to whom the record was released.

805.8 SEALED RECORD ORDERS
Sealed record orders received by the Department shall be reviewed for appropriate action by the Custodian of Records. The Custodian of Records shall seal such records as ordered by the court. Records may include but are not limited to a record of arrest, investigation, detention, or conviction. Once the record is sealed, members shall respond to any inquiry as though the record did not exist (Penal Code § 851.8; Welfare and Institutions Code § 781).

When an arrest record is sealed pursuant to Penal Code § 851.87, Penal Code § 851.90, Penal Code § 851.91, Penal Code § 1000.4, or Penal Code § 1001.9, the Records Manager shall ensure that the required notations on local summary criminal history information and police investigative
Reports are made. Sealed records may be disclosed or used as authorized by Penal Code § 851.92.

805.9 SECURITY BREACHES
The Records Manager shall ensure notice is given anytime there is a reasonable belief an unauthorized person has acquired either unencrypted personal identifying information or encrypted personal information along with the encryption key or security credential stored in any Department information system (Civil Code § 1798.29).

Notice shall be given as soon as reasonably practicable to all individuals whose information may have been acquired. The notification may be delayed if the Department determines that notification will impede a criminal investigation or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.

For the purposes of this requirement, personal identifying information includes an individual’s first name or first initial and last name in combination with any one or more of the following:

- Social Security number
- Driver license number, California identification card number, tax identification number, passport number, military identification number, or other unique identification number issued on a government document commonly used to verify the identity of a specific individual
- Account number or credit or debit card number, in combination with any required security code, access code or password that would permit access to an individual’s financial account
- Medical information
- Health insurance information
- A username or email address, in combination with a password or security question and answer that permits access to an online account
- Information or data collected by Automated License Plate Reader (ALPR) technology
- Unique biometric data

805.9.1 FORM OF NOTICE
(a) The notice shall be written in plain language, be consistent with the format provided in Civil Code § 1798.29 and include, to the extent possible, the following:

1. The date of the notice.
2. Name and contact information for the Anaheim Police Department.
3. A list of the types of personal information that were or are reasonably believed to have been acquired.
4. The estimated date or date range within which the security breach occurred.
5. Whether the notification was delayed as a result of a law enforcement investigation.

6. A general description of the security breach.

7. The toll-free telephone numbers and addresses of the major credit reporting agencies, if the breach exposed a Social Security number or a driver license or California identification card number.

(b) The notice may also include information about what the Anaheim Police Department has done to protect individuals whose information has been breached and may include information on steps that the person whose information has been breached may take to protect him/herself (Civil Code § 1798.29).

(c) When a breach involves an online account, and only a username or email address in combination with either a password or security question and answer that would permit access to an online account, and no other personal information has been breached (Civil Code § 1798.29):

1. Notification may be provided electronically or in another form directing the person to promptly change either his/her password or security question and answer, as applicable, or to take other appropriate steps to protect the online account with the Department in addition to any other online accounts for which the person uses the same username or email address and password or security question and answer.

2. When the breach involves an email address that was furnished by the Anaheim Police Department, notification of the breach should not be sent to that email address but should instead be made by another appropriate medium as prescribed by Civil Code § 1798.29.

805.9.2 MANNER OF NOTICE

(a) Notice may be provided by one of the following methods (Civil Code § 1798.29):

1. Written notice.

2. Electronic notice if the notice provided is consistent with the provisions regarding electronic records and signatures set forth in 15 USC § 7001.

3. Substitute notice if the cost of providing notice would exceed $250,000, the number of individuals exceeds 500,000 or the Department does not have sufficient contact information. Substitute notice shall consist of all of the following:

   (a) Email notice when the Department has an email address for the subject person.

   (b) Conspicuous posting of the notice on the department’s webpage for a minimum of 30 days.

4. Notification to major statewide media and the California Information Security Office within the California Department of Technology.
(b) If a single breach requires the Department to notify more than 500 California residents, the Department shall electronically submit a sample copy of the notification, excluding any personally identifiable information, to the Attorney General.

805.10 RELEASE OF AUDIO OR VIDEO RECORDINGS RELATED TO CRITICAL INCIDENTS

Video and audio recordings related to critical incidents shall be released upon a proper public record request and subject to delayed release, redaction, and other release restrictions as provided by law (Government Code § 6254(f)(4)).

For purposes of this section, a video or audio recording relates to a critical incident if it depicts an incident involving the discharge of a firearm at a person by an officer, or depicts an incident in which the use of force by an officer against a person resulted in death or in great bodily injury (Government Code § 6254(f)(4)).

The Department's Data Release Unit should work as appropriate with the City Attorney's Office, the Chief of Police and/or the Internal Affairs Detail supervisor in determining what recordings may qualify for disclosure when a request for a recording is received and if the requested recording is subject to delay from disclosure, redaction, or other release restrictions.

805.10.1 DELAY OF RELEASE

Recordings of critical incidents may be subject to delay during an active criminal investigation as allowed by law. The Data Release Unit, in consultation with the City Attorney’s Office, will determine if release of recordings should be delayed.

805.10.2 NOTICE OF DELAY OF RELEASE

When there is justification to delay disclosure of a recording, the Data Release Unit, in consultation with the City Attorney’s Office, shall notify the requesting party as provided by law (Government Code § 6254(f)(4)).

805.10.3 REDACTION/EXTRACTION

If the Data Release Unit, in consultation with the City Attorney's Office and/or Chief of Police or authorized designee, determines that specific portions of the recording may violate the reasonable expectation of privacy of a person depicted in the recording, the Department should use technology to redact/extract portions of recordings made available for release. Unless required by law, the redaction/extraction should not interfere with the viewer's ability to fully, completely, and accurately comprehend the events captured in the recording, and the recording should not otherwise be edited or altered (Government Code § 6254(f)(4)).

If any portions of a recording are withheld to protect the reasonable expectation of privacy of a person depicted in the recording, the Department shall provide the requester with a written explanation of the basis for the expectation of privacy and the public interest served by withholding the record (Government Code § 6254(f)(4)).
805.10.4 RECORDINGS WITHHELD FROM PUBLIC DISCLOSURE

If the reasonable expectation of privacy of a person depicted in the recording cannot adequately be protected through redaction, and that interest outweighs the public interest in disclosure, the Department may withhold the recording from the public, except that the recording, either redacted or unredacted, shall be disclosed promptly, upon request, to any of the following (Government Code § 6254(f)(4)):

(a) The person in the recording whose privacy is to be protected, or his/her authorized representative.

(b) If the person is a minor, the parent or legal guardian of the person whose privacy is to be protected, unless prohibited by law.

(c) If the person whose privacy is to be protected is deceased, an heir, beneficiary, designated immediate family member, or authorized legal representative of the deceased person whose privacy is to be protected.

If the Department determines that this disclosure would substantially interfere with an active criminal or administrative investigation, it shall provide the requester with written notice of the specific basis for the determination and the estimated date of disclosure (Government Code § 6254(f)(4)).

The Department may continue to delay release of the recording from the public for 45 days with extensions as provided in this policy (Government Code § 6254(f)(4)(B)).
Protected Information

806.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the Anaheim Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

806.1.1 DEFINITIONS
Definitions related to this policy include:

Protected information - Any information or data that is collected, stored or accessed by members of the Anaheim Police Department and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.

806.2 POLICY
Members of the Anaheim Police Department will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

806.3 CALIFORNIA RELIGIOUS FREEDOM ACT
Members shall not release personal information from any agency database for the purpose of investigation or enforcement of any program compiling data on individuals based on religious belief, practice, affiliation, national origin or ethnicity (Government Code § 8310.3).

806.4 RESPONSIBILITIES
The Chief of Police shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this position include, but are not limited to:

(a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Department of Motor Vehicle (DMV) records and California Law Enforcement Telecommunications System (CLETS).

(b) Developing, disseminating and maintaining procedures that adopt or comply with the U.S. Department of Justice’s current Criminal Justice Information Services (CJIS) Security Policy.

(c) Developing, disseminating and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.

(d) Developing procedures to ensure training and certification requirements are met.
(e) Resolving specific questions that arise regarding authorized recipients of protected information.

(f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

806.5 ACCESS TO PROTECTED INFORMATION
Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Anaheim Police Department policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution.

806.5.1 PENALTIES FOR MISUSE OF RECORDS
It is a misdemeanor to furnish, buy, receive or possess Department of Justice criminal history information without authorization by law (Penal Code § 11143).

Authorized persons or agencies violating state regulations regarding the security of Criminal Offender Record Information (CORI) maintained by the California Department of Justice may lose direct access to CORI (11 CCR 702).

806.6 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION
Protected information may be released only to authorized recipients who have both a right to know and a need to know.

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Records Manager for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Records Section to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should generally not be transmitted by radio, cellular telephone or any other type of wireless transmission to members in the field or in vehicles through any computer or electronic device, except in cases where there is an immediate need for the information to further an investigation or where circumstances reasonably indicate that the immediate safety of officers, other department members or the public is at risk.

Nothing in this policy is intended to prohibit broadcasting warrant information.
806.6.1 REVIEW OF CRIMINAL OFFENDER RECORD
Individuals requesting to review their own California criminal history information shall be referred to the Department of Justice (Penal Code § 11121).

Individuals shall be allowed to review their arrest or conviction record on file with the Department after complying with all legal requirements regarding authority and procedures in Penal Code § 11120 through Penal Code § 11127 (Penal Code § 13321).

806.7 SECURITY OF PROTECTED INFORMATION
The Chief of Police will select a member of the Department to oversee the security of protected information.

The responsibilities of this position include, but are not limited to:

(a) Developing and maintaining security practices, procedures and training.
(b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.
(c) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.
(d) Tracking, documenting and reporting all breach of security incidents to the Chief of Police and appropriate authorities.

806.7.1 MEMBER RESPONSIBILITIES
Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal).

806.8 TRAINING
All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.
Computers and Digital Evidence

807.1 PURPOSE AND SCOPE
This policy establishes procedures for the seizure and storage of computers, personal communications devices (PCDs) digital cameras, digital recorders and other electronic devices that are capable of storing digital information; and for the preservation and storage of digital evidence. All evidence seized and/or processed pursuant to this policy shall be done so in compliance with clearly established Fourth Amendment and search and seizure provisions.

807.2 SEIZING COMPUTERS AND RELATED EVIDENCE
Computer equipment requires specialized training and handling to preserve its value as evidence. Officers should be aware of the potential to destroy information through careless or improper handling, and utilize the most knowledgeable available resources. When seizing a computer and accessories the following steps should be taken:

(a) Photograph each item, front and back, specifically including cable connections to other items. Look for a phone line or cable to a modem for Internet access.
(b) Do not overlook the possibility of the presence of physical evidence on and around the hardware relevant to the particular investigation such as fingerprints, biological or trace evidence, and/or documents.
(c) If the computer is off, do not turn it on.
(d) If the computer is on, do not shut it down normally and do not click on anything or examine any files.
   1. Photograph the screen, if possible, and note any programs or windows that appear to be open and running.
   2. Disconnect the power cable from the back of the computer box or if a portable notebook style, disconnect any power cable from the case and remove the battery).
(e) Label each item with case number, evidence sheet number, and item number.
(f) Handle and transport the computer and storage media (e.g., tape, discs, memory cards, flash memory, external drives) with care so that potential evidence is not lost.
(g) Lodge all computer items in the Property Room. Do not store computers where normal room temperature and humidity is not maintained.
(h) At minimum, officers should document the following in related reports:
   1. Where the computer was located and whether or not it was in operation.
   2. Who was using it at the time.
   3. Who claimed ownership.
4. If it can be determined, how it was being used.

   (i) In most cases when a computer is involved in criminal acts and is in the possession of the suspect, the computer itself and all storage devices (hard drives, tape drives, and disk drives) should be seized along with all media. Accessories (printers, monitors, mouse, scanner, keyboard, cables, software and manuals) should not be seized unless as a precursor to forfeiture.

807.2.1 BUSINESS OR NETWORKED COMPUTERS
If the computer belongs to a business or is part of a network, it may not be feasible to seize the entire computer. Cases involving networks require specialized handling. Officers should contact a certified forensic computer examiner for instructions or a response to the scene. It may be possible to perform an on-site inspection, or to image the hard drive only of the involved computer. This should only be done by someone specifically trained in processing computers for evidence.

807.2.2 FORENSIC EXAMINATION OF COMPUTERS
If an examination of the contents of the computer's hard drive, or floppy disks, compact discs, or any other storage media is required, forward the following items to a computer forensic examiner:

   (a) Copy of report(s) involving the computer, including the Evidence/Property sheet.

   (b) Copy of a consent to search form signed by the computer owner or the person in possession of the computer, or a copy of a search warrant authorizing the search of the computer hard drive for evidence relating to investigation.

   (c) A listing of the items to search for (e.g., photographs, financial records, e-mail, documents).

   (d) An exact duplicate of the hard drive or disk will be made using a forensic computer and a forensic software program by someone trained in the examination of computer storage devices for evidence.

807.3 SEIZING DIGITAL STORAGE MEDIA
Digital storage media including hard drives, floppy discs, CD's, DVD's, tapes, memory cards, or flash memory devices should be seized and stored in a manner that will protect them from damage.

   (a) If the media has a write-protection tab or switch, it should be activated.

   (b) Do not review, access or open digital files prior to submission. If the information is needed for immediate investigation request the Property and Evidence Detail to copy the contents to an appropriate form of storage media.

   (c) Many kinds of storage media can be erased or damaged by magnetic fields. Keep all media away from magnetic devices, electric motors, radio transmitters or other sources of magnetic fields.
(d) Do not leave storage media where they would be subject to excessive heat such as in a parked vehicle on a hot day.

(e) Use plastic cases designed to protect the media, or other protective packaging, to prevent damage.

807.4 SEIZING PCDS
Personal communication devices such as cell phones, PDAs or other hand-held devices connected to any communication network must be handled with care to preserve evidence that may be on the device including messages, stored data and/or images.

(a) Officers should not attempt to access, review or search the contents of such devices prior to examination by a forensic expert. Unsent messages can be lost, data can be inadvertently deleted and incoming messages can override stored messages.

(b) Do not turn the device on or off. The device should be placed in a solid metal container such as a paint can or in a faraday bag, to prevent the device from sending or receiving information from its host network.

(c) When seizing the devices, also seize the charging units and keep them plugged in to the chargers until they can be examined. If the batteries go dead all the data may be lost.

807.5 DIGITAL EVIDENCE RECORDED BY OFFICERS
Officers handling and submitting recorded and digitally stored evidence from digital cameras and audio or video recorders will comply with these procedures to ensure the integrity and admissibility of such evidence.

807.5.1 COLLECTION OF DIGITAL EVIDENCE
Once evidence is recorded it shall not be erased, deleted or altered in any way prior to submission. All photographs taken will be preserved regardless of quality, composition or relevance. Video and audio files will not be altered in any way.

807.5.2 SUBMISSION OF DIGITAL MEDIA
The following are required procedures for the submission of digital media used by cameras or other recorders:

(a) The recording media (smart card, compact flash card or any other media) shall be brought to the Property and Evidence Detail as soon as possible for submission into evidence.

(b) Officers are not authorized to review or copy memory cards. The evidence technicians are the only employees authorized to copy and/or distribute digital media made from the memory cards.
(c) As soon as possible following the collection of evidence, the camera operator is to remove the memory card from their digital camera and place the card into a plastic carrier. The card and carrier are then to be placed into a zip-lock type baggie. The camera operator shall write their name and the related case number on the outside of the baggie before placing in the film drop box along with the evidence form.

(d) Evidence technicians will make a copy of the memory card using appropriate storage media. Once they have verified that the images properly transferred to the storage media, the technicians will erase the memory card for re-use. The storage media will be marked as the original.

(e) Officers requiring a copy of the digital files must request a copy on the evidence form when submitted to evidence.

807.5.3 DOWNLOADING OF DIGITAL FILES
Digital information such as video or audio files recorded on devices using internal memory must be downloaded to storage media. The following procedures are to be followed:

(a) Files should not be opened or reviewed prior to downloading and storage.

(b) Where possible, the device should be connected to a computer and the files accessed directly from the computer directory or downloaded to a folder on the host computer for copying to the storage media.

807.5.4 PRESERVATION OF DIGITAL EVIDENCE

(a) Only evidence technicians are authorized to copy original digital media that is held as evidence. The original digital media shall remain in evidence and shall remain unaltered.

(b) Digital images that are enhanced to provide a better quality photograph for identification and investigative purposes must only be made from a copy of the original media.

(c) If any enhancement is done to the copy of the original, it shall be noted in the corresponding incident report.
Digital Imaging Technology

808.1 PURPOSE AND SCOPE
To establish guidelines for the collection, examination, processing, storage, retrieval, and dissemination of images in a digital format, which are the property of the Anaheim Police Department and may be used in the prosecution of an offender or used to investigate any Police matter.

This policy pertains to APD personnel who take photographs within the scope of their routine duties are as follows:

(a) General photography documentation of scenes and incidents responded to.
(b) Assist with criminal investigations as required.
(c) Photographing collected evidence in accordance with documented APD evidence handling procedures.

808.2 POLICY
All digital image and photograph film evidence shall be processed through, stored, and disseminated by the Anaheim Police Department's Forensic Photo Lab. Any images captured for any investigation is considered "evidence" as outlined in the Property and Evidence Policy.

This policy shall not apply to digital images related to historical, training, and public relations type photos.

808.3 ADMINISTRATIVE DUTIES AND ASSIGNMENTS
The Digital Imaging Management System (DIMS) and the employees assigned to administrator the system are assigned out of the Forensic Services Detail. These administrative duties are as follows:

808.3.1 DIMS ADMINISTRATOR

(a) Manage digital images on the departments DIMS system, including archiving, copying and removing of images from the system.
(b) Provide login and password access to DIMS website, per Forensic Supervisor's approval.
(c) Conduct research and testing for future departmental purchases of photographic equipment.
(d) Provide training to agency personnel in photographic techniques, procedures, methodologies and department policies and procedures.
(e) Provide training to agency personnel in operation of specialized photographic equipment.
Digital Imaging Technology

(f) Attend training, workshops and seminars to maintain current knowledge of trends and developments in the field.

(g) Review images for clarity and propriety.

808.3.2 FORENSIC SUPERVISOR

(a) The Forensic Supervisor will review any allegations of impropriety with the Digital Imaging System or its Administration. Improper use of the system or images will be reported to the offender’s supervisor and may be referred to Internal Affairs for review and investigation.

(b) The Forensic Supervisor will approve personnel for access to the DIMS workstations.

(c) The Forensic Supervisor may suspend or revoke access to the DIMS workstations with cause.

808.4 EQUIPMENT

Digital images shall only be captured with approved APD photographic equipment.

(a) The use of personal equipment for official use is discouraged, but can be employed, if approved by the Forensic Supervisor or DIMS administrator. Personal cameras and media must meet the minimum standards set up by the Forensic Detail. All personal equipment must be approved by the DIMS administrator or Forensic Supervisor before use in the field.

(b) Media cards with any personal photos should be erased before use in documenting any crime scene or evidence. When media cards are downloaded into the DIMS system the media card will be erased, any personal photos will not be saved.

(c) Media cards should never be taken home or removed from the building without first being downloaded into the DIMS station. Digital images on media cards are to be treated as evidence and are not to be taken home. It is recommended that if approved personal cameras are used that the employee has dedicated storage media at work for department use.

(d) The use of cell phone cameras is forbidden, except in cases requiring the immediate dispersal of information, such as the acquisition and dissemination of the image(s) of a suspect, missing person, kidnapping victim, or other situation where this technology could be useful. In such cases, the following steps shall be followed:

1. The officer taking the photographs shall include himself/herself in the email used to disseminate the image(s), allowing the photograph to be saved at any official department computer workstation. The officer shall save the image(s) onto his/her SD camera memory card. The image(s) shall then be downloaded into the DIMS system. The image(s) shall be downloaded at the end of the officer’s shift regardless of whether or not a detention was made. The Officer shall take steps to ensure the actual surveillance footage is copied and/or obtained as evidence.
2. Officers are prohibited from using the photo(s) for any purpose other than dissemination to appropriate members of the department and/or assisting agencies, expressly for the purpose of identification and apprehension of suspect(s), or other legitimate police purpose.

3. The officer shall include the details surrounding the acquisition, dissemination and the subsequent evidentiary storage of the photo(s) in their police report. Nothing in this policy shall be construed to permit use of cell phone cameras for capturing images relating to any crime scene documentation (whether for case study or personal use). In these circumstances the cell phone shall be confiscated and booked into APD evidence, per the Department evidence handling procedures.

(e) Individuals will be responsible for maintaining there own equipment, including making sure the cameras date and time stamp are correct, especially before photographing any crime scenes or incidents.

808.5 CHAIN OF CUSTODY
After digital images have been captured, the memory card should be removed, and all images must be downloaded at one of the designated DIMS download sites. With the exception of historical, training, and public relations photos, no images from a camera may be deleted, copied, transferred, emailed, or printed prior to downloading into the DIMS system.

(a) All digital images taken by Anaheim Police Personnel will be stored on the DIMS database with appropriate information that includes the case number (where appropriate), crime type (if applicable), location, and the name of the person who created the images.

(b) All digital image evidence shall be downloaded to the DIMS Database as soon as practicable, but no longer than 24 hours after being taken without the approval of the Forensic Supervisor or the DIMS Administrator.

(c) If emergency circumstances exist and with supervisor approval, images can be archived to an alternate approved media type. Images captured for emergency tactical situations i.e. intelligence for the SWAT team, may be viewed in a computer, downloaded and/or removed from the original storage medium. The images will be downloaded into DIMS as soon as possible. The Forensics Supervisor or DIM Administrator shall be notified.

(d) No department media should be taken home without the approval of the Forensic Supervisor or DIMS Administrator.

808.6 IMAGES
808.6.1 STORAGE OF IMAGES
Digital images taken within the APD for investigative use will reside in the main Digital Image Management System (DIMS) located in the Forensic Detail. Once images have been downloaded, regardless of the location throughout the APD, the DIMS system will automatically make backup copies of each original image. An original unalterable digital image will always be archived on the DIMS database.

(a) Images captured with a digital camera are original images and equivalent to a negative in film based photography. All crime scene images captured with a digital camera must be handled as film. Digital images, under no circumstances, may be deleted in the field. This includes any blank images, mistakes, etc. No image should be deleted from the card, once it is taken.

(b) Archived photographic and digital data files will be maintained by designated personnel and under controlled access. Access to the Dims Database Archive will be restricted to the Forensic Supervisor, the DIMS administrator, and other designated Forensic Personnel.

808.6.2 VIEWING OF IMAGES
All digital images captured by Anaheim Police Department Personnel should be stored in a manner that provides a secure environment yet allows for accessibility when the images are required. The DIMS digital image system has been implemented for this purpose.

(a) Approved APD Personnel, including Forensic Personnel, Detectives, Investigators, etc. will have access to the DIMS webpage for the viewing of the digital images.

1. The DIMS webpage allows the viewing of images for crimes and incidents. The viewer can view "thumbnails" or full views and close-ups of any image. It is strongly recommended that Officers, Detectives and Investigators view the images online for information before ordering hardcopies of the images.

2. Sensitive and classified images will be downloaded into secured files by the person capturing the image (photographer). Images of homicides, or those graphic or sexual in nature, shall be placed into the secure files. Internal Affair images will also be in secure files.

3. Access to any secured file in DIMS will be granted only to the police personnel needing access to the images to complete their assigned duties.

(b) Anaheim Police Personnel whose routine duties do not include any type of digital image capturing or viewing will not be allowed access to the DIMS webpage viewer, unless approved by the Forensic Supervisor.

(c) Viewing of the DIMS webpage will require a login and password provided to APD Personnel by the DIMS Administrator.
Digital Imaging Technology

(d) Instruction and training on how to access and use the DIMS webpage will be provided by the Forensic Services Detail.

808.6.3 RELEASE OF IMAGES
Any output devices being utilized should be capable of producing an accurate representation of the original input image. Regardless of the final output (print, CD, DVD, etc.) all images are the property of the Anaheim Police Department and may only be used for law enforcement purposes.

(a) Request for the release of images that are the property of the Anaheim Police Department, other than to department personnel or the prosecuting attorney will be released only in accordance with current APD procedures.

(b) Images can also be released to other law enforcement agencies at the discretion of an appropriate supervisor. The Anaheim Police Department makes images available as prints and digital files when the proper requirements are met. Charges for these services may be assessed per city requirements.

808.7 TRAINING OF PERSONNEL
It shall be the responsibility of each area within the APD to ensure that any employee utilizing digital technology is properly trained in the use of the equipment, and has a full understanding of the operating procedures in place. Periodic evaluations will be performed by the Forensic Detail Photo Lab to confirm image quality including, but not limited to consistency of focus, exposure, and composition. If inconsistencies are encountered, the photo lab will contact the employee, and actions will be taken to isolate and rectify any errors.

(a) Additional training in the use of digital photo equipment can be requested through the Forensic Detail.

808.8 DEFINITIONS
Archiving- Long-term storage of an Image.

Archive Image- Either the primary or original image stored on media suitable for long-term storage

Capture- The process of recording an image.

Chain of Custody- The chronological documentation of the movement, location, and possession of evidence.

Copy Image- A reproduction of information contained in a primary or original image.

Digital Image- An image that is stored in numerical form.

Image Output- The means by which an image is presented for examination or observation.

Image Processing- Any activity that transforms an input image into an output image.

Intermediate Storage- Any media or device on which an image is temporarily stored for transfer to permanent or archival storage.
Digital Imaging Technology

**Original Image** - An accurate and complete replica of the primary image, irrespective of media.

**Processed Image** - An output image.

**Storage Media** - Any object on which an image is preserved.

**Working Image** - Any image that is subjected to processing, or a compressed copy of an original image, used for distribution and display purposes.
Chapter 9 - Detention Facility
Detention Facility Administration

900.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines and procedures for the booking, housing, security and release of prisoners at the Anaheim Police Department's Temporary Holding Facility. In addition to this policy, the Anaheim Police Department shall maintain the Field Services and Procedures Manual to guide the operation of the Temporary Holding Facility. The policies of the Detention Facility also include the following Policy Manual sections:

- Policy Manual § 100 Policy Manual
- Policy Manual § 300 Use of Force
- Policy Manual § 302 Major Incident Review
- Policy Manual § 306 Leg Restraint Device
- Policy Manual § 308 Control Devices and Techniques
- Policy Manual § 324 Temporary Custody of Juveniles
- Policy Manual § 354 Handcuff Policy
- Policy Manual § 374 DNA Samples
- Policy Manual § 418 Mental Illness Commitments
- Policy Manual § 420 Cite and Release Policy
- Policy Manual § 422 Arrest and Detention of Foreign Nationals
- Policy Manual § 428 Immigration Violations
- Policy Manual § 514 Drunk Driving Evidence and Collection
- Policy Manual § 902 Search Procedures for Arrestees
- Policy Manual § 1016 Communicable Diseases
- Policy Manual § 1046 Uniform Regulation

The Department shall maintain the custody of prisoners in accordance with this policy, the Field Services and Procedures Manual and in accordance with applicable law.

900.1.1 DEFINITION
The Anaheim City Detention Facility is a Type I facility.

(a) A Type 1 facility means a local detention facility used for the detention of persons for not more than 96 hours, excluding holidays, after booking.

(b) Such a Type 1 facility may also detain persons on court order, either for their own safe keeping or sentenced to a city detention facility as an inmate worker, and may
house inmate workers sentenced to a county jail facility provided such placement in the facility is made on a voluntary basis on the part of the inmate.

(c) As used in this section, an inmate worker is defined as a person assigned to perform designated tasks outside of his/her cell or dormitory pursuant to a written policy of the facility for a minimum of six (4) hours each day on a five (5) day schedule, work week.

(d) No prisoner will be held in the Temporary Holding Facility unless there is a designated employee who remains within the police building who can supervise the Temporary Holding Facility and respond to emergencies. This person will be designated by the Temporary Holding Facility supervisor and must not leave the police building while prisoners are in custody. This person will not have other duties that could conflict with the supervision of prisoners. Whenever one or more female inmates is in custody, there shall be at least one female employee, who shall be immediately available and accessible to such females (15 CCR § 1027).

900.1.2 SECTION RESPONSIBILITY
In addition to special functions of on-duty Detention Facility personnel, such as preparation of court runs, inmates' hygiene needs, feeding, etc.; the detention personnel will have such general duties as follows:

(a) At the beginning of each shift, oncoming personnel shall be thoroughly briefed by off going shift personnel with respect to any unusual occurrences, problems, special needs and information.

(b) Upon completion of briefing, oncoming detention personnel shall conduct a full inspection and walk-through of the facility and complete a head count to ensure the accuracy of the Jail Management System (JMS). All discrepancies shall be immediately brought to the attention of the Correctional Sergeant.

(c) The detention personnel shall conduct hourly direct visual inspections of all inmates, the entire Detention Facility and inspect occupied sobering cells and securely confined juveniles at least every 30 minutes, and occupied safety cell twice every 30 minutes.

900.1.3 CHAIN OF COMMAND
The Chain of Command is as follows:

1. Chief of Police
2. Deputy Chiefs of Police
3. Field Services Division Commander
4. Correctional Lieutenant or Watch Commander
5. Correctional Sergeant
6. Bailiff
7. Correctional Officer

900.1.4 DEPARTMENT ORGANIZATION AND RESPONSIBILITY
The following responsibilities for the Temporary Holding Facility operations have been established (15 CCR § 1029):

(a) Facility Administrator: The Chief of Police shall be the Facility Administrator officially charged, by law, with the administration of the Temporary Holding Facility.

(b) Correctional Lieutenant: Will have the responsibility for planning, managing, administrative functions, establishing channels of communication, and conducting inspections and operations reviews, review of the facility manual and the operations of the Temporary Holding Facility. The Correctional Lieutenant will be responsible to the Facility Administrator.

(c) Correctional Sergeant: The employee with 24 hour a day functional responsibility for the Temporary Holding Facility will be the Watch Commander. Any other supervisor may provide assistance as needed. The Correctional Sergeant shall be responsible to the Correctional Lieutenant.

(d) Custodial personnel: Custodial personnel shall be those on-duty detention officers or other designated employees whose additional duties include the supervision of prisoners who are detained in the Temporary Holding Facility. Custodial personnel will be responsible to the Correctional Sergeant.

(e) Transportation Officer: Transportation Officers shall be those on-duty corrections officers, bailiffs and sergeants, acting outside of the detention facility, who are performing the duty of transporting prisoners.

900.2 PERSONNEL

900.2.1 STAFFING
The Detention Facility shall be staffed with an adequate number of personnel on all shifts to provide for the safety, emergency, first aid and welfare of inmates.

Detention Facility Minimum Staffing

(a) Minimum of four personnel, with at least two STC Qualified Officers

(b) One of four shall be a Correctional Sergeant or Acting Correctional Sergeant

(c) At least one full time Detention Facility staff member trained for general fire and life safety in the Anaheim Detention Facility will be on duty at all times

(d) Two Detention Facility Assistants

Detention Facility Shift Selection

(a) Correctional Sergeants shall bide within their group by seniority.

(b) Correctional Officers, both male and female, shall bide by seniority for available shifts.
Detention Facility Administration

(c) Detention Facility Assistants shall bide within their group by seniority.

(d) Each work shift should include at least one male correctional officer and one female correctional officer.

900.2.2 UNIFORM POLICY
Correctional Lieutenant, Correctional Sergeant/Correctional Bailiff/Correctional Officer

Uniform:

(a) The Detention Facility Class A and B uniforms will meet the same standards and requirements outlined in Section 1046 of the Policy Manual.

(b) The Detention Facility Soft uniform must meet the following requirements:
   1. Tactical S/S shirt (forest green) with cloth (Detention) badge and name tape
   2. Tactical pants (forest green)
   3. Black basket weave or Cordura pant belt

   (a) Equipment:
   1. A black basket weave or Cordura Sam Brown belt or approved jail vest
   2. Handcuff case with handcuffs
   3. Radio holder with radio
   4. Taser
   5. Holster (while performing duties of transportation officer)
   6. Magazine pouch (while performing duties of transportation officer)
   7. Firearm (while performing duties of transportation officer)

(c) Correctional Sergeants and Correctional Bailiffs shall be designated by chevron insignias on their Class A and B uniform shirts, sewn onto the sleeves located directly below each of the Anaheim Police Department uniform shoulder patches. Correctional Sergeants will be designated by three gold/black chevrons. Correctional Bailiffs will be designated by two gold/black chevrons.

Detention Facility Assistant

(a) Uniform:
   1. The Detention Facility Class A and B uniform will meet the same standards outlined in Section 1046 and meet the following requirements:
      (a) Woman's Pants, Dacron/Wool blend (forest green)
      (b) S/S Dacron-Rayon (Silvertan) with cloth (Detention) badge, name tape, and "Detention Facility" rocker under shoulder patch
      (c) Black basket weave pant belt
      (d) Radio holder with radio (during matron assignments)
900.2.3 TRAINING PROGRAM
Trainee Correctional Officers will be assigned to a Detention Facility Training Officer and will complete a training period, with satisfactory performance in all functional areas.

(a) Trainee(s) will be assigned to different teams within the training period, which will run consecutively.

(b) At the end of each shift, the assigned Detention Facility Training Officer shall complete a daily evaluation report and review it with the trainee, noting his/her strong areas of performance and discussing areas for needed improvement. The training officer and trainee must both sign the evaluations.

(c) Signed completed daily evaluations will be submitted to the Correctional Sergeant overseeing the Facility Training Program when completed for review of any areas of concern.

(d) The Correctional Sergeant overseeing the FTO Program shall meet with the training officer on a bi-weekly basis to discuss performance issues and program content. Any issues should be brought to the attention of the Correctional Lieutenant.

(e) Those areas of performance needing improvement shall also be reviewed in detail and resolved.

(f) For those trainees that successfully complete the training program, the trainee will be assigned to a permanent team for the duration of his/her probationary period.

(g) The Detention Facility Training Officer should then review the final training evaluation with the trainee.

All Detention personnel are required to complete training as dictated by the California Board of State Community Corrections (BSCC) in regards to the CORE and Annual requirements specified by Standards for Training in Corrections (STC).

900.2.4 ACTIVATION AND RECALL PROCEDURE
The intent of this section is to establish a standard method for placing additional personnel back into service as quickly as possible after a disaster or emergency occurs. The proceeding guidelines are meant to act in conjunction with the Anaheim Police Department Tactical Alert and Mobilization Plan with the understanding that the Detention Facility has a primary mission to ensure the safety and well being of the inmates housed in the facility.

As per the Police Department disaster response policies, all on-duty personnel are expected to remain on-duty until an accurate assessment of the situation can be made and they are properly released or relieved.

All off-duty personnel, advised of a disaster mode condition, shall contact the Detention Facility to determine if a response is needed.

900.3 FACILITY


Detention Facility Administration

900.3.1 INSPECTIONS
The Correctional Lieutenant is responsible for the overall operation of the Detention Facility Bureau and staff. The Correctional Lieutenant should make unscheduled facility inspections.

The Correctional Sergeant shall inspect the facility during their shift. Deficiencies shall either be corrected or reported to the Correctional Lieutenant. A complete facility inspection shall be performed and documented on a monthly basis. The results of the monthly inspection will be documented in writing. The inspection record shall be retained for two years.

The Correctional Officer shall report to the Correctional Sergeant any deficiencies observed during his/her tour of duty.

The Correctional Sergeant/Correctional Officer in charge shall make sure that a physical inspection of the complete Detention Facility occurs no less than once every hour and each occupied sobering cell inspected at least once every half-hour. The inspecting officer shall complete the entries for the hourly facility inspections on the JMS facility log. The log forms shall contain the exact time of the inspection and the results of the inspection.

When a Detention Facility inspection is made more than 15 minutes past the scheduled time, the inspection officer shall indicate the reason for being late.

900.3.2 FOOD SERVICE PLAN
The Correctional Lieutenant, or his/her designee, shall prepare a food service plan. The plan shall include, but not limited to, the following policies and procedures:

(a) menu planning
(b) purchasing
(c) storage and inventory control
(d) food preparation
(e) food serving
(f) transporting food
(g) orientation and ongoing training
(h) personnel supervision
(i) budgets and food cost accounting
(j) documentation and record keeping
(k) emergency feeding plan
(l) waste management
(m) maintenance and repair.

Prisoner food will be made on-site, purchased from a local restaurant or from a food service provider.
900.3.3   KITCHEN FACILITIES
Kitchen facilities, sanitation, and food preparation, service, and storage shall comply with standards set forth in Health and Safety Code, Division 104, Part 7, Chapters 1-13, Sections 113700 et seq. California Retail Food Code.

900.3.4   SECURITY
(a) The Correctional Lieutenant shall, at least annually, review, evaluate and make a record of the internal and external security measures of the facility.
(b) All external entrance doors and interlocking doors are to be kept locked, except when being used for passage.
(c) All firearms must be secured outside the Detention Facility.
(d) All inmates entering the Detention Facility should be handcuffed by the responsible officer. If the subject cannot be cuffed, he/she shall be restrained in some other manner.
(e) Patrol rifles shall be stored in the sally port safe when not secured within the transportation vehicles.
(f) No agents, tactical weapons or other security devices shall be stored in the Detention Facility.
(g) Sentenced inmates shall be confined to their cells/dorms from the hours of 2300 and 0500 hours, unless requested by a Correctional Officer for a duty assignment.
(h) The Detention Facility kitchen and laundry room shall be locked each night at 2300 hours and opened at 0500 hours.
(i) Detention Facility Staff shall maintain control of, and restrict access to the Detention Facility office. The doors to the Detention Facility office should remain closed.

Exceptions may occur only during emergencies.

900.3.5   CONTRABAND CONTROL
Signs prohibiting the taking or possession of contraband in the Detention Facility shall be posted on the exterior of every entrance. The signs shall cite applicable laws and state that everyone entering the Detention Facility is subject to search. Cell searches for contraband shall be conducted on a random basis and documented in the Jail Management System. Except in an emergency situation, male employees shall not search or enter the cell of a female prisoner, unless another female employee is present.

900.3.6   KEY CONTROL
(a) Each Correctional Sergeant and Correctional Officer shall be issued their own ring of Detention Facility keys.
(b) Key rings shall contain an identification tag denoting who the ring is issued to.
Detention Facility Administration

(c) Correctional Sergeants will conduct a key inspection at the beginning of each shift to ensure Correctional Officers are in possession of their assigned key ring.

(d) The key ring shall be in the individual’s direct possession or securely locked within the Detention or Police Facility.

900.3.7 SANITATION AND MAINTENANCE
The Correctional Sergeant shall direct the cleaning of the Detention Facility, as necessary; during his/her shift. All trash should be removed from all housing units no later than one hour after meals are served. Any maintenance problems will be reported to the Correctional Lieutenant.

900.3.8 FIRE/SMOKE DETECTOR
All fire/smoke detectors within the facility are monitored, inspected and maintained by a private alarm company. Whenever an alarm is activated:

(a) One on-duty Detention Facility staff will respond and inspect the location indicated on the fire alarm panel.

(b) If the area is determined to be safe they will inspect the remainder of the facility for fire/smoke.

(c) If no cause was found for the alarm activation and the facility is determined to be safe, on-duty Detention Facility staff will notify the communications control center and advise them of the Detention Facility status.

900.3.9 FIRE EXTINGUISHERS
All fire extinguishers will be inspected on a monthly basis. The results of the monthly inspection shall be documented in writing. The inspection record shall be retained for two years. Fire extinguishers are located in the following locations:

1. (3) Jail Office
2. (1) Bail Office
3. (1) Employee Lounge
4. (1) Chemical Test Room
5. (1) Kitchen
6. (1) Storeroom Corridor #7
7. (1) Trusty Dayroom
8. (1) Storeroom Corridor #13

900.3.10 AIR BREATHING APPARATUSES
All air breathing apparatuses will be inspected on a monthly basis. The results of the monthly inspection shall be documented in writing. The inspection record shall be retained for two years. Air Breathing Apparatus are located in the following locations:
Detention Facility Administration

1. (3) Jail Office
2. (2) DVR closets (east end)
3. (2) Storeroom Corridor #7 between inmate showers

900.3.11  EXITS
The four exits to the Detention Facility are as follows:
1. Prisoner Loading Bay
2. South Man-trap
3. Corridor #13, South/East corner of the Facility
4. North Man-trap

900.3.12  MEDICAL SUPPLIES
All medical supplies are located in the cabinets along the south wall of the jail office.

900.3.13  TOURS
All public tours of the Detention Facility shall be authorized by the Correctional Lieutenant, or his/her designee. A Correctional Officer or Correctional Sergeant will accompany the tour to ensure safety and security of all members of the tour.
Custody Searches

901.1 PURPOSE AND SCOPE
The purpose of this policy is to establish consistent department procedures which conform to Penal Code § 4030 regarding pat-down, booking and strip searches of pre-arraignment detainees.

901.2 POLICY
Pat-Down Search - This is the normal type of search used by officers in the field to check an individual for weapons. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the prisoner, or other prisoners.

Booking Search - This search is used in the jail and again involves a thorough patting down of an individual's clothing. All pockets, cuffs, etc., on the clothing are checked to locate all personal property, contraband, or weapons. The prisoner's personal property is taken and inventoried.

Strip Search or Visual Body Cavity Search - This is a search that requires a person to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks or genitalia of such person (Penal Code § 4030(d)(2)). This includes monitoring of an arrestee showering or changing clothes where the arrestee's underclothing, buttocks, genitalia or female breasts are visible to the monitoring employee.

Physical Body Cavity Search - This is a search that includes physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of a person, and the vagina of a female person (Penal Code §§ 4030(d)(1) and 4030(d)(3)).

901.3 FIELD AND TRANSPORTATION SEARCHES
When any officer has reasonable suspicion to believe that a person being lawfully detained may possess weapons or other dangerous items, or in such circumstances the officer reasonably believes that the individual may present a threat to officer safety, that officer may conduct a normal pat-down search of that individual.

Prior to detaining any individual in any police vehicle, an officer should conduct a normal pat-down search of that individual.

Whenever practical, a pat-down search of an individual should be conducted by an officer of the same sex as the person being searched. Absent the availability of a same sex officer, it is recommended that a witness officer be present during any pat-down search of an individual of the opposite sex as the searching officer.

901.4 SEARCHES AT POLICE FACILITIES
(a) Absent emergency circumstances in which no reasonable alternative exists, no person arrested for a misdemeanor or infraction not involving weapons, controlled substance or violence may be placed in the general jail population, unless all of the following conditions exist:
Custody Searches

1. The person is not cited and released
2. The person is not released on his or her own recognizance
3. The person is not able to post bail within a reasonable time not less than three hours

(b) Any person taken into custody may be subjected to pat-down searches, metal detector searches, and thorough clothing searches in order to discover and retrieve concealed weapons and contraband prior to being placed in a booking cell.

901.5 STRIP SEARCHES
No person held at an Anaheim Police Department facility shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the person has a health condition requiring immediate medical attention or is concealing a weapon or contraband. Factors to be considered in determining reasonable suspicion include, but are not limited to:

(a) The detection of an object during a pat-down search that may be a weapon or contraband and cannot be safely retrieved without a modified strip search or strip search.

(b) Circumstances of a current arrest that specifically indicate the person may be concealing a weapon or contraband. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.

(c) Custody history (past possession of contraband while in custody, assaults on staff, escape attempts).

(d) The person's actions or demeanor.

(e) Criminal history (level of experience in a custody setting).

No transgender or intersex prisoner shall be searched or examined for the sole purpose of determining the prisoner's genital status. If the prisoner's genital status is unknown, it may be determined during conversations with the prisoner, by reviewing medical records, or, if necessary, as part of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

901.5.1 STRIP SEARCH PROCEDURES
Strip searches at Anaheim Police Department facilities shall be conducted as follows (Penal Code § 4030; 28 CFR 115.115):

(a) Written authorization from the Jail Commander/Watch Commander shall be obtained prior to the strip search.
(b) All employees involved with the strip search shall be of the same sex as the person being searched, unless the search is conducted by authorized medical personnel (28 CFR 115.115).

(c) All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that the search cannot be observed by persons not participating in the search. The search shall not be reproduced through a visual or sound recording.

(d) Whenever possible, a second officer of the same sex should be present during the search for security and as a witness to the finding of evidence.

(e) Employees conducting a strip search shall not touch the breasts, buttocks or genitalia of the person being searched.

(f) The primary employee conducting the search shall prepare a written report to include:
   1. The facts that led to the decision to perform a strip search.
   2. The reasons less intrusive methods of searching were not used or were insufficient.
   3. The written authorization for the search, obtained from the Jail Commander/Watch Commander.
   4. The name of the person who was searched.
   5. The name and sex of the persons who conducted the search.
   6. The name, sex and role of any person present during the search.
   7. The time and date of the search.
   8. The place at which the search was conducted.
   9. A list of the items, if any, recovered during the search.
   10. The facts upon which the employee based his/her belief that the person searched was concealing a weapon or controlled substance, if the person was not arrested for a felony.

(g) A copy of the written authorization shall be retained and made available upon request to the prisoner or the prisoner’s authorized representative.

(h) No employee should view a prisoner's private underclothing, buttocks, genitalia or female breasts while the prisoner is showering, performing bodily functions or changing clothes, unless the prisoner otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the prisoner with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the prisoner’s consent and/or otherwise protect the prisoner’s privacy and dignity.
901.6 PHYSICAL BODY CAVITY SEARCH

(a) No person arrested on a misdemeanor or infraction shall be subjected to a body cavity search without a search warrant (Penal Code § 4030(h)).

(b) A copy of the search warrant and the results of any body cavity search shall be included with the related reports and made available, upon request, to the arrestee or authorized representative (Penal Code § 4030(i)).

(c) Only a physician, nurse practitioner, registered nurse, licensed vocational nurse, or Level II Emergency Medical Technician (EMT) may conduct a physical body cavity search (Penal Code § 4030(k)).

(d) Except for the above mentioned licensed medical personnel, persons present must be of the same sex as the person being searched. Privacy requirements, including restricted touching of body parts, are the same as the strip search standard.

901.7 TRAINING

The Correctional Lieutenant shall ensure members have training in, at a minimum (28 CFR 115.115):

- Conducting searches properly in a professional and respectful manner and in the least intrusive manner possible, consistent with security needs.
- Conducting cross-gender searches.
- Conducting searches of transgender and intersex prisoners.
Detention Facility Intake

902.1 BOOKING

902.1.1 TYPES OF INMATES RECEIVED
The Anaheim City Detention Facility may accept the following for booking:

(a) Anaheim Arrestees
   1. Subjects arrested by Anaheim Police personnel

(b) Court Commitment (Sentenced Inmate Worker)
   1. Inmates booked in as Inmate Workers or Pay to Stay Program, received from the court on a commitment basis shall be booked, photographed and fingerprinted. Those persons who have been taken to court and returned on the same day shall not be considered as having been released.

(c) Courtesy Bookings
   1. Subjects arrested by another agency and detained at the Anaheim Police Department Detention Facility temporarily for later release to arresting agency.
   2. Courtesy bookings must be approved by the Operations Support Division Commander, Correctional Lieutenant, the Watch Commander, or Correctional Sergeant.
   3. A booking report will be completed and a GO number obtained for all courtesy bookings. No photo or fingerprints will be taken.
   4. If possible, have the arresting agency collect and maintain the inmate's property.

(d) Bail Bond Surrender
   1. Only those arrestees whose bail was given while in custody of the Anaheim Police Department (Sec 1300 Penal Code) will be accepted.
   2. Bail Bond surrenders must be approved by the Correctional Sergeant on duty.

(e) Immigration Violations
   1. Persons arrested for immigration violations may be booked into the Anaheim Temporary Detention Facility only if they meet all requirements of California Government Code 7282 and APD policy 428.

(f) Traffic and Parking Warrant Arrests
   1. In cases where a person is arrested for warrants which, when omitting the 40508(a) section, are for either parking violations or infractions, the person will be held for three hours without having to be booked and he/she is entitled to make three completed phone calls in an attempt to raise bail.
Detention Facility Intake

2. If unsuccessful after the three-hour time limit, he/she will be booked.

3. When a person is detained pursuant to this section and he/she is released without booking, a notation of his/her bail information shall be made on the JMS Facility Log.

(g) Out of State Felony Warrant Arrest

1. Those persons arrested on out-of-state felony warrants WITHOUT local charges are to be transferred to Orange County Jail. The booking charge for such warrants should be listed as 1551.1 PC, out-of-state fugitive from justice.

2. In the event that the warrant is a Governors' warrant as defined in Penal Code section 1551.2 the arrestee will still be booked under Penal Code section 1551.1 however there will be no bail.

(h) Citation Release of Misdemeanor Warrant Suspects

1. The decision to release people on a citation rests with the Correctional Sergeant. Unusual circumstances should have the approval of the Correctional Lieutenant or Watch Commander.

2. Persons arrested under the authority of misdemeanor arrest warrants and who cannot make bail may be released on a citation if they qualify, pursuant to Penal Code section 827.1.

902.1.2 ASSISTANCE IN SALLY PORT

Correctional Officers will respond to the sally port to assist with removing inmates from police units when requested by a transporting officer. A minimum of one staff member will remain in the Detention Facility Office to ensure security of the facility.

902.1.3 ARRESTING AND TRANSPORTING

(a) Complete the arrest module in Records Management System (RMS).

(b) Ensure that all arrestees are searched for weapons and handcuffed prior to entry into the Detention Facility.

(c) Arrestee pocket possessions, excluding contraband, shall be placed into Detention Facility property bag prior to booking.

(d) Upon entry into the Detention Facility, the officer should escort the arrestee to the booking area where the arrestee is to remain handcuffed until a Correctional Officer removes the handcuffs. The officer will stand by while the arrestee is being searched and/or strip-searched and secured in a holding or sobering cell.

(e) Book into evidence any contraband found during the search.

(f) Advise the receiving Correctional Officer regarding any circumstances about the arrests or medical issues that may have an effect on the booking process.
Detention Facility Intake

(g) Special attention should be given to an arrest involving an inmate with a communicable disease, suicidal statements, or that were involved in a vehicle accident or physical altercation.

(h) Notify parent/guardian if inmate is a juvenile, and advise receiving officer regarding such notification.

(i) Witness the chemical test(s) for blood alcohol if necessary.

(j) The arresting/transporting officer shall submit a Probable Cause Declaration on all arrests.

902.1.4 SEARCHING AND BOOKING
All arrestees brought into the Detention facility must be searched by a Correctional Officer or other authorized employee of the same gender whenever possible before the arresting Officer relinquishes control. When an arrestee has been handcuffed, the arrestee should remain handcuffed until the search is completed.

In the case of female arrestees, all searches will be conducted by a female Correctional Officer or designated female employee whenever possible, and the male employees shall remain available to assist immediately if needed.

Arrestee search procedures and policies are found in Policy Manual 902.

(a) The booking officer will complete a weapons and property search of the inmate and take the property into the office to the booking officer/cadet. All inmates entering the Detention Facility will be searched.

(b) The booking Correctional Officer / Police Cadet will inventory inmate property making sure the process is recorded via video. The property shall be bagged and placed into a property locker as soon as possible following the initial booking search. The JMS property module shall be used for all property inventories.

(c) All small items of jewelry should be placed in a small plastic bag before placing them in the plastic property bag.

(d) All cash in excess of $500.00 will be counted by the receiving officer and verified by a witness officer with both officers signing the money envelope. All monies shall be counted under a video camera.

(e) Once the inmate's property has been placed in a property locker, all additional property access shall be noted in the comments section of the property module in the JMS. This notation will specify the reason for the access, the date and time, and the officer(s) involved. If any additional property is included at a later time, it shall be added to the property module of JMS.

(f) No property shall be left in a location accessible to inmates.

(g) Conduct a strip search in the appropriate cases. Refer to Strip Search policy (902.5)
902.1.5 OUTSIDE AGENCY BOOKINGS
Outside agencies making an arrest and booking at the Anaheim Temporary Detention Facility will complete the booking process via the JMS system. An outside agency inmate who requires medical treatment is to be transported by the arresting agency and a medical clearance obtained prior to booking.

The responsibility to conduct Criminal History search information and warrant checks are the responsibility of the Detention Facility Assistants (DFA’s).

902.1.6 POPULATION ACCOUNTING
The Correctional Lieutenant, or his/her designee, shall maintain an inmate demographics accounting system which reflects the monthly average daily population of sentenced and non-sentenced inmates by categories of male, female and juvenile.

902.2 MEDICAL AND MENTAL SCREENING

902.2.1 MEDICAL SCREENING
Upon being received in the Detention Facility all inmates will be questioned as to their medical condition by the Correctional Officer.

(a) Intoxicated Arrestees

1. Inmates who are intoxicated or uncooperative shall be questioned regarding their medical condition. If no information is obtained a notation must be made by the officer stating the outcome, the time, and the intent to "Re-Evaluate When Sober."

   (a) The officer attempting to conduct the medical screening must conduct an observation of the inmate to check if the uncooperative/intoxicated appearances of the inmate are not likely to be due to a possible medical condition such as a stroke, head trauma, heat exhaustion, or a condition in need to be triaged/referred out for a medical clearance.

   (b) If the Correctional Sergeant believes a medical problem may exist, the inmate should be referred out for a medical clearance.

   (c) The Correctional Officer asking the questions shall use the Anaheim Police Department Screening form located in the JMS for that purpose.

   (d) With any "YES" answers the Correctional Sergeant should be advised for further evaluation.

   (e) All entries or modifications made by any officer shall be saved as a final version to protect the officer's entry information.

(b) Arrestees that have any of the following shall not be booked into the Anaheim Detention Facility without prior medical clearance:
Detention Facility Intake

(a) Arrestees that have suffered physical trauma that caused visible or apparent injuries (example: head trauma from vehicle accident).

(b) Arrestees with open wounds with uncontrolled bleeding.

(c) Arrestees who are unconscious or non-coherent.

(d) Arrestees that cannot walk or speak due to intoxication.

(e) Arrestees that are violently reacting to hallucinations; seeing things that are not visible, or reacting to claimed auditory suggestions that only they can hear.

(f) Severely intoxicated Juveniles requiring secure detention in the detention facility.

(g) Drug addicts or alcoholics exhibiting symptoms of withdrawal.

(h) Arrestees with any type of body vermin.

(i) Arrestees who are taking nitroglycerin or who are insulin dependent.

(j) Arrestees who were observed or suspected of ingesting or storing illegal drugs in a body cavity.

(c) Inmates who are classified in any of the following groups may be booked into the Detention Facility, but should be transported to Orange County Jail or released as soon as possible.

(a) Female's that are six (6) or more months pregnant

(b) Pregnant females currently using narcotics or alcohol, or are having or have had problem pregnancies.

(c) Epileptics with a history of recent seizures.

(d) Any arrestee receiving methadone treatment.

(e) Any female wishing to continue taking birth control pills while in custody.

(f) Those with contagious airborne diseases. Detention Facility's personnel will comply with California Code of Regulation, Title 17. Responsibility for reporting communicable diseases to local public health. All inmates with suspected communicable diseases shall be segregated until a medical evaluation can be completed. To determine if such segregation shall be made in the absence of medically trained personnel at the time of intake into the facility, an inquiry shall be made of the inmate being booked as to whether or not he/she has or has had any communicable diseases or has observable symptoms of communicable diseases, including but not limited to, tuberculosis, other airborne diseases, or other special medical problem identified by the health authority. The response shall be noted on the booking form and/or screening device.
Detention Facility Intake

(g) Inmates who are physically disabled to the point they are unable to care for themselves.

(h) Inmates with physical disabilities beyond the care capability of the Detention Facility.

(i) Arrestees who have asthma

(j) Arrestees who are currently taking scheduled prescription medication.

(k) Any other condition determined by an on duty Correctional Sergeant.

(l) Any arrestee requiring injectable medications.

If an inmate is seen at a hospital, the After Care Sheet and medical care treatment record should be obtained. The After Care Sheet must specify the condition of the inmate, if any treatment, and if subject is safe to return to Detention Facility.

(a) Sentenced Inmates who are prescribed psychotropic medications must be on the approved list as provided by the Medical Doctor of record for the detention facility and the prescription must be written by the inmate’s personal physician. Current approved psychotropic medications are:

1. Celexa (citalopram)
2. Cymbalta (duloxetine)
3. Effexor, Effexor XR (venlafaxine)
4. Lexapro (escitalopram)
5. Paxil, Paxil CR (paroxetine)
6. Prozac (fluoxetine)
7. Sarafem (fluoxetine)
8. Wellbutrin, Wellburin SR, Wellbutrin XL (bupropion)
9. Zoloft (sertraline)
10. Zyban (bupropion)

902.2.2 MENTAL SCREENING

Mentally Disordered

(a) The Anaheim Detention Facility will provide for the identification and evaluation of all mentally disordered inmates with segregation, if necessary to protect the safety of the inmate or others. An inmate shall be considered to be mentally disordered if he or she appears to be a danger to himself/herself or others or if he/she appears gravely disabled. The following guidelines shall be followed when an inmate is identified as being mentally disordered.
Detention Facility Intake

1. The booking officer will notify the Correctional Sergeant of the mentally disordered inmate.

2. The Correctional Sergeant will arrange for the inmate to be seen by a physician as soon as possible or in all cases within 24 hours.

3. A mentally disturbed inmate that appears to be a danger to himself/herself or others or to be gravely disabled shall be transferred for further evaluation to a designated Lanterman Petris Short treatment facility designated by the county and approved by the State Department of Mental Health for diagnosis and treatment of such apparent mental disorder for the Orange County Jail.

4. A mentally disturbed inmate that does not appear to be a danger to himself/herself or others or to be gravely disabled should be transferred to a treatment facility, or the Orange County Jail.

Developmentally Disabled

(a) All inmates will be screened to determine if they are developmentally disabled. When an inmate is suspected or confirmed to be developmentally disabled, the Correctional Sergeant should segregate the inmate from other inmates for their safety. Developmentally disabled inmates may be booked, but will not be housed in the Anaheim Detention Facility. He/she shall be transported to an appropriate medical facility within 24 hours.

902.3 PROCESSING AND SEGREGATION

902.3.1 PRISONER CLASSIFICATION, SCREENING AND SEGREGATION

It is the policy of the Anaheim Police Department Temporary Holding Facility to segregate prisoners in compliance with the requirements noted in Title 15 of the California Code of Regulations.

(a) It is necessary to establish a prisoner classification procedure wherein each prisoner will be evaluated, prior to housing, according to categories of sex, age, criminal sophistication, seriousness of crime charged, assaultive/non-assaultive behavior, medical problems, mental state (including developmental disabilities) and sexual orientation, and housed in order to provide for the safety of prisoners and staff (15 CCR § 1050).

(b) As part of the booking procedure, the booking officer should evaluate each incoming prisoner using the Prisoner Classification and Screening questions on the Jail Medical Screening Form. This form shall be completed in its entirety in order to properly assign prisoners according to sex, age, criminal sophistication, seriousness of crime charged, physical or mental health needs, assaultive/non-assaultive behavior, restrictions, cell assignments and other criteria to ensure the safety of the prisoner and staff.
(c) During the booking procedure, the booking officer shall ask the prisoner if he/she is contemplating suicide. The officer shall evaluate the prisoner for other signs or indications that the prisoner may be suicidal. If there is any suspicion that the prisoner may be suicidal, he/she shall be transported to the county jail or appropriate mental health facility. The receiving staff shall be notified in writing (e.g., noted on the booking sheet, 5150 form, etc.) that the suspect may be suicidal.

(d) It is the responsibility of the booking officer’s supervisor to ensure that the Prisoner Classification and Screening Form has been properly completed. After the completion of the form, the arresting officer's supervisor will be required to authorize, on a case-by-case basis, the placement of each prisoner in the Temporary Holding Facility who is not immediately released or transported to the county jail.

1. The prisoner will then be housed or transported.
2. The completed classification form will be attached to the arrest report, booking forms and fingerprints as applicable.
3. The prisoner classification form should be retained in the prisoner's arrest file

(e) Before placing any prisoner into a temporary holding cell with any other prisoner, members shall consider whether the prisoner may be at a high risk of being sexually abused based on all available known information (28 CFR 115.141).

(f) If a prisoner will be housed overnight in the same cell with any other prisoner, he/she shall be screened to assess his/her risk of being sexually abused by other prisoners or of being sexually abusive toward other prisoners. Members shall ask the prisoner about his/her own perception of vulnerability and shall consider the following criteria to screen prisoners for risk of sexual victimization, including (28 CFR 115.141):

1. Whether the prisoner has a known or apparent mental, physical or developmental disability.
2. The age of the prisoner.
3. The physical build and appearance of the prisoner.
4. Whether the prisoner has previously been incarcerated.
5. The nature of the prisoner's alleged offense and criminal history.

(g) Any prisoner identified as being at a high risk for sexual victimization shall be provided with heightened protection. This may include continuous, direct sight and sound supervision, single-cell housing or placement in a cell that is actively monitored on video by a staff member who is available to immediately intervene, unless no such option is reasonably feasible (28 CFR 115.113; 28 CFR 115.141).
Detention Facility Intake

902.3.2 ADMINISTRATIVE SEGREGATION
Whenever an inmate is determined to be prone to escape, prone to assault staff or other inmates, disruptive to the operation of the jail or likely to need protection from other inmates, and such administrative segregation is determined to be necessary to obtain the objective of protecting the welfare of the inmates and staff, such inmate should be housed alone.

Administrative segregation should consist of separate and secure housing, but should not involve any other deprivation of privileges than are necessary to obtain the objectives of protecting the inmate, others and the staff.

902.3.3 CROSS GENDER SUPERVISION
Whenever one or more female arrestees are in custody, there shall be at least one female employee who shall be available and accessible to the female inmate(s).

Searches of female Inmates should not be performed by male employees. Strip searches in front of the opposite sex are only allowed when the safety of the searching officer or security of the facility is at immediate risk. Refer to Policy 902.

902.3.4 INMATE ORIENTATION
An inmate information sheet shall be provided to each inmate at the time of booking. The information sheet can be provided in English, Spanish or translated into another language (depending on the primary language of the inmate). Detention Facility staff will take all reasonable steps to answer inmate questions regarding the information sheet.

902.3.5 DNA COLLECTION
Effective January 1, 2009, all adults arrested for any felony offense must provide a "Buccal" Swab (inner cheek scraping) DNA sample, and thumb and palm print impressions for the State of California's DNA (CAL €š" DNA) data bank program. (See Penal Code §296 (A) (2) (c)) Any adult arrested on any felony charge qualifies for this procedure.

The Anaheim detention facility shall not take any DNA sample by force. Instead an additional charge of Penal Code §298.1(a) - Refusing to provide sample or specimen, will be added to the refusing inmate's booking form. This charge must also be listed on the Probable Cause Declaration form.

902.3.6 SOBERING CELLS
The sobering cell is used for the holding of inmates who are a threat to their own safety or the safety of others due to their state of intoxication. (i.e., he/she is unable to stand unassisted or is combative). The initial entry for individuals placed in the sobering cell should be descriptive of the need for placement in the cell.

(a) A Medical Screening form shall be attempted on every intoxicated inmate prior to placement in a sobering cell. In the event the inmate is uncooperative/ combative or refuses to answer the questions; an entry of "Re-Evaluate When Sober" shall be entered on the medical screening form.
Detention Facility Intake

(b) The Correctional Officer conducting the screening should record statements made by the arrestee to indicate their actions.

(c) The Medical Screening Form shall be completed as soon as possible when the inmate is able/ willing to cooperate.

(d) The appropriate objective symptoms of intoxication will be noted on the form.

(e) The Correctional Sergeant should be notified if the inmate is unable to be processed.

(f) Combative intoxicated inmates should be segregated in alternate sobering cells. Such inmates shall be removed from the sobering cell, when they are able to continue in the booking process and then returned to the sobering cell for the duration of their intoxication.

(g) The criteria for permanently removing an inmate from a sobering cell should be the diminishing objective symptoms of intoxication regardless of the amount of time this requires.

(h) In no case shall an inmate remain in the sobering cell over six (6) hours without any evaluation by a Correctional Officer to determine whether the inmate has an urgent medical problem. If after six (6) hours the arrestee has made no significant improvement in condition the Correctional Sergeant should make arrangements for transport to a medical facility.

(i) Intermittent direct visual observation of inmates held in the sobering cell shall be conducted no less than every half hour and this observation shall be noted on the inmate’s detention facility housing log.

(j) Intoxicated inmates will not be given mattresses or blankets while in the sobering cell, to ensure unimpeded visual assessment of their condition.

902.3.7 SAFETY CELLS
The safety cell shall be used to hold only those inmates who display behavior which results in the destruction of property or reveals intent to cause physical harm to self or others. The initial entry for individuals placed in the safety cell due to their combative nature or intent to harm themselves or others must include the following:

(a) The name of the supervisor approving placement.

(b) The reason the individual is being placed in the safety cell.

(c) An inmate shall be placed in the safety cell only with the approval of a Correctional Sergeant, Correctional Lieutenant, or the Watch Commander.

(d) Continued retention in the safety cell will be reviewed every 4 hours by the Correctional Sergeant.

(e) A medical assessment shall be completed within a maximum of twelve (12) hours of placement in the safety cell by a physician.
Detention Facility Intake

(f) The inmate shall be medically cleared for continued retention every 12 hours thereafter.

(g) A mental health opinion on placement and retention shall be secured within 24 hours of placement.

(h) Direct visual observation shall be conducted at least twice every 30 minutes. Such observation shall be documented on the inmate’s log in the JMS.

(i) Inmates in the safety cell shall be provided necessary food and fluids.

(j) Inmates shall be allowed to retain sufficient clothing, or be provided with a suitably designed paper jumpsuit to provide for their personal privacy unless specific identifiable risk to the inmate’s safety or to the security of the facility is documented.

(k) In no case shall the safety cell be used for punishment or as a substitute for treatment.

(l) No inmate should be retained in a safety cell longer than is necessary for the protection of the inmate or others.
Prison Rape Elimination

903.1 PURPOSE AND SCOPE
This policy provides guidance for complying with the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect, and respond to sexual abuse, harassment, and retaliation against detainees or prisoners in the Anaheim Police Department Temporary Holding Facilities (28 CFR 115.111; 15 CCR 1029).

903.1.1 DEFINITIONS
Definitions related to this policy include:

Intersex - A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development (28 CFR 115.5).

Sexual abuse - Any of the following acts, if the detainee does not consent, is coerced into such act by overt or implied threats of violence or is unable to consent or refuse (28 CFR 115.6; 15 CCR 1006):

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva, or anus
- Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument
- Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation

Sexual abuse also includes abuse by a staff member, contractor, or volunteer as follows, with or without consent of the detainee, prisoner, or resident:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva, or anus
- Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire
- Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties, or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties, or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire
**Prison Rape Elimination**

- Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described above
- Any display by a staff member, contractor, or volunteer of his/her uncovered genitalia, buttocks, or breast in the presence of a detainee, prisoner, or resident
- Voyeurism by a staff member, contractor, or volunteer

**Sexual harassment** - Repeated and unwelcome sexual advances; requests for sexual favors; verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one detainee, prisoner, or resident that are directed toward another; repeated verbal comments or gestures of a sexual nature to a detainee, prisoner, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures (28 CFR 115.6; 15 CCR 1006).

**Transgender** - A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person’s assigned sex at birth (28 CFR 115.5).

**903.2 POLICY**
The Anaheim Police Department has zero tolerance toward all forms of sexual abuse and sexual harassment (28 CFR 115.111). The Department will not tolerate retaliation against any person who reports sexual abuse or sexual harassment or who cooperates with a sexual abuse or sexual harassment investigation.

The Anaheim Police Department will take immediate action to protect detainees and prisoners who are reasonably believed to be subject to a substantial risk of imminent sexual abuse (28 CFR 115.162; 15 CCR 1029).

**903.3 PREA COORDINATOR**
The Chief of Police shall appoint an upper-level manager with sufficient time and authority to develop, implement, and oversee department efforts to comply with PREA standards in the Anaheim Police Department Temporary Holding Facilities (28 CFR 115.111). The PREA Coordinator’s responsibilities shall include:

(a) Developing and maintaining procedures to comply with the PREA Rule.

(b) Ensuring that any contract for the confinement of detainees or prisoners includes the requirement to adopt and comply with applicable PREA standards and the PREA Rule, including the obligation to provide incident-based and aggregated data, as required in 28 CFR 115.187 (28 CFR 115.112).

(c) Developing a staffing plan to provide adequate levels of staffing and video monitoring, where applicable, in order to protect detainees and prisoners from sexual abuse (28 CFR 115.113; 15 CCR 1029). This includes documenting deviations and the reasons for deviations from the staffing plan, as well as reviewing the staffing plan a minimum of once per year.

(d) Developing methods for staff to privately report sexual abuse and sexual harassment of detainees and prisoners (28 CFR 115.151).
Prison Rape Elimination

(e) Developing a written plan to coordinate response among staff first responders, medical and mental health practitioners, investigators, and department leadership to an incident of sexual abuse (28 CFR 115.165).

(f) Ensuring a protocol is developed for investigating allegations of sexual abuse in the Temporary Holding Facility. The protocol shall include (28 CFR 115.121; 28 CFR 115.122):

1. Evidence collection practices that maximize the potential for obtaining usable physical evidence based on the most recent edition of the U.S. Department of Justice’s (DOJ) Office on Violence Against Women publication, “A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents” or a similarly comprehensive and authoritative protocol.

2. A process to ensure a criminal or administrative investigation is completed on all allegations of sexual abuse or sexual harassment.

3. A process to document all referrals to other law enforcement agencies.

4. Access to forensic medical examinations, without financial cost, for all victims of sexual abuse where appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The efforts to provide SAFEs or SANEs shall be documented.

5. In accordance with security needs, provisions to permit, to the extent available, detainee and prisoner access to victim advocacy services if the detainee or prisoner is transported for a forensic examination to an outside hospital that offers such services.

(g) Ensuring that detainees and prisoners with limited English proficiency and disabilities have an equal opportunity to understand and benefit from efforts to prevent, detect, and respond to sexual abuse and sexual harassment. This includes, as appropriate, access to interpreters and written materials in formats or through methods that provide effective communication to those with disabilities (e.g., limited reading skills, intellectual, hearing, or vision disabilities) (28 CFR 115.116).

1. The agency shall not rely on other detainees or prisoners for assistance except in limited circumstances where an extended delay in obtaining an interpreter could compromise the detainee’s or prisoner’s safety, the performance of first-response duties under this policy, or the investigation of a prisoner’s allegations of sexual abuse, harassment, or retaliation.

(h) Publishing on the department’s website:

1. Information on how to report sexual abuse and sexual harassment on behalf of a detainee or prisoner (28 CFR 115.154).

2. A protocol describing the responsibilities of the Department and any other investigating agency that will be responsible for conducting sexual abuse or sexual harassment investigations (28 CFR 115.122).
(i) Establishing a process that includes the use of a standardized form and set of definitions to ensure accurate, uniform data is collected for every allegation of sexual abuse at facilities under this agency’s direct control (28 CFR 115.187; 34 USC § 30303; 15 CCR 1041).

1. The data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence, conducted by DOJ, or any subsequent form developed by DOJ and designated for lockups.

2. The data shall be aggregated at least annually.

(j) Ensuring audits are conducted pursuant to 28 CFR 115.401 through 28 CFR 115.405 for all Temporary Holding Facilities used to house detainees or prisoners overnight (28 CFR 115.193).

(k) Ensuring contractors or others who work in the Temporary Holding Facility are informed of the agency’s zero-tolerance policy regarding sexual abuse and sexual harassment (28 CFR 115.132).

(l) Ensuring that information for uninvolved inmates, family, community members, and other interested third parties to report sexual abuse or sexual harassment is publicly posted at the facility (15 CCR 1029).

903.4 REPORTING SEXUAL ABUSE, HARASSMENT, AND RETALIATION
Detainees or prisoners may make reports to any staff member verbally, in writing, privately, or anonymously of any of the following (28 CFR 115.151; 15 CCR 1029):

- Sexual abuse
- Sexual harassment
- Retaliation by other detainees or prisoners or staff for reporting sexual abuse or sexual harassment
- Staff neglect or violation of responsibilities that may have contributed to sexual abuse or sexual harassment

During intake the Department shall notify all detainees and prisoners of the zero-tolerance policy regarding sexual abuse and sexual harassment, and of at least one way to report abuse or harassment to a public or private entity that is not part of the Department and that is able to receive and immediately forward detainee or prisoner reports of sexual abuse and sexual harassment to agency officials. This allows the detainee or prisoner to remain anonymous (28 CFR 115.132; 28 CFR 115.151).

903.4.1 MEMBER RESPONSIBILITIES
Department members shall accept reports from detainees, prisoners and third parties and shall promptly document all reports (28 CFR 115.151; 15 CCR 1029).

All members shall report immediately to the Watch Commander/Correctional Lieutenant any knowledge, suspicion, or information regarding:
Prison Rape Elimination

(a) An incident of sexual abuse or sexual harassment that occurs in the Temporary Holding Facility.

(b) Retaliation against detainees or the member who reports any such incident.

(c) Any neglect or violation of responsibilities on the part of any department member that may have contributed to an incident or retaliation (28 CFR 115.161).

No member shall reveal any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment and investigation decisions.

903.4.2 WATCH COMMANDER RESPONSIBILITIES

The Watch Commander/Correctional Lieutenant shall report to the department’s designated investigators all allegations of sexual abuse, harassment, retaliation, neglect or violations leading to sexual abuse, harassment or retaliation. This includes third-party and anonymous reports (28 CFR 115.161).

If the alleged victim is under the age of 18 or considered a vulnerable adult, the Watch Commander/Correctional Lieutenant shall also report the allegation as required under mandatory reporting laws and department policy.

Upon receiving an allegation that a detainee or prisoner was sexually abused while confined at another facility, the Watch Commander/Correctional Lieutenant shall notify the head of the facility or the appropriate office of the agency where the alleged abuse occurred. The notification shall be made as soon as possible but no later than 72 hours after receiving the allegation. The Watch Commander/Correctional Lieutenant shall document such notification (28 CFR 115.163).

If an alleged detainee or prisoner victim is transferred from the Temporary Holding Facility to a jail, prison or medical facility, the Department shall, as permitted by law, inform the receiving facility of the incident and the prisoner’s potential need for medical or social services, unless the prisoner requests otherwise (28 CFR 115.165).

903.5 INVESTIGATIONS

The Department shall promptly, thoroughly and objectively investigate all allegations, including third-party and anonymous reports, of sexual abuse or sexual harassment. Only investigators who have received department-approved special training shall conduct sexual abuse investigations (28 CFR 115.171).

903.5.1 FIRST RESPONDERS

The first officer to respond to a report of sexual abuse or sexual assault shall (28 CFR 115.164):

(a) Separate the parties.

(b) Establish a crime scene to preserve and protect any evidence. Identify and secure witnesses until steps can be taken to collect any evidence.

(c) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy
physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.

(d) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.

If the first responder is not an officer the responder shall request that the alleged victim not take any actions that could destroy physical evidence and should then notify a law enforcement staff member (28 CFR 115.164).

903.5.2 INVESTIGATOR RESPONSIBILITIES
Investigators shall (28 CFR 115.171):

(a) Gather and preserve direct and circumstantial evidence, including any available physical and biological evidence and any available electronic monitoring data.

(b) Interview alleged victims, suspects and witnesses.

(c) Review any prior complaints and reports of sexual abuse involving the suspect.

(d) Conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.

(e) Assess the credibility of the alleged victim, suspect or witness on an individual basis and not by the person’s status as a detainee or a member of the Anaheim Police Department.

(f) Document in written reports a description of physical, testimonial, documentary and other evidence, the reasoning behind any credibility assessments, and investigative facts and findings.

(g) Refer allegations of conduct that may be criminal to the District Attorney for possible prosecution, including any time there is probable cause to believe a detainee or prisoner sexually abused another detainee or prisoner in the Temporary Holding Facility (28 CFR 115.178).

(h) Cooperate with outside investigators and remain informed about the progress of any outside investigation.

903.5.3 ADMINISTRATIVE INVESTIGATIONS
Administrative investigations shall include an effort to determine whether staff actions or failures to act contributed to the abuse. The departure of the alleged abuser or victim from the employment or control of this department shall not be used as a basis for terminating an investigation (28 CFR 115.171).

903.5.4 SEXUAL ASSAULT AND SEXUAL ABUSE VICTIMS
No detainee or prisoner who alleges sexual abuse shall be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation (28 CFR 115.171(e)).
Detainee or prisoner victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident (28 CFR 115.182).

903.5.5 CONCLUSIONS AND FINDINGS
All completed investigations shall be forwarded to the Chief of Police, or if the allegations may reasonably involve the Chief of Police, to the City Manager. The Chief of Police or City Manager shall review the investigation and determine whether any allegations of sexual abuse or sexual harassment have been substantiated by a preponderance of the evidence (28 CFR 115.172).

All personnel shall be subject to disciplinary sanctions up to and including termination for violating this policy. Termination shall be the presumptive disciplinary sanction for department members who have engaged in sexual abuse. All discipline shall be commensurate with the nature and circumstances of the acts committed, the member's disciplinary history and the sanctions imposed for comparable offenses by other members with similar histories (28 CFR 115.176).

All terminations for violations of this policy, or resignations by members who would have been terminated if not for their resignation, shall be criminally investigated unless the activity was clearly not criminal and reported to any relevant licensing body (28 CFR 115.176).

Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with detainees or prisoners and reported to any relevant licensing bodies (28 CFR 115.177). The Chief of Police shall take appropriate remedial measures and consider whether to prohibit further contact with detainees or prisoners by a contractor or volunteer.

903.6 RETALIATION PROHIBITED
All detainees, prisoners and members who report sexual abuse or sexual harassment or who cooperate with sexual abuse or sexual harassment investigations shall be protected from retaliation (28 CFR 115.167). If any other individual who cooperates with an investigation expresses a fear of retaliation, appropriate measures shall be taken to protect that individual.

The Watch Commander/Correctional Lieutenant or the authorized designee shall employ multiple protection measures, such as housing changes or transfers for detainee or prisoner victims or abusers, removal of alleged abusers from contact with victims, and emotional support services for detainees, prisoners or members who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

The Watch Commander/Correctional Lieutenant or the authorized designee shall identify a staff member to monitor the conduct and treatment of detainees, prisoners or members who have reported sexual abuse and of detainees or prisoners who were reported to have suffered sexual abuse. The staff member shall act promptly to remedy any such retaliation. In the case of detainees or prisoners, such monitoring shall also include periodic status checks.

903.7 REVIEWS AND AUDITS
903.7.1 INCIDENT REVIEWS
An incident review shall be conducted at the conclusion of every sexual abuse investigation, unless
the allegation has been determined to be unfounded. The review should occur within 30 days
of the conclusion of the investigation. The review team shall include upper-level management
officials and seek input from line supervisors and investigators (28 CFR 115.186).

The review shall (28 CFR 115.186):

(a) Consider whether the allegation or investigation indicates a need to change policy or
practice to better prevent, detect or respond to sexual abuse.

(b) Consider whether the incident or allegation was motivated by race; ethnicity; gender
identity; lesbian, gay, bisexual, transgender or intersex identification, status or
perceived status; gang affiliation; or was motivated or otherwise caused by other group
dynamics at the facility.

(c) Examine the area in the facility where the incident allegedly occurred to assess
whether physical barriers in the area may enable abuse.

(d) Assess the adequacy of staffing levels in that area during different shifts.

(e) Assess whether monitoring technology should be deployed or augmented to
supplement supervision by staff.

The review team shall prepare a report of its findings, including any determinations made pursuant
to this section and any recommendations for improvement. The report shall be submitted to the
Chief of Police and the PREA Coordinator. The Chief of Police or the authorized designee shall
implement the recommendations for improvement or shall document the reasons for not doing so
(28 CFR 115.186).

903.7.2 DATA REVIEWS
The facility shall conduct an annual review of collected and aggregated incident-based sexual
abuse data. The review should include, as needed, data from incident-based documents, including
reports, investigation files and sexual abuse incident reviews (28 CFR 115.187).

The purpose of these reviews is to assess and improve the effectiveness of sexual abuse
prevention, detection and response policies, practices and training. An annual report shall be
prepared that includes (28 CFR 115.188):

(a) Identification of any potential problem areas.

(b) Identification of any corrective actions taken.

(c) Recommendations for any additional corrective actions.

(d) A comparison of the current year’s data and corrective actions with those from prior
years.

(e) An assessment of the Department’s progress in addressing sexual abuse.

The report shall be approved by the Chief of Police and made readily available to the public
through the department website or, if it does not have one, through other means. Material may be
Prison Rape Elimination

redacted from the reports when publication would present a clear and specific threat to the safety and security of the Temporary Holding Facility. However, the nature of the redacted material shall be indicated.

All aggregated sexual abuse data from Anaheim Police Department facilities and private facilities with which it contracts shall be made readily available to the public at least annually through the department website or, if it does not have one, through other means. Before making aggregated sexual abuse data publicly available, all personal identifiers shall be removed (28 CFR 115.189).

903.8 RECORDS
The Department shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is held or employed by the Department, plus five years (28 CFR 115.171).

All other data collected pursuant to this policy shall be securely retained for at least 10 years after the date of the initial collection unless federal, state or local law requires otherwise (28 CFR 115.189).

903.9 TRAINING
All employees, volunteers and contractors who may have contact with detainees or prisoners shall receive department-approved training on the prevention and detection of sexual abuse and sexual harassment within this facility. The Training Sergeant shall be responsible for developing and administering this training as appropriate, covering at a minimum (28 CFR 115.131):

- The Department’s zero-tolerance policy and the right of detainees and prisoners to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
- The dynamics of sexual abuse and harassment in confinement settings, including which detainees and prisoners are most vulnerable.
- The right of detainees, prisoners and staff members to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
- Detecting and responding to signs of threatened and actual abuse.
- Communicating effectively and professionally with all detainees and prisoners.
- Compliance with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

Investigators assigned to sexual abuse investigations shall also receive training in conducting such investigations in confinement settings. Training should include (28 CFR 115.134):

- Techniques for interviewing sexual abuse victims.
- Proper use of Miranda and Garrity warnings.
- Sexual abuse evidence collection in confinement settings.
Prison Rape Elimination

- Criteria and evidence required to substantiate a case for administrative action or prosecution referral.

The Training Sergeant shall maintain documentation that employees, volunteers, contractors and investigators have completed required training and that they understand the training. This understanding shall be documented through individual signature or electronic verification.

All current employees and volunteers who may have contact with detainees or prisoners shall be trained within one year of the effective date of the PREA standards. The agency shall provide annual refresher information to all such employees and volunteers to ensure that they understand the current sexual abuse and sexual harassment policies and procedures.
Inmate Custody and Care

904.1 MEDICAL NEEDS AND TREATMENT

904.1.1 VERBAL DOCTOR’S ORDERS
The Detention Facility staff will not accept verbal doctor’s orders.

904.1.2 EMERGENCY SITUATION
Any physical condition of an inmate that is immediately threatening to life is considered a medical emergency.

(a) Correctional Sergeant shall be responsible for evaluating emergency situations.

(b) If, in the opinion of the Correctional Sergeant, a medical emergency exists in the Detention Facility, he/she should ensure that a staff member contact the Communications Bureau and request the paramedics to respond.

(c) The Correctional Sergeant should see that the appropriate police report(s) are made.

(d) Whenever any employee of the City of Anaheim while in the Detention Facility is injured, the Correctional Lieutenant/Watch Commander should be notified of the circumstances as soon as emergency first aid is handled.

904.1.3 SUICIDE PREVENTION
Detention Facility staff should be alert for inmate signs of potential suicide. Any inmate exhibiting signs of potential suicide or the stated intent of self harm should be transported to a medical facility for evaluation as soon as possible.

904.1.4 DEATH OR ATTEMPT SUICIDE
In cases of fatal injury, death, or attempt suicide of an inmate in custody of this Detention Facility, the Watch Commander and Correctional Lieutenant shall be notified immediately.

The Jail Commander should ensure compliance with California Government Code Section 12525 and report, in writing, to the California Attorney General, within ten (10) days after death, all facts in his possession concerning the death. The report shall be mailed to:

Law Enforcement Information Center, Attention: Death in Custody Program, RO. Box 903427, Sacramento, CA 94203-4207

904.1.5 NON-EMERGENCY SITUATION
Any physical condition of an inmate, that is not immediately threatening to life may be classified as a non-emergency medical situation.

(a) The Anaheim Detention Facility Police Custody Questionnaire shall accompany all inmates transported to a hospital after booking. This form is to be given to the hospital ER personnel.
Inmate Custody and Care

(b) In cases where it is unlikely that the inmate will return to the Detention Facility, the inmate’s property will also be sent with him/her.

(c) In all cases that involve an inmate becoming seriously ill to the point that death may occur, the Correctional Sergeant shall notify the Watch Commander and the Jail Commander.

(d) Any juveniles in Secured Detention in need of medical treatment shall be evaluated by medical personnel as soon as possible. Local hospitals should handle any consent problems at the time of treatment.

(e) Non-emergency medical care shall not be rendered absent informed consent.

904.1.6 PARAMEDIC RELEASE FORM
A paramedic release form will not take the place of a Doctor’s Clearance for booking.

904.1.7 EVIDENCE OF WITHDRAWAL AFTER INITIAL SCREENING
Any inmate exhibiting evidence of withdrawal shall be transferred to the OC Jail, hospital or other medical facility.

904.1.8 FIRST AID
All Detention Facility personnel shall be trained in the administration of first aid.

(a) A first aid kit is located in the Detention Facility Office, and in the storage room between the inmate showers.

(b) The contents of the First Aid Kit shall be checked on a monthly basis ensuring that the contents meet the requirements specified on the content list and all dated items area current. The results of the monthly inspection shall be documented in writing. The inspection record shall be retained for two years.

(c) In cases of emergency or needed medical treatment, Detention Facility personnel will administer first aid as they determine necessary until arrival of the paramedics.

904.1.9 PREGNANCY DETERMINATION
All female inmates have the right to summon and receive the services of any physician and/or surgeon of her choice to determine whether she is pregnant. When a female requests such service, she shall be told that the Detention Facility does not have facilities for this purpose. She shall be told that she will be sent to Orange County Jail for these services. She will also be informed that the doctor or surgeon costs for this procedure shall be at her own expense.

904.1.10 ORTHOPEDIC OR PROSTHETIC DEVICES
Subject to safety and security concerns, persons who are held in the Detention Facility shall be permitted to retain possess of an orthopedic or prosthetic appliance if it is prescribed or recommended and fitted by a physician. However, if the appliance presents a risk of bodily harm to any person or is a risk to the security of the facility, the appliance shall be removed from the
inmate and booked for safekeeping but shall be promptly returned if it is later determined that such risk no longer exists (Penal Code 2656 (a) and (b)).

Whenever a prosthetic or orthopedic appliance is removed from an inmate the Jail Commander, Watch Commander or Correctional Sergeant shall be promptly apprised of the reason for removal. If it is determined that the appliance will not be returned, the inmate shall be examined as soon as possible by a physician but no later than 24 hours of removal to determine if the removal will be injurious to the health or safety of the inmate (Penal Code 2656(b)).

(a) An inmate that requires the use of a medically necessary orthopedic or prosthetic appliances should be allowed to keep possession of such device providing that such device does not constitute an immediate risk of bodily injury to any person in the facility, or threatens the security of the facility

(b) Inmates that require such devices shall be housed in a cell separate from other inmates.

(c) If the device is attached to the inmate by surgically implanted wires or tubes, the prosthetic will not be removed. If the device cannot be removed and searched, it will be determined that there is probable cause to believe that by retaining the device the inmate poses a safety or security risk, such inmates shall be transferred to the Orange County Jail, as soon as possible after booking.

904.1.11 SICK CALL
Medical attention is given upon request; therefore, there is no daily sick call.

904.1.12 DENTAL CARE
Those inmates in need of emergency and medically required dental care shall be transferred to a medical or dental facility or the Orange County Jail as required.

904.1.13 DELIVERY OF MEDICATION
All inmate medications shall be locked in the appropriate medication drawer in the Detention Facility office. An inmate who is being treated with a prescribed medication shall be photographed and the photo shall be attached to the delivering sign-off form. An inmate receiving medication shall be reevaluated for the need for the medication every ninety days.

The Correctional Officer is allowed to deliver medication that is doctor prescribed, but only in the dosage prescribed and only at the time interval indicated. Medication delivered or medication refused shall be indicated on the delivering sign-off form. Over-the-counter medications may also be delivered and logged by a Correctional Officer.

Medications shall be delivered only after the inmate has stated that he/she has no allergies to the specific drug. Correctional Officers should document any known allergies on the alert tab on the inmates JMS log. "No known drug allergies" or NKDA should be noted on the Record of Medication form if the inmate states non-exist.
Inmate Custody and Care

When medications are delivered to an inmate by the Detention Facility Staff, ingestion of the medication should be observed. Under no circumstances should inmate workers be involved in the handling or delivery of either prescribed or over-the-counter medications.

All arrestees requiring self-administered medication shall be transferred to Orange County Jail as soon as possible. With the exception of inhalers and nitroglycerin, arrestees shall not be allowed to retain their medication pending transfer.

904.1.14 MEDICAL DIETS
Any request for special diet by an inmate should be brought to the attention of the Correctional Sergeant. Other than those supplementary foods required for pregnant females and for juveniles, there are no special diets available. Inmates that require a special diet due to medical reasons will be transported to Orange County Jail.

904.2 RIGHTS AND PRIVILEGES

904.2.1 PHONE CALLS
Every prisoner, whether adult or juvenile, detained in the Temporary Holding Facility shall be entitled to at least three completed telephone calls immediately upon being booked and no later than three hours after arrest. Either the arresting officer or the booking officer must ask the arrested person if he/she is a custodial parent with responsibility for a minor child as soon as practicable but no later than three hours after the arrest, except where this may be physically impossible. If the person is a custodial parent with responsibility for a minor child, the person shall be entitled to make two additional telephone calls for the purpose of arranging care for the minor child (Penal Code § 851.5). This must be documented in the Jail Management System.

There is no obligation for the officer to make a call on a prisoner's behalf. For example, in the case of a person that is so intoxicated that he or she cannot make a call an officer is not required to wake an intoxicated person three hours after booking so that they may complete a call.

There is also no limitation on the amount of time a prisoner's phone call must last. A prisoner should be given sufficient time on the phone to contact whomever he/she desires and to arrange for necessary items because of his/her arrest. The phone calls are not intended to be lengthy conversations and the officer may use his or judgment in determining the duration of the calls.

904.2.2 MAIL
All inmates' correspondence, incoming and outgoing should be inspected by the Correctional Sergeant. All letters shall be carefully examined for contraband. Mail, other than that from or to the inmate's legal counsel, Jail Commander, Chief of Police, holder of public office, courts, or State Corrections Standards Authority, may be read where there is a valid security reason and with the Jail Commander's approval. All mail, duly inspected and passed, should be delivered to the inmate promptly.

Inmates may correspond confidentially with state and federal courts, any member of the state bar or holder of public office, Jail Commander, Chief of Police, and the State Corrections Standards Authority.
Authority, providing that the Detention Facility authorities may open and inspect such mail to search for contraband, cash, checks, or money orders. The inspection will be conducted in the presence of the inmate.

There is no limitation placed on the volume of mail an inmate may send or receive. Inmates without funds are permitted at least two (2) postage-free letters each week to family and friends, and unlimited postage-free correspondence with his/her attorney and the courts.

Persons wishing to direct mail to inmates in the Anaheim City Detention Facility shall be furnished with the following address:
Anaheim Detention Facility “Name of Inmate” 425 S. Harbor Blvd., Anaheim, CA 92805. They shall not be directed to send mail to the Orange County Jail.

904.2.3 VOTING

(a) Sentenced Inmates

1. Sentenced inmates who are registered voters will be allowed to vote in local, state and federal elections. They must write the Orange County Registrar of Voters and request an absentee ballot 29 days before the election. To vote, the inmate must comply with election codes.

(b) Non-sentenced Inmates

1. Non-sentenced inmates who are registered voters may request the right to vote. If they desire to exercise their right, they must have a friend or relative bring in a Voter Emergency Request form. The inmate must fill out the form and have it taken to the Registrar of Voters office in Santa Ana. The inmate must arrange for someone, other than employees of the City of Anaheim, to take the form to the Registrar’s office. When the inmate has finished voting, the ballot will be given to the person who obtained it for the inmate.

904.2.4 RELIGIOUS OBSERVANCES

Consistent with available resources, safety and security, the religious beliefs and needs of all inmates should be reasonably accommodated, including reasonable access to clergy members and spiritual advisers, volunteer religious organizations, faith and morals based programs, and other secular volunteer programs. No inmate shall be required to participate in any such program.

Inmates shall be provided the opportunity to participate in religious services and counseling on a voluntary basis. Religious materials, such as Bibles, will be provided upon request to augment this program. Departmental Chaplains, when available, or other qualified clergy, not affiliated with the Anaheim Police Department, can be called to the Detention Facility on the request of an inmate and will be allowed a special contact visit in the interview room.

Inmates may request a credentialed clergy member of their choosing to visit them anytime during their incarceration.
Inmate Custody and Care

904.2.5 MATERIALS IN CELLS
The following items are permitted in cells:

(a) Religious reading material.
(b) Official papers, copies of papers provided by the court and the property receipt.
(c) Other reading material or articles approved by Jail Commander.
(d) Daily newspapers and/or periodicals in both English and Spanish shall be made available on a daily basis.
(e) Table games.
(f) Puzzles.

904.2.6 TOILET ARTICLES
Inmates shall be issued a toothbrush with toothpaste or dentifrice, comb, soap when given showers and an unused disposable razor, which will be retrieved and disposed of after use. With the exception of the disposable razors, inmates shall be allowed to possess these other items in their quarters.

Each female arrestee will be provided sanitary napkins and/or tampons as needed.

904.2.7 SHOWERS
Inmates shall be permitted to shower/bathe at least every other day. Shower refusal shall be logged on the individual inmate’s custody log.

904.2.8 CLOTHING
If the inmates clothing is taken as evidence or the inmates clothing is in such a state that would cause embarrassment, and the inmate is unable to have clothing delivered, the inmate will be issued a paper jumpsuit.

(a) The paper jumpsuit will be replaced every other day, or when it becomes unserviceable.
(b) Inmates are not to be released or taken to court without serviceable clothing or a paper suit.

It is not policy to issue Detention Facility clothing or to accept professional civilian clothing from outside for non-sentenced inmates, unless one of the following conditions exists. Any clothing received for an inmate should be checked by a Correctional Officer.
Inmate Custody and Care

(a) The inmate’s clothing is in such condition that it would cause embarrassment to him/her or criticism by the Court if he/she were to appear in the clothing he/she had been wearing at the time of his/her arrest.

(b) The inmate’s clothing has been taken as evidence.

(c) The inmate was arrested while wearing clothing other than normal street wear, i.e., bathing trunks, etc.

(d) The inmate's clothing is contaminated with infectious material. The clothing shall be placed in a biohazard bag and submitted for proper disposal, or when practical, laundered using laundry detergent and water at 140 degrees or greater.

Inmate shoes are taken as part of their property booking with the exception of sandals, flip flops, and other footwear not deemed a security threat. The inmate shall be issued slippers in the event that they do not possess shoes, their shoes are unserviceable, or present a security hazard.

Sentenced inmates, inmate workers and work furlough program inmates shall wear a blue shirt, orange baseball cap and pants of their choice. The shirt and cap will be provided.

Inmates shall retain a change of personal undergarments, which shall be laundered at least twice a week. Unless work, climatic conditions, or illness necessitates more frequent exchange, issued clothing shall be exchanged once each week. All inmates in this facility will be reasonably clothed at all times.

904.2.9 VERMIN CONTROL
The following delousing procedure is to be followed by Corrections Officers or Police Officers when deemed necessary.

The Arrestee

(a) The following pediculocides for the control of lice on the arrestee are available and listed below:
   1. RID - Available from storage in Jail
   2. CUPREX - Available only by prescription

(b) The above shampoos are effective for the control of head, crab, and body lice. When an arrestee is found to be infected with lice, he/she will be immediately transported to Anaheim Global Medical Center and examined by a doctor. Upon his return to our facility, he/she will be allowed to shower and apply the prescribed pediculocide in the delousing shower only.

(c) Lice infested inmate(s) shall not be placed in housing prior to delousing.
Treatment of the Arrestee’s Clothing or Belongings

(a) Lice may be eliminated from clothing by laundering. Laundry detergent and wash water temperature of at least 140 degrees Fahrenheit is necessary to be effective.

(b) The arrestee will be issued detention facility clothing. The Corrections Officer on duty will ensure the arrestee’s contaminated clothing is washed in the above manner, dried, and returned to the arrestee.

(c) The contaminated blankets used by the arrestee will be placed in a plastic bag and sealed tightly for 48 hours, then removed and washed and dried. This will eliminate lice infestation.

Facility and Equipment Contaminated by Arrestee

(a) The housing area and any equipment that has been contaminated by an arrestee with pediculosis should be treated with a non-toxic pesticide (e.g., Pyrethins). Facility Maintenance should be notified to provide this service. After treatment, the housing areas should be thoroughly cleaned. Infected housing cell will be closed until proper cleaning can be performed. Bleach/H2O solution.

(b) If vermin contamination is heavy, the services of a licensed pest control operator should be considered. This will be coordinated with Facility Maintenance.

904.2.10 PROPERTY
Inmate property shall be removed, bagged, and then placed in a bin located in the hallway near the intake area in the Detention Facility.

(a) Each inmate should be given a receipt for the property.

(b) Property shall be inventoried in plain sight of video cameras, bagged and placed into a property bin as soon as possible.

(c) The current Anaheim Detention Facility JMS property module shall be used for all property inventories.

Prohibited Property
**Inmate Custody and Care**

(a) Whenever an inmate has in their property items that are prohibited from being stored in the Detention Facility, it should be given to the transporting officer for booking into safekeeping. This includes property that will not fit into an inmate property locker.

(b) Prohibited items are as follows:
   1. Any container of an alcoholic beverage.
   2. Any food items.
   3. Firearms, Knives with blades over 2" in length, or Chemical Agents
   4. Marijuana pipes.

Release of Inmate Property

(a) When an inmate is released from custody, all property will be returned to him/her and he/she will be required to sign for it.

(b) If an inmate is released to the court or an officer of another agency, all property will be released to that officer or agency.

(c) The Anaheim Detention Facility should not release property for inmates in custody. However, if due to an emergency situation, property is released, it shall be noted in the JMS property module. The identity of the person receiving the property shall be verified. The JMS Inmate Log will include the name and Date of Birth of the individual that the property as released to. Two Detention Facility employees shall witness the verbal consent to release property. Both employees shall be noted in the JMS Inmate Log.

Release of Inmate Vehicles

(a) Inmates whose vehicles have been stored or impounded by this Department may release such vehicles providing the following conditions are met:
   (a) The inmate must approve of the release.
   (b) The approved departmental form is signed by the inmate and witnessed by a Correctional Officer.
   (c) The inmate is the registered owner of the vehicle.
   (d) The vehicle is not being detained as evidence or investigation.
   (e) The person wishing to obtain the vehicle's release must have a current identification (i.e., driver's license, DMV ID. card, and passport).
904.2.11 BEDDING AND LINEN
The standard issue of clean, suitable bedding and linens for each inmate entering a living area, who is expected to remain overnight, shall be:

(a) One serviceable mattress.
(b) One mattress cover or sheet.
(c) One freshly laundered blanket.
(d) One towel (to be issued prior to showering)

Issued bedding shall be exchanged for freshly laundered issue at least once a week. Washable items such as sheets, mattress covers, and towels shall be exchanged for clean replacement at least once a week. Blankets shall be laundered once a month or before issue to another inmate.

If any bedding or linens become contaminated with infectious material it shall be placed in a biohazard bag and submitted for proper disposal, or when practical, laundered using laundry detergent and water at 140 degrees or greater.

904.2.12 MEALS
All food, meal preparation and serving will be done in accordance with the California Retail Food Code. A licensed nutritionist will review the meal plan and menu on an annual basis.

The on duty Correctional Supervisor shall designate a Correctional officer to monitor the preparation, distribution and accounting of meals for all inmates.

Any inmate in custody during the below listed mealtimes, will be provided with a meal, daily, at the listed time. Inmates will be allowed a minimum of 15 minutes to consume the meals. If an inmate misses a meal due to interviews, hospital visit, or other event, the inmate will be provided a meal and beverage upon return to the housing unit or cell.

Pregnant females will be provided an additional serving of milk with each meal.

Meals will be served per the following schedule:

(a) Breakfast 0700 hours
(b) Lunch 1200 hours
(c) Dinner 1700 hours

Foods shall be stored per product instructions. Newly purchased items shall be placed in the back or at the bottom to ensure product rotation.

All foods prepared for inmate consumption should be prepared by inmate workers. All inmate workers responsible for the preparation of food shall be instructed on safe food handling per the rules and regulations of the California Retail Food Code. Inmate workers who prepare or serve food shall be medically cleared prior to being allowed to prepare food. A medical screening form will be completed and placed in the inmate’s file.
Inmate Custody and Care

Food shall be transported using hand carts and served by inmate workers under the direct supervision of a Correctional Officer. Food shall be served immediately after preparation to ensure temperature requirements are met.

All trash and waste shall be removed from the kitchen area on a daily basis.

904.2.13 VISITS
All inmates will have the right to visitors within one day from time of arrest and once they have completed the booking process, are not showing signs of being under the influence, and are not destructive or combative.

<table>
<thead>
<tr>
<th>Type</th>
<th>Hours</th>
<th>Days</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sentenced Inmates/Inmate Workers (Pay-2-stay)</td>
<td>2:00 P.M. to 5:00 P.M.</td>
<td>Saturday - Sunday &amp; Holidays</td>
</tr>
<tr>
<td>Parole Violators (no open charges)</td>
<td>8:00 A.M. to 10:00 A.M.</td>
<td>Everyday</td>
</tr>
<tr>
<td>All other Inmates</td>
<td>10:00 A.M. to 2:00 P.M.</td>
<td>Everyday</td>
</tr>
</tbody>
</table>

(a) Each inmate can have no more than one visit per day and no more than two adults.
(b) The length of each visit shall be 15 minutes per adult visitor for each inmate.
(c) Sentenced inmates will be allowed no fewer than two visits totaling at least one hour per week.
(d) Inmates may talk with an attorney, bondsman, social workers or clergy; any time after the inmate has completed the booking process and is not in a physical state of intoxication.
(e) No persons under 18 years of age shall be allowed to visit an inmate unless in the company of a parent, guardian or is the spouse or child of the inmate.
(f) Packages or letters are not permitted to be delivered personally.
(g) All visitors must identify themselves with a Federal or State government issued identification with photo.
(h) Visitor information shall be recorded in the Jail Management System (JMS).
(i) All visitors are subject to having their identity verified and cleared.
(j) The inmate shall be brought to the security area first and locked into the interview room. The visitor will be admitted into the interview room once the inmate has been secured.
(k) It is the inmate’s discretion to see a visitor.
(l) Media members requesting to visit will be directed to contact the department’s Public Information Officer (PIO).

Peace Officer Visits
Inmate Custody and Care

(a) Peace officers or investigators from other law enforcement agencies shall be permitted to interview inmates who they have reason to believe may be connected with or implicated in some case they are working on. If possible they should be accompanied by an officer of this department. Inmates will not be removed from the Detention Facility for investigative purposes without being accompanied by an officer of this department.

Attorney Visits

(a) An attorney has the right to visit his/her client confidentially in the visiting room at any time after booking (Non-contact).

1. The Correctional Sergeant or his/her designee will check the credentials of said attorney.
2. Once this person's current California Bar Credentials have been verified, he/she will complete a Visitor's Request form.
3. Contact the inmate and ascertain if he/she desires to talk to the attorney.
4. If an inmate wants to talk to the attorney, the inmate will be brought to visitation room number 3 and, as soon as possible, the attorney will be allowed to visit his/her client.
5. Attorneys' and inmate's rights will be honored whether the subject is in custody on our charge or some other agency's charges.
6. Attorneys will not be allowed to enter the booking area or to interfere with or delay the booking process.
7. Conferences between the inmate and his/her attorney shall be deemed confidential and shall not be monitored, eavesdropped upon or recorded.

Welfare Worker Visits

(a) Welfare workers, properly identified, shall be permitted to interview any inmate at any time, if he/she or any member of his/her family is or has been under the case or supervision of such welfare worker or agency they represent.

904.3 INMATE MANAGEMENT

904.3.1 HOLDING INMATES

(a) An open-charged felon must be arraigned no later than 48 hours after his/her arrest, excluding weekends and court holidays.

(b) Warrant arrests should be arraigned the next arraignment period and will be held no longer than as per a felon.

(c) Misdemeanors shall be arraigned at the next arraignment period.
904.3.2 INMATE WORKERS
An inmate worker is a sentenced inmate who is serving time in this facility and is expected to perform Detention Facility sanitation, meal preparation, and other tasks as required. A person, who participates in a pay-and-stay program, must agree to participate as an inmate worker for four (4) hours a day while in the Detention Facility.

The inmate worker may be approved for this Detention Facility by either the Jail Commander, or the designated Correctional Sergeant. Inmate workers will wear the appropriate authorized jail attire and will keep themselves shaved and neatly groomed at all times.

Inmate workers that are serving a straight time sentence will be offered haircuts from a local licensed barber shop at least once a month and at no cost to the inmate.

A work schedule should be posted on the inmate worker bulletin board and each inmate worker is responsible for his/her assignment.

Inmate workers shall be allowed to use the collect-only telephone in the inmate worker’s quarters at the discretion of the on-duty Correctional Supervisor. No incoming calls should be accepted for inmate workers, except in the case of an emergency.

Whenever an inmate worker seeks admission into the Detention Facility, he/she will wait at the door he/she wishes to enter until he/she is met and searched by a Correctional Officer.

A court order must be obtained from the judge who signed the original commitment order before an inmate worker is to be sent to Orange County Jail.

No inmate worker shall enter the Detention Facility office unless he/she first requests permission, nor may he/she loiter in any other area of the Detention Facility, except in the inmate workers' quarters.

The inmate workers' quarters should be inspected daily for housekeeping, safety and security purpose.

Inmate workers are allowed to possess that property which has been approved by the Jail Commander or his/her delegate.

The inmate may not possess any money while in custody.

Inmate workers shall not be allowed to communicate in any way with other inmates unless specifically directed to do so by a member of the Detention Facility staff. This includes written, verbal, or other forms of communications.

There is no smoking permitted in any City facility.

Sentenced Inmate Workers are provided with television, radio, and board games. Inmates will have the opportunity to utilize this equipment when their assigned work details are completed and prior to 2300 hours.

904.3.3 INMATE DISCIPLINE
This Detention Facility will not administer discipline to inmates or minors in detention.
904.3.4 INMATE GRIEVANCE PROCEDURE
Any inmate may appeal and have resolved grievances relating to any conditions of confinement. A grievance form and instructions for registering a grievance shall be provided.

The Correctional Sergeant shall notify the Jail Commander of any inmate the grievance. The Jail Commander shall make all attempts to resolve the matter. If the inmate wants to appeal this decision, he/she can submit in writing a request for review of the situation by the Division Commander.

The Jail Commander shall then submit, in writing, a memorandum to the Division Commander explaining all that occurred and why such decision was made.

Written reasons for denial at each level of review shall be given to the inmate within seventy-two (72) hours of the decision. A copy shall be included in the inmate's file.

904.3.5 INMATE VIOLATIONS
Whenever an inmate, (sentenced or non-sentenced) violates any Detention Facility policy, law or order of a Detention Facility employee, the Correctional Sergeant on duty, when not involved, shall investigate the matter. If the Correctional Sergeant on duty was involved, the next reporting Correctional Sergeant will investigate the matter.

(a) Inmates that are a security or safety risk should be secured away from other inmates until their release from custody or transferred to County Jail.

(b) Violations of criminal law should be reported to the Correctional Sergeant who will determine an appropriate course of action.

(c) In criminal matters, a new GO or Supplemental GO shall be written describing the incident and approved by the Correctional Sergeant.

(d) All other violations should be recorded in the JMS Detention Facility Incident reporting system.

904.3.6 DAMAGE BY INMATES
The decision to charge an inmate with the destruction of any jail property shall be made by the Correctional Sergeant.

904.3.7 TRANSPORT OF INMATES
(a) The inmate should be escorted as discreetly as possible, commensurate with security. Inmates should always be handcuffed.

(b) Leg irons should likewise be used if the inmate is an escape risk, regardless of the type of transportation used.

(c) Under no circumstances should an inmate ever be cuffed to a vehicle or to a stationary object.

(d) Every effort should be made to protect the inmate from brazen exposure to the public.
Inmate Custody and Care

An appropriate class of driver license shall be required for the type of vehicle being used. Inspect the transportation unit, bus or van, prior to placing inmates in the vehicle. Ensure:

(a) Fluid levels (bus only).
(b) Safety equipment.
(c) Communication equipment.
(d) Security locks are operational.
(e) Check out transportation unit for contraband that may be hidden in the seats or under seats, or for loose tools, etc. that may be used as weapons.
(f) Supervise searching, handcuffing, and loading of inmates into transportation unit.

904.3.8 TRANSPORTATION OF PRISONERS
Generally and when circumstances permit, prisoners of the opposite sex, or adult and juvenile prisoners, should not be transported in the same vehicle unless they are physically separated by a solid barrier. If segregating prisoners is not practicable, officers should be alert to inappropriate physical or verbal contact between them and take appropriate action as necessary.

Whenever a prisoner is to be transported from the Temporary Holding Facility to another facility by a member of this department the transporting officer shall be responsible for the following:

(a) Verify that the identity of each prisoner to be transported matches the booking paperwork.
(b) Ensure that all pertinent documentation accompanies the prisoner, such as copies of booking forms, medical records when appropriate, an itemized list of the prisoner's property, warrant copies, etc.
(c) Ensure that any known threat or danger the prisoner may pose, such as escape risk, suicide potential, or medical condition, is recorded on the prisoner's booking documentation and is transported with the prisoner to the next facility. The transporting officer shall ensure such threat or danger is communicated to intake personnel at the facility.

904.3.9 SAFETY RESTRAINT DEVICES
Refer to Department Policy 306 Leg Restraint Devices for types of safety restraints allowable in the Detention Facility.

Arrestees in safety restraints brought to the Detention Facility for booking shall remain restrained only long enough to secure the arrestee within a safety cell. The Correctional Supervisor shall consider the need to transport the arrestee to Orange County Jail or a medical facility based on the arrestee's behavior and objective symptoms upon release from the safety device(s). Should an inmate require restraints for the purpose of transportation from the Detention Facility, the Correctional Supervisor shall consider the use of an ambulance so that the inmate may be restrained to the gurney via soft restraints.
Inmate Custody and Care

Inmates already in custody shall only be placed in safety restraints when they display behavior that results in the destruction of property or reveal intent to cause physical harm to self or others. Correctional Supervisor approval is required before safety restraints can be applied. The Correctional Supervisor shall notify the Jail Commander or Watch Commander as soon as practical. The inmate shall remain restrained only long enough to secure the inmate within a safety cell, for transportation to a medical facility or another agency. Safety restraint devices shall not be placed on an inmate for any other purpose.

Restraint devices include any device that immobilize an inmate's extremities and/or prevents the inmate from being ambulatory.

(a) Physical restraints should be utilized only when it appears that less restrictive alternatives would be ineffective in controlling the inmate.

(b) Restraint devices will not be used as discipline or as a substitution for medical or mental health treatment.

(c) Pregnant females shall not be restrained in such a manner that poses risk to the health of the mother or fetus. Pregnant females who are believed to be in labor shall not be restrained in any fashion at any time.

(d) Emergency medical response shall be immediately summoned if the inmate displays symptoms of medical or mental distress.

Inmates in restraints will be under direct visual observation of Correctional Officers. If the initial restraint period exceeds 30 minutes the officers shall make an entry in the inmate's jail log identifying the time the restraints were placed, and the type of restraints used.

Officers will continue to conduct visual observations twice every 30 minutes. Officers shall log all observation and shall conduct visual inspection of the extremities of the inmate to ensure good circulation. No inmate shall be restrained in excess of two hours.

904.4 REPORTING

904.4.1 INCIDENT REPORTS

Any Temporary Holding Facility incident that results in physical harm or serious threat of physical harm to an employee, inmate or other person shall be documented per the Use of Force Policy, On-Duty Injuries Policy or other applicable reporting process. A copy of all reports generated regarding the above circumstances shall be submitted to the Jail Commander as soon as reasonably practicable. The Jail Commander will retain a record of these reports for inspection purposes (15 CCR § 1044).

(a) All medical emergencies.

(b) Any incident requiring an ambulance response.
(c) Any incident that the officer feels may lead to an inmate complaint or the officer thinks should be documented to give the officer a written record of the event for future reference.

(d) Unusual occurrence reports must be completed when applicable.

(e) Use of force incidents must be documented as an original or supplemental police report as well as documented in the Force Analysis System.

904.4.2 INMATE RECORDS
Individual inmate records shall be maintained in the Detention Facility Jail Management System (JMS). Upon release of the inmate from the Detention Facility, all non-computerized inmate records shall be forwarded to the department's records bureau, or filed in the Detention Facility according to the Anaheim Police Department document retention schedule.

All specific medical - mental health information and all treatments or interactions covered by doctor/patient privilege and rules of confidentiality shall be recorded in a separate medical record.

(a) All confidential records regarding an inmate's medical - mental health shall be stored in the JMS Medical Module or in a locked storage room.

(b) The file shall be maintained in this location even after the inmate has been released from custody.

(c) Information from the confidential medical-mental health record is to be shared with custody staff in ways that do not conflict with the confidentiality privilege, whenever such information is important or necessary to the safety of inmates, staff or the Detention Facility.

904.4.3 PUBLIC INFORMATION PLAN
The Anaheim Detention Facility will maintain a public information plan for the dissemination of information to the public, to other government agencies, and to the news media. The public information plan is to be proactive in promoting inmate awareness and community relations. The public information plan should be available for review and contain the following printed material: The State Corrections Standards Authority minimum standards for local detention facilities as found in Title-15 and Title-24 of the California Code of Regulations. Facility rules and procedures affecting inmates as specified in sections:

The Detention Facility Public Information Plan shall be maintained at the front counter of the Detention Facility and shall include the following:

(a) Inmate Education Plan.

(b) Visiting.

(c) Correspondence.

(d) Library service.
Inmate Custody and Care

(e) Exercise and Recreation.
(f) Books, Newspapers, and Periodicals.
(g) Access to Telephone.
(h) Access to Courts and Counsel.
(i) Inmate Orientation.
(j) Individual/Family Service Programs.
(k) Voting.
(l) Religious Observance.
(m) Inmate Grievance Procedure.
(n) Rules and Disciplinary Penalties.
(o) Plan for Inmate Discipline.
(p) Forms of Discipline.
(q) Limitations on Discipline.
(r) Responsibility for Health Care Administrative.

Detention Facility Staff should only release information regarding persons in custody of the City of Anaheim, which is required by law. Members of the Detention Facility staff should not offer opinions regarding the status, likelihood of prosecution, possible sentence, etc., of any person in custody. Requests from the members of the media should be referred to the Public Information Officer (PIO) or Watch Commander.

Adult Inmates, in Person Requests, and Telephone Requests from the public or media for information regarding adult inmates in custody should be restricted to the following:

(a) Verification that the named person is in custody.
(b) Date and time of arrest.
(c) Charges as listed on the booking sheet.
(d) Current amount of bail, if any.
(e) Projected court date and location.

Requests for other information from these persons shall be referred to the Correctional Sergeant.

No information should be released regarding juvenile inmates except to the juvenile's probation officer, parents, or legal guardian of the juvenile.
904.5 FIRE AND DISASTER INCIDENTS
This plan outlines the Detention Facility's planned response to extraordinary situations associated with natural or man-made disasters. This plan is designed as a guideline due to the unpredictable damage levels in any given situation.

Unless relieved by a higher ranking staff member, the responsibility for major decisions on evacuation procedures and emergency operations involving the Detention Facility shall be determined by the chain of command.

904.5.1 DISASTER PLAN POLICY
The Detention Facility will operate under the following policies in a disaster.

(a) The Incident Command System will be implemented and integrated with the Anaheim Police Departments Incident Command System in all activities.
(b) Existing Detention Facility policies and procedures will be adhered to.
(c) All on-duty personnel are expected to remain on-duty until properly relieved.
(d) Staffing levels may change as the situation dictates. This will be at the discretion of the Jail Commander, Incident Commander or his/her designee.

904.5.2 DISASTER PLAN PROCEDURE
The Detention Facility will operate under the following procedures in a disaster

(a) All operations will immediately cease
(b) All inmates will be locked down, and all personnel will report to their supervisor in the Jail Office or other location as directed
(c) All personnel will be accounted for and all medical needs will be identified.
(d) Correctional Officers will survey the damage to the Detention Facility, if any.
(e) The Jail Commander and the Watch Commander will be notified of the incident, injuries, damage, and any needs of the Detention Facility.
(f) The Orange County Jail shall be the ultimate destination should the Detention Facility be deemed uninhabitable.

904.5.3 FIRE RESPONSE PLAN
Fire Inspection

The Jail Commander shall consult with the local fire department having jurisdiction over the Detention Facility in developing a plan for fire suppression, which shall include, but not limited to:

(a) A fire suppression preplan by the Anaheim Fire Department.
(b) Regular fire prevention inspections by facility staff on a monthly basis with a two-year retention of the inspection record.
Inmate Custody and Care

(c) A yearly fire prevention inspection as required by Health and Safety Code Section 13146.1(a) and (b) by the fire department.

(d) An evacuation plan.

Fire Response

In the event of a fire in the Detention Facility the following action shall be taken:

(a) Sound the Alarm.

(b) Immediately cease all operations and secure all non-affected inmates in a cell.

(c) At least one Correctional Officer will immediately don an Emergency Breathing Apparatus (SCBA) and go back to the area indicated by the alarm panel and investigate the cause of the alarm. The investigating Correctional Officer will radio back his/her status and cause of the alarm.

(d) If smoke or fire is detected, the Correctional Officer in the control room will immediately inform the Communications Bureau to first notify the fire department, Watch Commander and on-duty personnel of the emergency.

(e) Detention Facility personnel not investigating the cause of the alarm should immediately put on emergency breathing apparatus before attempting to assess and attack the fire/smoke problem.

(f) At least one Correctional Officer wearing an emergency breathing apparatus should respond to the affected area with a fire extinguisher and attempt to take initial steps to extinguish the cause.

(g) The investigating Correctional Officer should return to the control room and relieve any Correctional Officers in the control room.

(h) The officers that were relieved should respond to the affected area wearing a breathing apparatus. They will respond and assist the Correctional Officer in the affected area.

(i) The Correctional Officer that originally investigated the cause should be positioned at the Detention Facility office security console and be responsible for maintaining communications with the outside and control over the Detention Facility’s electronically operated doors. This officer should ensure that the bail office is preparing the emergency response box with current in-custody paperwork.

(j) If the fire cannot be controlled by fire extinguishers, evacuate those inmates who are in immediate danger to a safer location within the Detention Facility, (i.e., booking cells, Detention Facility lobby, housing, etc., depending upon the location of the problem).

(k) The Correctional Sergeant should notify the Jail Commander or Watch Commander of the possible need to further evacuate inmates to a safer area outside of the Detention Facility. In the event that an evacuation is required follow the steps listed above for
Evacuation of the Detention Facility and make arrangements for transport to Orange County Jail if necessary.

(l) After the emergency, the Jail Commander or Watch Commander shall contact the Fire Captain to ascertain if the Detention Facility can remain in operation. If the Jail Commander or Watch Commander and the Fire Captain approve, inmates will be returned and placed in the booking cells. Each inmate should be searched subsequent to his or her re-entry into the Detention Facility. The Correctional Sergeant will conduct a count of all inmates, making sure the count corresponds with in-custody paperwork.

904.5.4 EVACUATION
This procedure should be implemented when a major disaster or emergency has occurred resulting in serious risk to the safety of personnel and inmates.

(a) The Jail Commander and the Watch Commander should be advised of the need for an evacuation, requirements necessary to complete the evacuation, and the evacuation site.

(b) The transportation bus and van may be used as temporary placement until more secure facilities can be obtained.

(c) After damage assessment of the Detention Facility and determining the likelihood of occupying the facility in the near future, considerations must be given to housing inmates in other jails.

(d) Inmates should be removed from one cell at a time.

(e) Inmates will be secured via appropriate restraint devices.

(f) Inmates will be assembled at a specific location to prepare for evacuation.

(g) Detention Facility Assistants will prepare court paperwork and report to the evacuation site. Detention Facility Assistants are responsible to maintain accurate records pertaining to inmates.

(h) The actual movements of inmates must be done in a controlled and systematic manner.

(i) The evacuation should start with the point farthest from evacuation exit.

(j) When possible all doors should be secured when that room has been cleared.

There are three locations that can be considered for possible temporary evacuation paths and sites. Please review detention facility procedure manual for details.

*** The Orange County Jail shall be the ultimate destination, should the Detention Facility be deemed uninhabitable.

904.5.5 NOTIFICATION

(a) Watch Commander / Jail Commander

(b) All available sworn personnel
Inmate Custody and Care

(c) Fire Department
(d) Medical Aid

904.5.6 CITYWIDE OR REGIONAL DISASTERS
In cases of Citywide or regional disasters, the Jail Commander may authorize the release of inmates in custody for misdemeanors or felonies involving property crimes only. Every available effort will be made to continue the custody of violent felons or felons accused of violent crimes to ensure the safety of the public.

904.5.7 EVACUATION REPORTS
The Jail Commander will ensure that any emergency evacuation of the Detention facility is documented and that copies of those reports be forwarded to the Chief of Police.

904.6 ESCAPE, DISTURBANCE AND HOSTAGE INCIDENTS

904.6.1 ESCAPE
In the event that an inmate escapes from the Detention Facility, the person discovering the escape will immediately notify the on duty Correctional Sergeant. The Correctional Sergeant will contact Communications so that an escape radio broadcast is made. The Correctional Sergeant will also take other precautions, as he/she feels necessary to prevent further escapes, and ensure the safety of employees and inmates not involved in the incident.

Non-involved inmates including sentenced inmates shall be locked in their cells until it is deemed safe. It may also become necessary to move non-involved inmates into other areas of the jail.

Once the occurrence has been brought to a close, the incident shall be fully documented and investigated by the appropriate assigned personnel.

904.6.2 INMATE DISTURBANCES
If an inmate disturbance occurs, the Correctional Sergeant, or in his/her absence, any jail personnel, shall immediately notify Communications so that sufficient resources of sworn personnel may immediately respond to the Detention Facility. Command of the incident will be assumed by the highest ranking person on-scene. The tactical techniques utilized to quell the disturbance will be at the discretion of the Jail Commander, Watch Commander, Patrol Sergeant or Correctional Sergeant.

Once the occurrence has been brought to a close, the incident shall be fully documented and investigated by the appropriate assigned personnel.

904.6.3 CIVIL DISTURBANCES
If civil disturbances affecting the Detention Facility occur, the Watch Commander shall direct adequate personnel to ensure the safety of all inmates and employees.
904.6.4 HOSTAGE INCIDENTS
If anyone is taken hostage in the Detention Facility, the Correctional Sergeant, or in his/her absence, any jail personnel, shall immediately notify Communications so that sufficient resources of sworn personnel may immediately respond. Command of the incident will be assumed by the highest ranking person on-scene. The tactical techniques utilized to quell the disturbance will be at the discretion of the incident commander.

Once the occurrence has been brought to a close, the incident shall be fully documented and investigated by the appropriate assigned personnel.

904.7 INMATE RELEASE

904.7.1 RELEASE OF INMATES
(a) The Detention facility should be inspected for damage prior to the release or transportation of any inmate.
(b) Any damages should be noted and, if necessary, an additional crime report or supplemental report completed.
(c) Additional charges should be made if warranted.
(d) Inmates shall be released in accordance with state law. The releasing officer will be responsible for the following:
   1. All proper reports and forms should be completed prior to release.
   2. All bail monies are accounted for.
   3. Bail bonds are attached to the necessary paperwork.
   4. The appropriate release date, time, reason for release and releasing officer's name shall be recorded.

904.7.2 BAIL BONDS
A list of bail bondsmen in the order they appear in the classified section of the telephone directory or as listed in the on line yellow pages shall be provided if requested.

(a) No employee of this department shall give or suggest the use of any person or firm engaged in the business of furnishing bail to any arrestee or party furnishing the bail, or any party acting on his/her behalf, nor shall they be given any material, such as business cards, pens or matchbooks, advertising any such person or firm.
(b) No advertising material shall be left or kept in any portion of the police building or Detention Facility.
(c) Inmates may refuse to see a bondsman or to be bailed or bonded out of the Detention Facility.
(d) A bail bondsman or his/her agent shall be permitted in all portions of the building that are normally open to the public.

The bond must contain the correct amount of the bail, the appropriate court, the defendant's name, charges, expiration date, and may not exceed its limit amount as indicated on the power of attorney. One bond is required for each warrant, even though they may be issued by the same court. The GO and booking number will be noted on the bond.

All bonds shall be secured in the safe and logged in the bail office book pending transmittal to the respective court.

904.7.3 BAIL ADJUSTMENTS
An inmate may not be detained for the purpose of bail increases. If no increase in bail is granted, he/she must be bailed from the bail schedule. The inmate will be notified immediately upon a change in bail increase.

Bail Fees:
(a) All monies will be counted and verified by at least two Detention Facility staff members.
(b) A Bail Receipt and envelope shall be completed by the staff member receiving the payment.

The Bail Ledger Book should be updated to reflect receipt of all cash, checks, and money orders. The entry shall also reflect the initials of the receiving detention facility staff member.

The receipt and the payment will be stapled to the envelope, sealed and placed into the drop safe. The Bailiff will provide the Court Liaison clerk with monies, checks, and receipts to North Justice Center for deposit with the Court Accounting Office.
Chapter 10 - Personnel
Recruitment and Selection

1000.1 PURPOSE AND SCOPE
This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Anaheim Police Department and that are promulgated and maintained by the Department of Human Resources.

1000.2 APPLICANT QUALIFICATIONS
Candidates for job openings will be selected based on merit, ability, competence and experience.
All peace officer candidates must meet the minimum standards described in California Government Code § 1031 in addition to the employment standards established by this department.

1000.3 STANDARDS
Employment standards shall be established for each job classification and shall include minimally, the special training, abilities, knowledge and skills required to perform the duties of the job in a satisfactory manner. The Anaheim Department of Human Resources maintains standards for all positions.

The dilemma facing the Department is one of developing a job-valid and non-discriminatory set of policies which will allow it to lawfully exclude persons who do not meet the Anaheim or State of California hiring standards. The California Commission on Peace Officer Standards and Training (POST) developed a Job Dimensions list, which are used as a professional standard in background investigations.

The following standards have been adopted for public safety applicants:

1000.3.1 OPERATION OF A MOTOR VEHICLE
(a) The ability to possess a valid California driver’s license
(b) The ability to drive safely
(c) The ability to control a motor vehicle at high speeds
(d) The ability to operate a motor vehicle in all types of weather conditions

1000.3.2 INTEGRITY
(a) Refusing to yield to the temptation of bribes, gratuities, payoffs, etc.
(b) Refusing to tolerate unethical or illegal conduct on the part of other law enforcement personnel
(c) Showing strong moral character and integrity in dealing with the public
(d) Being honest in dealing with the public
1000.3.3 CREDIBILITY AS A WITNESS IN A COURT OF LAW
   (a) The ability to give testimony in a court of law without being subject to impeachment due to his/her honesty or veracity (or their opposites) or due to prior felony conviction.

1000.3.4 DEPENDABILITY
   (a) Having a record of submitting reports on time and not malingering on calls, etc.
   (b) A record of being motivated to perform well
   (c) A record of dependability and follow through on assignments
   (d) A history of taking the extra effort required for complete accuracy in all details of work
   (e) A willingness to work the hours needed to complete a job

1000.3.5 LEARNING ABILITY
   (a) The ability to comprehend and retain information
   (b) The ability to recall information pertaining to laws, statutes, codes, etc.
   (c) The ability to learn and to apply what is learned
   (d) The ability to learn and apply the material, tactics and procedures that are required of a law enforcement officer

1000.3.6 PERSONAL SENSITIVITY
   (a) The ability to resolve problems in a way that shows sensitivity for the feelings of others.
   (b) Empathy
   (c) Discretion, not enforcing the law blindly
   (d) Effectiveness in dealing with people without arousing antagonism
   (e) The ability to understand the motives of people and how they will react and interact

1000.3.7 JUDGMENT UNDER PRESSURE
   (a) The ability to apply common sense during pressure situations
   (b) The ability to make sound decisions on the spot
   (c) The ability to use good judgment in dealing with potentially explosive situations
   (d) The ability to make effective, logical decisions under pressure

1000.3.8 ILLEGAL USE OR POSSESSION OF DRUGS
   (a) The following examples of illegal drug use or possession will be considered in relationship to the overall background of that individual and may result in disqualification:
Recruitment and Selection

1. Any illegal use or possession of a drug as a juvenile.

2. Any illegal adult use or possession of a drug that does not meet the criteria of the automatic disqualifiers specified above; e.g., marijuana use longer than three years ago or cocaine use longer than five years ago.

3. Any illegal or unauthorized use of prescription medications.

1000.4 PROBATIONARY PERIODS
The Administration Division Commander should coordinate with the Anaheim Department of Human Resources to identify positions subject to probationary periods and procedures for:

(a) Appraising performance during probation.

(b) Assessing the level of performance required to complete probation.

(c) Extending probation.

(d) Documenting successful or unsuccessful completion of probation.
Evaluation of Employees

1001.1 PURPOSE AND SCOPE
The Department’s employee performance evaluation system is designed to record work performance for both the Department and the employee, providing recognition for good work and developing a guide for improvement.

1001.2 POLICY
The Anaheim Police Department utilizes a performance evaluation report to measure performance and to use as a factor in making personnel decisions that relate to merit increases, promotion, reassignment, discipline, demotion, and termination. The evaluation report is intended to serve as a guide for work planning and review by the supervisor and employee. It gives supervisors a way to create an objective history of work performance based on job standards.

The Department evaluates employees in a non-discriminatory manner based upon job-related factors specific to the employee’s position, without regard to actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

1001.3 EVALUATION PROCESS
Evaluation reports will cover a specific period of time and should be based on documented performance during that period. Evaluation reports will be completed by each employee’s immediate supervisor. Other supervisors directly familiar with the employee’s performance during the rating period should be consulted by the immediate supervisor for their input.

All sworn and professional civilian supervisory personnel shall attend an approved supervisory course that includes training on the completion of performance evaluations within one year of the supervisory appointment.

Each supervisor should discuss the tasks of the position, standards of performance expected and the evaluation criteria with each employee at the beginning of the rating period. Supervisors should document this discussion in the prescribed manner.

Assessment of an employee’s job performance is an ongoing process. Continued coaching and feedback provides supervisors and employees with opportunities to correct performance issues as they arise.

Non-probationary employees demonstrating substandard performance shall be notified in writing of such performance as soon as possible in order to have an opportunity to remediate the issues. Such notification should occur at the earliest opportunity, with the goal being a minimum of 90 days written notice prior to the end of the evaluation period.
Evaluation of Employees

Employees who disagree with their evaluation and who desire to provide a formal response or a rebuttal may do so in writing in the prescribed format and time period.

1001.4 FULL TIME PROBATIONARY PERSONNEL
Civilian personnel are on probation for 6 or 12 months before being eligible for certification as permanent employees. An evaluation is completed monthly for all full-time civilian personnel during the probationary period.

Sworn personnel are on probation for 18 months before being eligible for certification as permanent employees. Probationary officers are evaluated daily, weekly and monthly during the probationary period.

1001.5 FULL-TIME PERMANENT STATUS PERSONNEL
Permanent employees are subject to three types of performance evaluations:

Regular - An Employee Performance Evaluation shall be completed once each year by the employee's immediate supervisor on the anniversary of the employee's date of hire except for employees who have been promoted in which case an Employee Performance Evaluation shall be completed on the anniversary of the employee's date of last promotion.

Transfer - If an employee is transferred from one assignment to another in the middle of an annual evaluation period and more than 90 days have transpired since the shift change, then an evaluation shall be completed by the immediate supervisor before the transfer is made. No additional evaluation will be required at the end of the annual rating period.

Special - A special evaluation may be completed any time the rater and the rater's supervisor feel one is necessary due to employee performance that is deemed less than standard. Generally, the special evaluation will be the tool used to demonstrate those areas of performance deemed less than standard when follow-up action is planned (action plan, remedial training, retraining, etc.). The evaluation form and the attached documentation shall be submitted as one package.

1001.5.1 RATING CRITERIA
Raters who are required to evaluate their personnel annually will complete an "Officer Performance Report." When completing the Employee Performance Report, the rater will place a check mark in the column that best describes the employee's performance. The definition of each rating category is as follows:

MEETS EXPECTATIONS - Is the performance of a fully competent employee. It means satisfactory performance that meets the standards required of the position.

DOES NOT MEET EXPECTATIONS - Is a level of performance less than that expected of a fully competent employee and less than standards required of the position. A does not meet rating must be thoroughly discussed with the employee.

Space for written comments is provided at the end of the evaluation in the rater comments section. This section allows the rater to document the employee's strengths, weaknesses, and suggestions
Evaluation of Employees

for improvement. Any rating under any job dimension marked unsatisfactory or outstanding shall be substantiated in the rater comments section.

1001.6 EVALUATION INTERVIEW
When the supervisor has completed the preliminary evaluation, arrangements shall be made for a private discussion of the evaluation with the employee. If the employee has valid and reasonable protests of any of the ratings, they should be changed accordingly.

The supervisor and employee will sign and date the evaluation. Permanent employees may seek an interview with superiors within their chain of command, up to and including the Chief of Police, to contest the performance evaluation by checking the appropriate box. Permanent employees may also write comments in the EMPLOYEE COMMENTS section of the performance evaluation report.

1001.6.1 DISCRIMINATORY HARASSMENT FORM
At the time of each employee’s annual evaluation, the reviewing supervisor shall require the employee to read the City and Department harassment and discrimination policies. Following such policy review, the supervisor shall provide the employee a form to be completed and returned by the employee certifying the following:

(a) That the employee understands the harassment and discrimination policies.
(b) Whether any questions the employee has have been sufficiently addressed.
(c) That the employee knows how and where to report harassment policy violations.
(d) Whether the employee has been the subject of, or witness to, any conduct that violates the discrimination or harassment policy which has not been previously reported.

The completed form should be returned to the supervisor (or other authorized individual if the employee is uncomfortable returning the form to the presenting supervisor) within one week.

The employee’s completed answers shall be attached to the evaluation. If the employee has expressed any questions or concerns, the receiving supervisor or other authorized individual shall insure that appropriate follow up action is taken.

1001.7 EVALUATION REVIEW
After the supervisor finishes the discussion with the employee, the signed performance evaluation is forwarded to the rater’s supervisor (Division Commander). The Division Commander shall review the evaluation for fairness, impartiality, uniformity, and consistency. The Division Commander shall evaluate the supervisor on the quality of ratings given.
Evaluation of Employees

1001.8 EVALUATION DISTRIBUTION
The original performance evaluation shall be maintained in the employee’s personnel file in the office of the Chief of Police for the tenure of the employee’s employment. A copy will be given to the employee.
Special Assignments and Promotions

1002.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for promotions and the selection process for special assignments within the Anaheim Police Department.

1002.2 POLICY
The Anaheim Police Department determines assignments and promotions in a non-discriminatory manner based upon job-related factors and candidate skills and qualifications. Assignments are made by the Division Commander and promotions are made by the Chief of Police.

1002.3 SPECIAL ASSIGNMENT POSITIONS
The following positions are considered special assignments and not promotions:

(a) TRG-Tactical Response Group member
(b) Investigator/Detective
(c) Traffic Officer
(d) Canine handler
(e) Field Training Officer
(f) Training Officer
(g) School Resource Officer
(h) Task force Officer (OCAT, JTTF, Human Trafficking, etc.)
(i) Air Support
(j) Resort Officer

1002.3.1 GENERAL REQUIREMENTS
The following requirements should be considered when selecting a candidate for a special assignment:

(a) Off probation
(b) Possession of or ability to obtain any certification required by POST or law
(c) Exceptional skills, experience, or abilities related to the special assignment

1002.3.2 EVALUATION CRITERIA
The following criteria will be used in evaluating candidates for a special assignment:

(a) Qualifications.
(b) Record and history of performance.
(c) Review/consideration of prior discipline.
(d) Interview which may include some or all of the following:
Special Assignments and Promotions

1. Emotional stability and maturity
2. Stress tolerance
3. Sound judgment and decision-making
4. Personal integrity and ethical conduct
5. Leadership skills
6. Initiative
7. Adaptability and flexibility
8. Ability to conform to department goals and objectives in a positive manner

1002.3.3 SELECTION PROCESS
The selection process for special assignments will include an administrative evaluation as determined by the Chief of Police to include:

(a) Research of the following:

1. Prior performance via review of evaluations, consultation with past and current supervisors, managers and others who can provide valuable information including, but not limited to individuals from the following Units/Departments:
   (a) Court Liaison
   (b) City Attorney
   (c) District Attorney
   (d) Records
   (e) Property
   (f) Forensics
   (g) Detention
   (h) Communications
   (i) Or any other pertinent resource

2. Prior Discipline including:
   (a) Date(s)
   (b) Nature of violation(s)
   (c) Level of discipline
   (d) Traffic collisions or recurrences

(b) Interactive dialogue among selecting Detail’s chain of command regarding the interested employee’s backgrounds and qualifications.

1. Following the interactive dialogue, the Division Commander of the requested division will complete the Request for Change of Assignment form for each candidate by indicating whether the employee is eligible for the assignment. The
Special Assignments and Promotions

Division Commander can disqualify any interested employee(s) based on the process to this point.

(c) Oral interview of eligible employee(s).

(d) Selection recommendation submitted to Detail’s chain of command for confirmation.

The selection process for all special assignment positions may be waived for temporary assignments, emergency situations, training, and at the discretion of the Chief of Police.

1002.3.4 DOCUMENTATION RETENTION
Completed Request for Change of Assignment forms, background research and notes and completed interview questions with notes will be stored and retained by the Deputy Chief’s Executive Secretary for a period of three (3) years.

1002.3.5 ELIGIBILITY LIST
There will not be an eligibility list created. If an additional opening occurs for a specific assignment within one (1) year of the original announcement, employees wishing to reapply may request to again be considered without submitting an additional Request for Change of Assignment.

1002.4 PROMOTIONAL REQUIREMENTS
Requirements and information regarding any promotional process are available through the City of Anaheim Human Resources Department.
Grievance Procedure

1003.1 PURPOSE AND SCOPE
It is the policy of this department that all grievances be handled quickly and fairly without discrimination against employees who file a grievance whether or not there is a basis for the grievance. Our Department’s philosophy is to promote a free verbal communication between employees and supervisors.

1003.1.1 GRIEVANCE DEFINED
A grievance is any difference of opinion concerning terms or conditions of employment or the dispute involving the interpretation or application of any of the following documents by the person(s) affected:

- The employee bargaining agreement (Memorandum of Understanding)
- This Policy Manual
- City rules and regulations covering personnel practices or working conditions

Grievances may be brought by an individual affected employee or by a group representative.

Specifically outside the category of grievance are complaints related to allegations of discrimination or harassment subject to the Discriminatory Harassment Policy. Also outside the category of grievances are personnel complaints regarding any allegation of misconduct or improper job performance against any department employee that, if true, would constitute a violation of department policy, federal, state, or local law as set forth in the Personnel Complaint Policy.

1003.2 PROCEDURE
Except as otherwise required under a collective bargaining agreement, if an employee believes that he or she has a grievance as defined above, then that employee shall observe the following procedure:

(a) Attempt to resolve the issue through informal discussion with immediate supervisor.

(b) If after a reasonable amount of time, generally seven days, the grievance cannot be settled by the immediate supervisor, the employee may request an interview with the Division Commander of the affected division or bureau.

(c) If a successful resolution is not found with the Division Commander, the employee may request a meeting with the Chief of Police.

(d) If the employee and the Chief of Police are unable to arrive at a mutual solution, then the employee shall proceed as follows:

1. Submit in writing a written statement of the grievance and deliver one copy to the Chief of Police and another copy to the immediate supervisor and include the following information:
Grievance Procedure

(a) The basis for the grievance (i.e., what are the facts of the case?).

(b) Allegation of the specific wrongful act and the harm done.

(c) The specific policies, rules or regulations that were violated.

(d) What remedy or goal is being sought by this grievance.

(e) The employee shall receive a copy of the acknowledgment signed by the supervisor including the date and time of receipt.

(f) The Chief of Police will receive the grievance in writing. The Chief of Police and the City Manager will review and analyze the facts or allegations and respond to the employee within 14 calendar days. The response will be in writing, and will affirm or deny the allegations. The response shall include any remedies if appropriate. The decision of the City Manager is considered final.

1003.3 EMPLOYEE REPRESENTATION
Employees are entitled to have representation during the grievance process. The representative may be selected by the employee from the appropriate employee bargaining group.

1003.4 GRIEVANCE RECORDS
At the conclusion of the grievance process, all documents pertaining to the process shall be forwarded to Administration for inclusion into a secure file for all written grievances. A second copy of the written grievance will be maintained by the City Manager’s office to monitor the grievance process.

1003.5 GRIEVANCE AUDITS
The Personnel Sergeant shall perform an annual audit of all grievances filed the previous calendar year to evaluate whether or not any policy/procedure changes or training may be appropriate to avoid future filings of grievances. The Personnel Sergeant shall record these findings in a confidential and generic memorandum to the Chief of Police without including any identifying information from any individual grievance. If the audit identifies any recommended changes or content that may warrant a critical revision to this policy manual, the Personnel Sergeant should promptly notify the Chief of Police.
Reporting of Employee Convictions

1004.1 PURPOSE AND SCOPE
Convictions of certain offenses may restrict or prohibit an employee’s ability to properly perform official duties. Therefore, all employees shall be required to promptly notify the Department of any past and current criminal convictions.

1004.2 DOMESTIC VIOLENCE CONVICTIONS, OUTSTANDING WARRANTS AND RESTRAINING ORDERS
California and federal law prohibit individuals convicted of, or having an outstanding warrant for, certain offenses and individuals subject to certain court orders from lawfully possessing a firearm. Such convictions and court orders often involve allegations of the use or attempted use of force or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; Penal Code § 29805).

All members are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

1004.3 OTHER CRIMINAL CONVICTIONS AND COURT ORDERS
Government Code § 1029 prohibits any person convicted of a felony from being a peace officer in the State of California. This prohibition applies regardless of whether the guilt was established by way of a verdict, guilty or nolo contendre plea.

Convictions of certain violations of the Vehicle Code and other provisions of law may also place restrictions on an employee’s ability to fully perform the duties of the job.

Outstanding warrants as provided in Penal Code § 29805 also place restrictions on a member’s ability to possess a firearm.

Moreover, while legal restrictions may or may not be imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by members of this department may be inherently in conflict with law enforcement duties and the public trust.

1004.4 REPORTING PROCEDURE
All members of this department and all retired officers with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing of any past or current criminal arrest, outstanding warrant or conviction regardless of whether or not the matter is currently on appeal and regardless of the penalty or sentence, if any.

All members and all retired officers with an identification card issued by the Department shall further promptly notify their immediate supervisor (or the Chief of Police in the case of retired
Reporting of Employee Convictions

officers) in writing if the member or retiree becomes the subject of a domestic violence restraining order or similar court order or becomes the subject of an outstanding warrant.

Any member whose criminal conviction unduly restricts or prohibits that member from fully and properly performing his/her duties may be disciplined including, but not limited to, being placed on administrative leave, reassignment and/or termination. Any effort to remove such disqualification or restriction shall remain entirely the responsibility of the member on his/her own time and expense.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline.

1004.5 PROCEDURE FOR RELIEF
Pursuant to Penal Code § 29855, a peace officer may petition the court for permission to carry a firearm following a conviction under state law. Federal law, however, does not provide for any such similar judicial relief and the granting of a state court petition under Penal Code § 29855 will not relieve one of the restrictions imposed by federal law. Therefore, relief for any employee falling under the restrictions imposed by federal law may only be obtained by expungement of the conviction. Each employee shall seek relief from firearm restrictions on their own time and through their own resources.

Pursuant to Family Code § 6389(h), an individual may petition the court for an exemption to any restraining order, which would thereafter permit the individual to carry a firearm as a part of their employment. Relief from any domestic violence or other restriction shall also be pursued through the employee’s own resources and on the employee’s own time.

Pending satisfactory proof of relief from any legal restriction imposed on an employee’s duties, the employee may be placed on administrative leave, reassigned or disciplined. The Department may, but is not required to return an employee to any assignment, reinstate any employee or reverse any pending or imposed discipline upon presentation of satisfactory proof of relief from any legal restriction set forth in this policy.

1004.5.1 NOTIFICATION REQUIREMENTS
The Administration Supervisor shall submit within 30 days of final disposition a notice to the Commission on Peace Officer Standards and Training (POST) of a felony conviction or Government Code § 1029 reason that disqualifies any current peace officer employed by this department or any former peace officer if this department was responsible for the investigation (11 CCR 1003).

The Administration Supervisor shall submit within 30 days a notice to POST of any appointment, termination, reinstatement, name change, or status change regarding any peace officer, reserve peace officer, public safety dispatcher, and records supervisor employed by this department (11 CCR 1003).
Drug- and Alcohol-Free Workplace

1005.1 PURPOSE AND SCOPE
The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace.

1005.2 POLICY
It is the policy of this department to provide a drug- and alcohol-free workplace for all members.

1005.3 GENERAL GUIDELINES
Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members and the public. Such use shall not be tolerated (41 USC § 8103).

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Watch Commander or appropriate supervisor as soon as the member is aware that he/she will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, he/she shall be immediately removed and released from work (see Work Restrictions in this policy).

1005.3.1 USE OF MEDICATIONS
Members should avoid taking any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to his/her immediate supervisor prior to commencing any on-duty status.

No member shall be permitted to work or drive a vehicle owned or leased by the Department while taking any medication that has the potential to impair his/her abilities, without a written release from his/her physician.

1005.3.2 CONFIDENTIALITY
The Department recognizes the confidentiality and privacy due employees, and disclosure of any information relating to chemical abuse treatment, except on a need to know basis, shall only be with the express written consent of the employee involved or pursuant to lawful process.

1005.3.3 USE OF MARIJUANA
Possession of marijuana, including medical marijuana, or being under the influence of marijuana on- or off-duty is prohibited and may lead to disciplinary action.

1005.4 MEMBER RESPONSIBILITIES
Members shall report for work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing or using controlled or prohibited substances or alcohol on department premises or on department time.
(41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow member poses a risk to the health and safety of the member or others due to drug or alcohol use.

Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

### 1005.5 EMPLOYEE ASSISTANCE PROGRAM

There may be available a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Department of Human Resources, their insurance providers or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

### 1005.6 WORK RESTRICTIONS

If a member informs a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from his/her physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and shall ensure that he/she is safely transported away from the Department.

### 1005.7 REQUESTING SCREENING TESTS

The supervisor may request an employee to submit to a screening test under the following circumstances:

(a) The supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing his/her ability to perform duties safely and efficiently.

1. The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

(b) The employee discharges a firearm in the performance of his/her duties.

(c) During the performance of his/her duties, the employee drives a motor vehicle and becomes involved in an incident that results in bodily injury to him/herself or another person, or substantial damage to property.
Drug- and Alcohol-Free Workplace

1005.7.1 SUPERVISOR RESPONSIBILITY
The supervisor shall prepare a written record documenting the specific facts that led to the decision to request the test, and shall inform the employee in writing of the following:

(a) The test will be given to detect either alcohol or drugs, or both.

(b) The result of the test is not admissible in any criminal proceeding against the employee.

1005.7.2 SCREENING TEST REFUSAL
An employee may be subject to disciplinary action if he/she:

(a) Fails or refuses to submit to a screening test as requested.

(b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested, that he/she took the controlled substance as directed, pursuant to a current and lawful prescription issued in his/her name.

(c) Violates any provisions of this policy.

1005.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT
No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Department will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

1005.9 CONFIDENTIALITY
The Department recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained separately from the employee's other personnel files.
Sick Leave

1006.1 PURPOSE AND SCOPE
This policy provides general guidance regarding the use and processing of sick leave. The accrual and terms of use of sick leave for eligible employees are detailed in the City personnel manual or applicable collective bargaining agreement.

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) (29 USC § 2601 et seq.) and the California Family Rights Act, and leave related to domestic violence, sexual assault, stalking or for organ or bone marrow donor procedures (29 CFR 825; Government Code § 12945.2; Labor Code § 230.1; Labor Code § 1510).

1006.2 POLICY
It is the policy of the Anaheim Police Department to provide eligible employees with a sick leave benefit.

1006.3 USE OF SICK LEAVE
Sick leave is intended to be used for qualified absences. Sick leave is not considered vacation. Abuse of sick leave may result in discipline, denial of sick leave benefits, or both.

Employees on sick leave shall not engage in other employment or self-employment or participate in any sport, hobby, recreational activity or other activity that may impede recovery from the injury or illness (see Outside Employment Policy).

Qualified appointments should be scheduled during a member’s non-working hours when it is reasonable to do so.

1006.3.1 NOTIFICATION
All members should notify the Watch Commander or appropriate supervisor as soon as they are aware that they will not be able to report to work and no less than one hour before the start of their scheduled shifts. If, due to an emergency, a member is unable to contact the supervisor, every effort should be made to have a representative for the member contact the supervisor (Labor Code § 246).

When the necessity to be absent from work is foreseeable, such as planned medical appointments or treatments, the member shall, whenever possible and practicable, provide the Department with no less than 30 days’ notice of the impending absence (Labor Code § 246).

Upon return to work, members are responsible for ensuring their time off was appropriately accounted for, and for completing and submitting the required documentation describing the type of time off used and the specific amount of time taken.
1006.4 EXTENDED ABSENCE
Members absent from duty for more than three consecutive days may be required to furnish a statement from a health care provider supporting the need to be absent and/or the ability to return to work. Members on an extended absence shall, if possible, contact their supervisor at specified intervals to provide an update on their absence and expected date of return.

Nothing in this section precludes a supervisor from requiring, with cause, a health care provider’s statement for an absence of three or fewer days after the first three days of paid sick leave are used in a 12-month period.

1006.5 SUPERVISOR RESPONSIBILITIES
The responsibilities of supervisors include, but are not limited to:

(a) Monitoring and regularly reviewing the attendance of those under their command to ensure that the use of sick leave and absences is consistent with this policy.

(b) Attempting to determine whether an absence of four or more days may qualify as family medical leave and consulting with legal counsel or the Department of Human Resources as appropriate.

(c) Addressing absences and sick leave use in the member’s performance evaluation when excessive or unusual use has:
   1. Negatively affected the member’s performance or ability to complete assigned duties.
   2. Negatively affected department operations.

(d) When appropriate, counseling members regarding excessive absences and/or inappropriate use of sick leave.

(e) Referring eligible members to an available employee assistance program when appropriate.

1006.6 REQUIRED NOTICES
The Director of Human Services shall ensure:

(a) Written notice of the amount of paid sick leave available is provided to employees as provided in Labor Code § 246.

(b) A poster is displayed in a conspicuous place for employees to review that contains information on paid sick leave as provided in Labor Code § 247.
Communicable Diseases

1007.1 PURPOSE AND SCOPE
This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

1007.1.1 DEFINITIONS
Definitions related to this policy include:

Communicable disease - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include, but are not limited to, hepatitis B virus (HBV), HIV and tuberculosis.

Exposure - When an eye, mouth, mucous membrane or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member’s position at the Anaheim Police Department. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

1007.2 POLICY
The Anaheim Police Department is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.

1007.3 EXPOSURE CONTROL OFFICER
The Chief of Police will assign a person as the Exposure Control Officer (ECO). The ECO shall develop an exposure control plan that includes:

(a) Exposure-prevention and decontamination procedures.
(b) Procedures for when and how to obtain medical attention in the event of an exposure or suspected exposure.
(c) The provision that department members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) for each member’s position and risk of exposure.
(d) Evaluation of persons in custody for any exposure risk and measures to separate them (15 CCR 1051; 15 CCR 1207).
(e) Compliance with all relevant laws or regulations related to communicable diseases, including:
   1. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).
   2. Bloodborne pathogen mandates including (8 CCR 5193):
Communicable Diseases

(a) Sharps injury log.
(b) Needleless systems and sharps injury protection.

3. Airborne transmissible disease mandates including (8 CCR 5199):
(a) Engineering and work practice controls related to airborne transmissible diseases.
(b) Distribution of appropriate personal protective equipment to minimize exposure to airborne disease.

4. Promptly notifying the county health officer regarding member exposures (Penal Code § 7510).

5. Establishing procedures to ensure that members request exposure notification from health facilities when transporting a person that may have a communicable disease and that the member is notified of any exposure as required by Health and Safety Code § 1797.188.

6. Informing members of the provisions of Health and Safety Code § 1797.188 (exposure to communicable diseases and notification).

(f) Provisions for acting as the designated officer liaison with health care facilities regarding communicable disease or condition exposure notification. The designated officer should coordinate with other department members to fulfill the role when not available. The designated officer shall ensure that the name, title and telephone number of the designated officer is posted on the Department website (Health and Safety Code § 1797.188).

The ECO should also act as the liaison with the Division of Occupational Safety and Health (Cal/OSHA) and may request voluntary compliance inspections. The ECO shall annually review and update the exposure control plan and review implementation of the plan (8 CCR 5193).

1007.4 EXPOSURE PREVENTION AND MITIGATION

1007.4.1 GENERAL PRECAUTIONS
All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes, but is not limited to (8 CCR 5193):

(a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area or department vehicles, as applicable.

(b) Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes and non-intact skin can be reasonably anticipated.

(c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.

(d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.
Communicable Diseases

(e) Using an appropriate barrier device when providing CPR.

(f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.

(g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing and portable radio) as soon as possible if the equipment is a potential source of exposure.
   1. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.

(h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.

(i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.

(j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

1007.4.2 IMMUNIZATIONS
Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (8 CCR 5193).

1007.5 POST EXPOSURE

1007.5.1 INITIAL POST-EXPOSURE STEPS
Members who experience an exposure or suspected exposure shall:

(a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).

(b) Obtain medical attention as appropriate.

(c) Notify a supervisor as soon as practicable.

1007.5.2 REPORTING REQUIREMENTS
The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented (8 CCR 5193):

(a) Name and Social Security number of the member exposed

(b) Date and time of the incident

(c) Location of the incident

(d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)

(e) Work being done during exposure
Communicable Diseases

(f) How the incident occurred or was caused
(g) PPE in use at the time of the incident
(h) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Occupational Disease and Work-Related Injury Reporting Policy).

1007.5.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT
Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary (8 CCR 5193).

The ECO should request a written opinion/evaluation from the treating medical professional that contains only the following information:

(a) Whether the member has been informed of the results of the evaluation.
(b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

1007.5.4 COUNSELING
The Department shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure (8 CCR 5193).

1007.5.5 SOURCE TESTING
Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate (8 CCR 5193). Source testing is the responsibility of the ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the exposed member’s supervisor to ensure testing is sought.

Source testing may be achieved by:

(a) Obtaining consent from the individual.
(b) Complying with the statutory scheme of Health and Safety Code § 121060. This includes seeking consent from the person who was the source of the exposure and seeking a court order if consent is not given.
(c) Testing the exposed member for evidence of a communicable disease and seeking consent from the source individual to either access existing blood samples for testing or for the source to submit to testing (Health and Safety Code § 120262).
(d) Taking reasonable steps to immediately contact the County Health Officer and provide preliminary information regarding the circumstances of the exposure and the status
Communicable Diseases

of the involved individuals to determine whether the County Health Officer will order testing (Penal Code § 7510).

(e) Under certain circumstances, a court may issue a search warrant for the purpose of HIV testing a person when the exposed member qualifies as a crime victim (Penal Code § 1524.1).

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult the City Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

1007.6 CONFIDENTIALITY OF REPORTS
Medical information shall remain in confidential files and shall not be disclosed to anyone without the member’s written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well.

1007.7 TRAINING
All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training (8 CCR 5193):

(a) Shall be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.

(b) Shall be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.

(c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure and what steps should be taken if a suspected exposure occurs.
Smoking and Tobacco Use

1008.1 PURPOSE AND SCOPE
This policy establishes limitations on smoking and the use of tobacco products by members and others while on-duty or while in Anaheim Police Department facilities or vehicles.

For the purposes of this policy, smoking and tobacco use includes, but is not limited to, any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches and chewing tobacco, as well as any device intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

1008.2 POLICY
The Anaheim Police Department recognizes that tobacco use is a health risk and can be offensive to others.

Smoking and tobacco use also presents an unprofessional image for the Department and its members. Therefore smoking and tobacco use is prohibited by members and visitors in all department facilities, buildings and vehicles, and as is further outlined in this policy (Government Code § 7597; Labor Code § 6404.5).

1008.3 SMOKING AND TOBACCO USE
Smoking and tobacco use by members is prohibited anytime members are in public view representing the Anaheim Police Department.

It shall be the responsibility of each member to ensure that no person under his/her supervision smokes or uses any tobacco product inside City facilities and vehicles.

1008.4 ADDITIONAL PROHIBITIONS
No person shall use tobacco products within 20 feet of a main entrance, exit or operable window of any public building (including any department facility), or buildings on the campuses of the University of California, California State University and California community colleges, whether present for training, enforcement or any other purpose (Government Code § 7596 et seq.).

1008.4.1 NOTICE
The Chief of Police or the authorized designee should ensure that proper signage is posted at each entrance to the Department facility (Labor Code § 6404.5).
Personnel Complaints

1009.1 PURPOSE AND SCOPE
This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Anaheim Police Department. This policy shall not apply to a criminal investigation or to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member.

1009.2 POLICY
The Anaheim Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and municipal law, and the requirements of any collective bargaining agreements.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

1009.3 PERSONNEL COMPLAINTS
Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or of federal, state or local law, or city policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

1009.3.1 COMPLAINT CLASSIFICATIONS
Personnel complaints shall be classified in one of the following categories:

Informal - A matter in which the Watch Commander, or member of equivalent rank, is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

Formal - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or referred to the Internal Affairs Detail, depending on the seriousness and complexity of the investigation.

Incomplete - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Internal Affairs Commander, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.
1009.3.2 SOURCES OF COMPLAINTS
The following applies to the source of complaints:

(a) Individuals from the public may make complaints in any form, including by email, in person or by telephone.
(b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.
(c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
(d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.
(e) Tort claims and lawsuits may generate a personnel complaint.

1009.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

1009.4.1 COMPLAINT FORMS
Personnel complaint forms will be maintained in a clearly visible location in the public area of the police facility and be accessible through the department website. Forms may also be available at other City facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

1009.4.2 ACCEPTANCE
All complaints will be courteously accepted by any department member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

A complainant shall be provided with a copy of his/her statement at the time it is filed with the Department (Penal Code § 832.7).

1009.4.3 AVAILABILITY OF WRITTEN PROCEDURES
The Department shall make available to the public a written description of the investigation procedures for complaints (Penal Code § 832.5).

1009.5 DOCUMENTATION
Supervisors shall ensure that all formal and informal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.
All complaints and inquiries should also be documented in a log that records and tracks complaints. The log shall include the nature and disposition of the complaint. On an annual basis, the Department should audit the log and send an audit report to the Chief of Police or the authorized designee.

1009.6 ADMINISTRATIVE INVESTIGATIONS

Allegations of misconduct will be administratively investigated as follows.

1009.6.1 SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Chief of Police or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include but are not limited to:

(a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed.

   (a) The original complaint form will be directed to the Watch Commander of the accused member or a member of equivalent rank, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.

   (b) In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the member's Division Commander or the Chief of Police, who will initiate appropriate action.

(b) Responding to all complainants in a courteous and professional manner.

(c) Resolving those personnel complaints that can be resolved immediately.

   1. Follow-up contact with the complainant should be made within 7 days of the Department receiving the complaint.

   2. If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the Watch Commander of the accused member or a member of equivalent rank.

(d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Watch Commander or their equivalent and the Chief of Police are notified via the chain of command as soon as practicable.

(e) Promptly contacting the Department of Human Resources and the Watch Commander or their equivalent for direction regarding their roles in addressing a
complaint that relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination.

(f) Forwarding unresolved personnel complaints to the Watch Commander or their equivalent, who will determine whether to contact the complainant or assign the complaint for investigation.

(g) Informing the complainant of the investigator’s name and the complaint number within three days after assignment of the complaint to an investigator.

(h) Investigating a complaint as follows:
   1. Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.
   2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.

(i) Ensuring that the procedural rights of the accused member are followed (Government Code § 3303 et seq.).

(j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

1009.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES
Whether conducted by a supervisor or a member of the Internal Affairs Detail, the following applies to members covered by the Public Safety Officers Procedural Bill of Rights Act (POBR) (Government Code § 3303):

(a) Interviews of an accused member shall be conducted during reasonable hours and preferably when the member is on-duty. If the member is off-duty, he/she shall be compensated.

(b) Unless waived by the member, interviews of an accused member shall be at the Anaheim Police Department or other reasonable and appropriate place.

(c) No more than two interviewers should ask questions of an accused member.

(d) Prior to any interview, a member shall be informed of the nature of the investigation, the name, rank and command of the officer in charge of the investigation, the interviewing officers and all other persons to be present during the interview.

(e) All interviews shall be for a reasonable period and the member’s personal needs should be accommodated.

(f) No member should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers.

(g) Any member refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.

1. A member should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after the member has been given a Lybarger advisement. Administrative investigators
should consider the impact that compelling a statement from the member may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).

2. No information or evidence administratively coerced from a member may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.

(h) The interviewer should record all interviews of members and witnesses. The member may also record the interview. If the member has been previously interviewed, a copy of that recorded interview shall be provided to the member prior to any subsequent interview.

(i) All members subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview. However, in order to maintain the integrity of each individual’s statement, involved members shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

(j) All members shall provide complete and truthful responses to questions posed during interviews.

(k) No member may be requested or compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation (Government Code § 3307).

No investigation shall be undertaken against any officer solely because the officer has been placed on a prosecutor’s Brady list or the name of the officer may otherwise be subject to disclosure pursuant to Brady v. Maryland. However, an investigation may be based on the underlying acts or omissions for which the officer has been placed on a Brady list or may otherwise be subject to disclosure pursuant to Brady v. Maryland (Government Code § 3305.5).

1009.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete and include the following information:

1. Include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

2. Provide a brief summary of the facts giving rise to the investigation.

3. List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

4. Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.
Personnel Complaints

5. A recommendation regarding further action or disposition should be provided.

6. A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

1009.6.4 DISPOSITIONS
Each personnel complaint shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded (Penal Code § 832.8).

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - A final determination by an investigating agency, commission, board, hearing officer, or arbitrator, as applicable, following an investigation and opportunity for an administrative appeal pursuant to Government Code § 3304 and Government Code § 3304.5 that the actions of an officer were found to violate law or department policy (Penal Code § 832.8).

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1009.6.5 COMPLETION OF INVESTIGATIONS
Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation (Government Code § 3304).

In the event that an investigation cannot be completed within one year of discovery, the assigned investigator or supervisor shall ensure that an extension or delay is warranted within the exceptions set forth in Government Code § 3304(d) or Government Code § 3508.1.

1009.6.6 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS
The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

1009.7 ADMINISTRATIVE SEARCHES
Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.
Lockers and storage spaces may only be administratively searched in the member's presence, with the member's consent, with a valid search warrant or where the member has been given reasonable notice that the search will take place (Government Code § 3309).

1009.7.1 DISCLOSURE OF FINANCIAL INFORMATION
An employee may be compelled to disclose personal financial information under the following circumstances (Government Code § 3308):

(a) Pursuant to a state law or proper legal process
(b) Information exists that tends to indicate a conflict of interest with official duties
(c) If the employee is assigned to or being considered for a special assignment with a potential for bribes or other improper inducements

1009.8 ADMINISTRATIVE LEAVE
When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or his/her authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

(a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.

(b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.

(c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.

1009.9 CRIMINAL INVESTIGATION
Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Chief of Police shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief of Police may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be advised of his/her constitutional rights (Government Code § 3303(h)). The member should not be administratively ordered to provide any information in the criminal investigation.

The Anaheim Police Department may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.
1009.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, an investigation report should be forwarded to the Chief of Police through the chain of command. Each level of command should review the report and include his/her comments in writing before forwarding the report. The Chief of Police may accept or modify any disposition or recommendation for disciplinary action.

1009.10.1 DIVISION COMMANDER RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Division Commander of the involved member shall review the entire investigative file, the member's personnel file and any other relevant materials.

The Division Commander will make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Chief of Police, the Division Commander may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Chief of Police, the Division Commander shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

1009.10.2 CHIEF OF POLICE RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Chief of Police or his/her authorized designee shall review the recommendation and all accompanying materials. The Chief of Police or his/her authorized designee may modify any recommendation and/or may return the file to the Division Commander for further investigation or action.

Once the Chief of Police or his/her authorized designee is satisfied that no further investigation or action is required by staff, the Chief of Police or his/her authorized designee shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed, the Chief of Police or his/her authorized designee shall provide the member with a pre-disciplinary procedural due process hearing (Skelly) by providing written notice of the charges, proposed action and reasons for the proposed action. Written notice shall be provided within one year from the date of discovery of the misconduct (Government Code § 3304(d)). The Chief of Police or his/her authorized designee shall also provide the member with:

(a) Access to all of the materials considered by the Chief of Police or his/her authorized designee in recommending the proposed discipline.
(b) An opportunity to respond orally or in writing to the Chief of Police or his/her authorized designee within five days of receiving the notice.

1. Upon a showing of good cause by the member, the Chief of Police or his/her authorized designee may grant a reasonable extension of time for the member to respond.
2. If the member elects to respond orally, the presentation shall be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed his/her response or if the member has elected to waive any such response, the Chief of Police or his/her authorized designee shall consider all information received in regard to the recommended discipline. The Chief of Police or his/her authorized designee shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Chief of Police or his/her authorized designee has issued a written decision, the discipline shall become effective.

1009.10.3 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT
The Chief of Police or the authorized designee shall ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded) of the complaint (Penal Code § 832.7(f)).

1009.10.4 NOTICE REQUIREMENTS
The disposition of any civilian’s complaint shall be released to the complaining party within 30 days of the final disposition. This release shall not include what discipline, if any, was imposed (Penal Code § 832.7(f)).

1009.11 PRE-DISCIPLINE EMPLOYEE RESPONSE
The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police or his/her authorized designee after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

(a) The response is not intended to be an adversarial or formal hearing.
(b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.
(c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police or his/her authorized designee to consider.
(d) In the event that the Chief of Police or his/her authorized designee elects to cause further investigation to be conducted, the employee shall be provided with the results prior to the imposition of any discipline.
(e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police or his/her authorized designee on the limited issues of information raised in any subsequent materials.
Personnel Complaints

1009.12  RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE
In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

1009.13  POST-DISCIPLINE APPEAL RIGHTS
Non-probationary employees have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. Such employees have the right to appeal using the procedures established by any collective bargaining agreement, Memorandum of Understanding and/or personnel rules.

In the event of punitive action against an employee covered by the POBR, the appeal process shall be in compliance with Government Code § 3304 and Government Code § 3304.5.

During any administrative appeal, evidence that an officer has been placed on a Brady list or is otherwise subject to Brady restrictions may not be introduced unless the underlying allegations of misconduct have been independently established. Thereafter, such Brady evidence shall be limited to determining the appropriateness of the penalty (Government Code § 3305.5).

1009.14  PROBATIONARY EMPLOYEES AND OTHER MEMBERS
At-will and probationary employees and those members other than non-probationary employees (e.g., volunteers) may be released from employment for non-disciplinary reasons (e.g., failure to meet standards) without adherence to the procedures set forth in this policy or any right to appeal. However, any probationary officer subjected to an investigation into allegations of misconduct shall be entitled to those procedural rights, as applicable, set forth in the POBR (Government Code § 3303; Government Code § 3304).

At-will, probationary employees and those other than non-probationary employees (e.g., volunteers) subjected to discipline or termination as a result of allegations of misconduct shall not be deemed to have acquired a property interest in their position, but shall be given the opportunity to appear before the Chief of Police or authorized designee for a non-evidentiary hearing for the sole purpose of attempting to clear their name and/or protect liberty interest. The decision of the Chief of Police or his/her designee shall be final and there will be no further opportunity for appeal beyond this hearing.

1009.15  RETENTION OF PERSONNEL INVESTIGATION FILES
All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.
Seat Belts

1010.1 PURPOSE AND SCOPE
This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all members operating or riding in department vehicles (Vehicle Code § 27315.5).

1010.1.1 DEFINITIONS
Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and Regulations set forth in 49 CFR 571.213.

1010.2 POLICY
It is the policy of the Anaheim Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle collision.

1010.3 WEARING OF SAFETY RESTRAINTS
All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including non-members, are also properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the member or the public. Members must be prepared to justify any deviation from this requirement.

1010.4 TRANSPORTING CHILDREN
Children under the age of 8 shall be transported in compliance with California’s child restraint system requirements (Vehicle Code § 27360; Vehicle Code § 27363).

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system manufacturer’s design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side airbag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible. A child shall not be transported in a rear-facing child restraint system in the front seat in a vehicle that is equipped with an active frontal passenger airbag (Vehicle Code § 27363).
Body Armor

1011.1 PURPOSE AND SCOPE
Practical safety measures should be used to reduce the risks and hazards associated with police work. The Department provides soft body armor for personnel in an effort to improve safety.

1011.2 POLICY
Soft body armor vests are issued to all enforcement personnel because they have been shown to be effective in reducing deaths and serious injuries.

1011.2.1 USE OF SOFT BODY ARMOR
The use of ballistic vests while on-duty is mandatory for all uniformed enforcement personnel. For purposes of this policy, "uniformed enforcement personnel" will include personnel assigned to details such as Patrol, Traffic, Gangs, CPT, PSR, and anyone working uniformed extra-duty assignments regardless of whether they are wearing a class-B or "soft" uniform. This does not apply to non-enforcement activity such as routine office work. Plain clothes officers engaged in enforcement activities shall also use ballistic vests when practicable. This policy also applies to Correctional Officers, when performing field duties. These officers should already have approved ballistic vests assigned to them.

Those who do not have a department-approved vest that is less than 5 years old should contact their supervisor immediately for a replacement. The department issues ballistic vests rated as Threat Level IIa by the National Institute of Justice, however, a Division Commander may approve a ballistic vest rated at a higher protection level for personnel requiring such protection due to the nature of their assignment. Personnel may elect to purchase, at their own expense, ballistic vests of their choice so long as it meets or exceeds department specifications.

An exception to this policy would include medical conditions, verified by a medical doctor, which would preclude personnel from wearing a ballistic vest.

Any questions about this policy may be directed to your respective division commander.
Personnel Records

1012.1 PURPOSE AND SCOPE
This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual member's name.

1012.2 POLICY
It is the policy of this department to maintain personnel records and preserve the confidentiality of personnel records pursuant to the Constitution and the laws of California (Penal Code § 832.7).

1012.3 DEPARTMENT PERSONNEL FILE
The department file shall be maintained as a record of a person’s employment/appointment with this department. The department file will generally contain, at a minimum:

(a) Personal data, including photographs, marital status, names of family members, educational and employment history, or similar information. A photograph of the member should be permanently retained.

(b) Election of employee benefits.

(c) Personnel action reports reflecting assignments, promotions, and other changes in employment/appointment status. These should be permanently retained.

(d) Original performance evaluations. These should be permanently maintained.

(e) Discipline records, if any, including copies of sustained personnel complaints.
   1. Disciplinary action resulting from sustained internally initiated complaints or observation of misconduct shall be maintained pursuant to the established records retention schedule and at least two years (Government Code § 26202; Government Code § 34090).
   2. Disciplinary action resulting from a sustained civilian's complaint shall be maintained pursuant to the established records retention schedule and at least five years (Penal Code § 832.5).

(f) Adverse comments such as supervisor notes or memos may be retained in the department file after the member has had the opportunity to read and initial the comment (Government Code § 3305).
   1. Once a member has had an opportunity to read and initial any adverse comment, the member shall be given the opportunity to respond in writing to the adverse comment within 30 days (Government Code § 3306).
   2. Any member response shall be attached to and retained with the original adverse comment (Government Code § 3306).
   3. If a member refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment and the member should sign or initial the noted refusal. Such a refusal, however, shall
not be deemed insubordination, nor shall it prohibit the entry of the adverse comment into the member's file (Government Code § 3305).

(g) Commendations and awards.

(h) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

1012.4 SUPERVISOR FILE
Division files may be separately maintained internally by a member's supervisor for the purpose of completing timely performance evaluations. The Division file may contain supervisor comments, notes, notices to correct and other materials that are intended to serve as a foundation for the completion of timely performance evaluations.

All materials intended for this interim file shall be provided to the employee prior to being placed in the file in accordance with Government Code § 3305 and Government Code § 3306.

1012.5 TRAINING FILE
An individual training file shall be maintained by the Training Sergeant for each member. Training files will contain records of all training; original or photocopies of available certificates, transcripts, diplomas and other documentation; and education and firearms qualifications. Training records may also be created and stored remotely, either manually or automatically (e.g., Daily Training Bulletin (DTB) records).

(a) The involved member is responsible for providing the Training Sergeant or immediate supervisor with evidence of completed training/education in a timely manner.

(b) The Training Sergeant or supervisor shall ensure that copies of such training records are placed in the member’s training file.

1012.6 INTERNAL AFFAIRS FILE
Internal affairs files shall be maintained under the exclusive control of the Internal Affairs Detail in conjunction with the office of the Chief of Police. Access to these files may only be authorized by the Chief of Police or the Internal Affairs Detail supervisor.

These files shall contain the complete investigation of all formal complaints of member misconduct, regardless of disposition (Penal Code § 832.12). Investigations of complaints that result in the following findings shall not be placed in the member's file but will be maintained in the internal affairs file:

(a) Not sustained
(b) Unfounded
(c) Exonerated

Investigation files arising out of civilian’s complaints shall be maintained pursuant to the established records retention schedule and for a period of at least five years. Investigations that
resulted in other than a sustained finding may not be used by the Department to adversely affect an employee’s career (Penal Code § 832.5).

Investigation files arising out of internally generated complaints shall be maintained pursuant to the established records retention schedule and for at least two years (Government Code § 26202; Government Code § 34090).

1012.7 MEDICAL FILE
A medical file shall be maintained separately from all other personnel records and shall contain all documents relating to the member’s medical condition and history, including but not limited to:

(a) Materials relating to a medical leave of absence, including leave under the Family and Medical Leave Act (FMLA).

(b) Documents relating to workers’ compensation claims or the receipt of short- or long-term disability benefits.

(c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries and related documents.

(d) Medical release forms, doctor’s slips and attendance records that reveal a member’s medical condition.

(e) Any other documents or materials that reveal the member’s medical history or medical condition, including past, present or future anticipated mental, psychological or physical limitations.

1012.8 SECURITY
Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records are subject to disclosure only as provided in this policy, the Records Maintenance and Release Policy or according to applicable discovery procedures.

Nothing in this policy is intended to preclude review of personnel records by the City Manager, City Attorney or other attorneys or representatives of the City in connection with official business.

1012.8.1 REQUESTS FOR DISCLOSURE
Any member receiving a request for a personnel record shall promptly notify the Custodian of Records or other person charged with the maintenance of such records.

Upon receipt of any such request, the Department shall notify the affected member as soon as practicable that such a request has been made (Evidence Code § 1043).

The Department shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this may require assistance of available legal counsel.
All requests for disclosure that result in access to a member’s personnel records shall be logged in the corresponding file.

1012.8.2 RELEASE OF PERSONNEL INFORMATION
Personnel records shall not be disclosed except as allowed by law (Penal Code § 832.7; Evidence Code § 1043) (See also Records Maintenance and Release Policy).

Any person who maliciously, and with the intent to obstruct justice or the due administration of the laws, publishes, disseminates, or otherwise discloses the residence address or telephone number of any member of this department may be guilty of a misdemeanor (Penal Code § 146e).

The Department may release any factual information concerning a disciplinary investigation if the member who is the subject of the investigation (or the member’s representative) publicly makes a statement that is published in the media and that the member (or representative) knows to be false. The disclosure of such information, if any, shall be limited to facts that refute any such false statement (Penal Code § 832.7).

1012.9 RELEASE OF PERSONNEL RECORDS AND RECORDS RELATED TO CERTAIN INCIDENTS, COMPLAINTS, AND INVESTIGATIONS OF OFFICERS
Personnel records and records related to certain incidents, complaints, and investigations of officers shall be released pursuant to a proper request under the Public Records Act and subject to redaction and delayed release as provided by law.

When a request for records is received, the Custodian of Records and/or the division that maintains the records should work as appropriate with the Chief of Police, the City Attorney’s Office and/or the Internal Affairs Detail supervisor in determining what records may qualify for disclosure when a request for records is received and if the requested record is subject to redaction or delay from disclosure.

For purposes of this section, a record includes (Penal Code § 832.7(b)(2)):

- All investigation reports.
- Photographic, audio, and video evidence.
- Transcripts or recordings of interviews.
- Autopsy reports.
- All materials compiled and presented for review to the District Attorney or to any person or body charged with determining whether to file criminal charges against an officer in connection with an incident, or whether the officer’s action was consistent with law and department policy for purposes of discipline or administrative action, or what discipline to impose or corrective action to take.
- Documents setting forth findings or recommending findings.
- Copies of disciplinary records relating to the incident, including any letters of intent to impose discipline, any documents reflecting modifications of discipline due to the
Personnel Records

Skelly or grievance process, and letters indicating final imposition of discipline or other documentation reflecting implementation of corrective action.

Unless a record or information is confidential or qualifies for delayed disclosure as provided by Penal Code § 832.7(b)(7) or other law, the following records shall be made available for public inspection upon request (Penal Code § 832.7):

(a) Records relating to the report, investigation, or findings of:
   1. The discharge of a firearm at another person by an officer.
   2. Use of force by an officer that results in death or great bodily injury.

(b) Records relating to an incident where a sustained finding (see the Personnel Complaints Policy) was made by the department or oversight agency regarding:
   1. An officer's sexual assault of a member of the public (as defined by Penal Code § 832.7(b)).
   2. Dishonesty of an officer directly relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting of, or investigation of misconduct by, another officer, including but not limited to any sustained finding of perjury, false statements, filing false reports, destruction, falsifying, or concealing of evidence.

When an investigation involves multiple officers, the Department shall not release information about allegations of misconduct or the analysis or disposition of an investigation of an officer unless it relates to a sustained finding of dishonesty or sexual assault against the officer as defined in the preceding paragraph. However, factual information about the actions of the officer during an incident or the statements of an officer shall be released if the statements are relevant to a sustained finding of dishonesty or sexual assault (as defined in the preceding paragraph) against another officer that is subject to release (Penal Code § 832.7(b)(4)).

A record from a separate and prior investigation or assessment of a separate incident shall not be released unless it is independently subject to disclosure (Penal Code § 832.7(b)(3)).

1012.9.1 REDACTION

The Data Release Unit, in consultation with the Chief of Police or authorized designee, the City Attorney's Office and/or the Internal Affairs Detail supervisor shall redact the following portions of records made available for release (Penal Code § 832.7(b)(5)):

(a) Personal data or information (e.g., home address, telephone number, identities of family members) other than the names and work-related information of officers

(b) Information that would compromise the anonymity of complainants and witnesses

(c) Confidential medical, financial, or other information where disclosure is prohibited by federal law or would cause an unwarranted invasion of personal privacy that clearly outweighs the strong public interest in records about misconduct and serious use of force
(d) Where there is a specific, articulable, and particularized reason to believe that disclosure of the record would pose a significant danger to the physical safety of the officer or another person.

The Records Maintenance and Release policy should be consulted to determine if further redactions should be made based upon the provisions of the Public Records Act or other laws. Additionally, a record may be redacted, including redacting personal identifying information, where, on the facts of the particular case, the public interest served by not disclosing the information clearly outweighs the public interest served by disclosing it (Penal Code § 832.7(b)(6)).

1012.9.2 DELAY OF RELEASE
Records relating to the discharge of a firearm or use of force resulting in death or in great bodily injury may be subject to delay during the pendency of criminal or administrative investigations or proceedings as allowed by law. The Data Release Unit, in consultation with the City Attorney’s Office, will determine if release of such records should be delayed.

1012.9.3 NOTICE OF DELAY OF RECORDS
When there is justification to delay disclosure of records relating to the discharge of a firearm or use of force resulting in death or in great bodily injury during an active investigation, the Data Release Unit, in consultation with the City Attorney’s Office, shall notify the requesting party and release records as provided by law (Penal Code § 832.7).

1012.10 MEMBER ACCESS TO HIS/HER OWN PERSONNEL RECORDS
Any member may request access to his/her own personnel records during the normal business hours of those responsible for maintaining such files. Any member seeking the removal of any item from his/her personnel records shall file a written request to the Chief of Police through the chain of command. The Department shall remove any such item if appropriate, or within 30 days provide the member with a written explanation of why the contested item will not be removed. If the contested item is not removed from the file, the member’s request and the written response from the Department shall be retained with the contested item in the member’s corresponding personnel record (Government Code § 3306.5).

Members may be restricted from accessing files containing any of the following information:

(a) An ongoing internal affairs investigation to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the member of the intent to discipline.

(b) Confidential portions of internal affairs files/investigations that have not resulted in sustained findings against the member.

(c) Criminal investigations involving the member.

(d) Letters of reference concerning employment/appointment, licensing or issuance of permits regarding the member.

(e) Any portion of a test document, except the cumulative total test score for either a section of the test document or for the entire test document.
Personnel Records

(f) Materials used by the Department for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments or other comments or ratings used for department planning purposes.

(g) Information of a personal nature about a person other than the member if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.

(h) Records relevant to any other pending claim between the Department and the member that may be discovered in a judicial proceeding.

1012.11 RETENTION AND PURGING

Unless provided otherwise in this policy, personnel records shall be maintained in accordance with the established records retention schedule.

(a) During the preparation of each member’s performance evaluation, all personnel complaints and disciplinary actions should be reviewed to determine the relevancy, if any, to progressive discipline, training and career development. Each supervisor responsible for completing the member's performance evaluation should determine whether any prior sustained disciplinary file should be retained beyond the required period for reasons other than pending litigation or other ongoing legal proceedings.

(b) If a supervisor determines that records of prior discipline should be retained beyond the required period, approval for such retention should be obtained through the chain of command from the Chief of Police.

(c) If, in the opinion of the Chief of Police, a personnel complaint or disciplinary action maintained beyond the required retention period is no longer relevant, all records of such matter may be destroyed in accordance with the established records retention schedule.

1012.11.1 PURGING PROCEDURE

Anaheim Municipal Code Section 1.10.100 requires each City Department to provide the City Clerk's Office with an official Records Retention Schedule which specifies all department records and the length of time those documents will be retained. The destruction of those records must be in accordance with Anaheim Municipal Code 1.10.100 and Government Code Section 34090 which authorize the destruction of City records when their designated retention time has expired and upon approval of the City Attorney and City Council by way of Resolution.

In support of the City Record's Retention/Destruction Regulation, Supervisor's Files will be purged and destroyed as follows:

(a) Supervisor/Manager Responsibility: Upon completion of the employee's annual Performance Evaluation, all documents in the employee's Supervisor File excluding the new evaluation, the employee's Emergency Contact sheet and a new Supervisor's Log are to be purged from the Supervisor's File and forwarded to the Personnel Detail's Senior Office Specialist. The electronic draft of any Supervisor's Logs should
be deleted from the supervisor/manager's computer upon printing the final version for inclusion in the Supervisor's File.

(b) Personnel Detail Responsibility: The Senior Office Specialist will retain all Supervisors' Logs until their approved retention time has expired. The Senior Office Specialist will notify the Records Bureau Manager of the records eligible for destruction for the annual preparation of Resolution for Destruction. Any other documents received by the Senior Office Specialist which are duplicates of records already contained within the main Personnel File will be destroyed by way of shredding.

In support of the City Record's Retention/Destruction Regulation, Personnel Files and/or Internal Affairs Files that do not relate to (i) pending litigation, (ii) ongoing legal proceedings, or (iii) citizen/non-citizen complaints that are under review, will be purged and destroyed as follows:

(a) In cases where the officer has not had a subsequent sustained complaint for the same or similar conduct, formal citizen and non-citizen initiated complaints and related documents shall be purged five years from the final disposition of the underlying complaint date (Penal Code § 832.5).

(b) If the officer has had a subsequent sustained complaint for the same or similar conduct, the formal citizen and non-citizen initiated complaints and related documents shall be purged five years from the final disposition of the most recent sustained complaint for the same or similar conduct.
Request for Change of Assignment

1013.1 PURPOSE AND SCOPE
It is the intent of the Department that all requests for change of assignment are considered equally. To facilitate the selection process, the following procedure is established whereby all such requests will be reviewed on an equal basis as assignments are made.

1013.2 REQUEST FOR CHANGE OF ASSIGNMENT
Personnel wishing a change of assignment are to complete a Request for Change of Assignment form. The form should then be forwarded through the chain of command to their Division Commander.

1013.2.1 PURPOSE OF FORM
The form is designed to aid employees in listing their qualifications for specific assignments. All relevant experience, education and training should be included when completing this form.

1013.3 SUPERVISOR’S COMMENTARY
The officer’s immediate supervisor shall make appropriate comments in the space provided on the form before forwarding it to the Division Commander of the employee involved. In the case of patrol officers, the Watch Commander must comment on the request with his/her recommendation before forwarding the request to the Division Commander.
Commendations and Awards

1014.1 PURPOSE AND SCOPE
This policy provides general guidelines for recognizing commendable or meritorious acts of members of the Anaheim Police Department and individuals from the community.

1014.2 POLICY
It is the policy of the Anaheim Police Department to recognize and acknowledge exceptional individual or group achievements, performance, proficiency, heroism and service of its members and individuals from the community through commendations and awards.

1014.3 COMMENDATIONS
Commendations for members of the Department or for individuals from the community may be initiated by any department member or by any person from the community.

1014.4 CRITERIA
A meritorious or commendable act may include, but is not limited to:

- Superior handling of a difficult situation.
- Conspicuous bravery or outstanding performance.
- Any action or performance that is above and beyond typical duties.

1014.4.1 DEPARTMENT MEMBER DOCUMENTATION
Members of the Department should document meritorious or commendable acts. The documentation should contain:

(a) Identifying information:
   1. For members of the Department - name, division and assignment at the date and time of the meritorious or commendable act
   2. For individuals from the community - name, address, telephone number

(b) A brief account of the meritorious or commendable act with report numbers, as appropriate.

(c) The signature of the member submitting the documentation.

1014.4.2 COMMUNITY MEMBER DOCUMENTATION
Documentation of a meritorious or commendable act submitted by a person from the community should be accepted in any form. However, written documentation is preferred. Department members accepting the documentation should attempt to obtain detailed information regarding the matter, including:

(a) Identifying information:
Commendations and Awards

1. For members of the Department - name, division and assignment at the date and time of the meritorious or commendable act
2. For individuals from the community - name, address, telephone number
   (b) A brief account of the meritorious or commendable act with report numbers, as appropriate.
   (c) The signature of the person submitting the documentation.

1014.4.3 PROCESSING DOCUMENTATION
Documentation regarding the meritorious or commendable act of a member of the Department should be forwarded to the appropriate Division Commander for his/her review. The Division Commander should sign and forward the documentation to the Chief of Police for his/her review.

The Chief of Police or the authorized designee will present the commendation to the department member for his/her signature. The documentation will then be returned to the Administration secretary for entry into the member’s personnel file.

Documentation regarding the meritorious or commendable act of an individual from the community should be forwarded to the Administration Division Commander. The documentation will be signed by the Division Commander and forwarded to the Chief of Police for his/her review. An appropriate venue or ceremony to acknowledge the individual’s actions should be arranged. Documentation of the commendation shall be maintained in a file designated for such records.

1014.5 AWARDS
Awards may be bestowed upon members of the Department and individuals from the community. These awards include:

- **Medal of Valor Award**
  - May be awarded for exceptional bravery or heroism where the act was beyond the call of duty and the person was cognizant of the immediate peril of great bodily injury either to himself/herself or others.
  - Certificate in blue folder, Medallion & uniform pin

- **Distinguished Service Award**
  - May be given for exceptional actions taken which resulted in the apprehension of dangerous felon(s) or for saving a life under unusual circumstances.
  - Certificate in blue folder, Medallion & uniform pin

- **Lifesaving Award**
  - A lifesaving medallion may be given for exceptional action where the first aid rendered resulted in the saving of a life.
  - Certificate in blue folder, Medallion & uniform pin

- **“Joseph T. Molloy” Career Achievement Award**
Commendations and Awards

- A career achievement medallion may be presented to a department employee if they meet the following requirements:
  - At least five years of uninterrupted service to the Anaheim Police Department
  - A pattern of continuing personal and professional development.
  - Consistent exemplary performance of duties and behavior that would constitute being identified as an outstanding role model for other law enforcement Professionals, as well as for other members of the community.

  *Certificate in blue folder, Medallion & uniform pin*

- **Meritorious Service Award**
  - An employee may be eligible for special recognition for outstanding performance of the duties of his/her position for a significant length of time, in a manner superior to that of others in a similar position, in terms of skill, devotion to duty, originality, or like manner.
  - *Framed certificate & uniform pin*

- **Special Unit Award / Unit of the Year**
  - Presented to a unit within the Police Department that displays exceptional performance during the year.
  - *Engraved trophy for the unit, individual certificates in blue folders*

- **Division Employee of the Year**
  - Nominated by employees and selected by the Division Commander and staff. Awards are presented for:
    - Chiefs Division
      - Officer of the Year
      - Civilian Employee of the Year
    - Field Services Division
      - Officer of the Year
      - Civilian Employee of the Year
    - Investigations Division
      - Detective of the Year
      - Civilian Employee of the Year
    - Community Services Division
      - Officer/Investigator of the Year
      - Civilian Employee of the Year
Commendations and Awards

- Explorer of the Year
- Community Member Recognition

Special Enforcement Division
- Officer/Investigator of the Year
- Civilian Employee of the Year
- Reserve Officer of the Year

Support Services Division
- Civilian Employee of the Year

Administrator Division
- Officer/Investigator of the Year
- Civilian Employee of the Year

- **Plaque, Medallion & uniform pin**

- **“Randall W. Gaston” Community Service Award**
  - The Community Service Award (CSA) recognizes police employees for their receipt of an award previously presented by the community and/or professional organization for service to the Anaheim/Orange County community.
  - **Certificate in blue folder, Medallion & uniform pin**
  - The Anaheim Police Department recognizes the following organizations such as CSA award presenters: Veterans of Foreign War, American Legion, Anaheim Chamber of Commerce, California Public Service Radio Association, Rotary Club, Optimist Club, Latino Peace Officers Association, Kiwanis Club, and the California Peace Officers Association.

Criteria for each award and the selection, presentation and display of any award are determined by the Chief of Police.
Fitness for Duty

1015.1 PURPOSE AND SCOPE
All officers are required to be free from any physical, emotional, or mental condition which might adversely affect the exercise of peace officer powers. The purpose of this policy is to ensure that all officers of this department remain fit for duty and able to perform their job functions (Government Code § 1031).

1015.2 EMPLOYEE RESPONSIBILITIES
(a) It shall be the responsibility of each member of this department to maintain good physical condition sufficient to safely and properly perform essential duties of their position.
(b) Each member of this department shall perform his/her respective duties without physical, emotional, and/or mental constraints.
(c) During working hours, all employees are required to be alert, attentive, and capable of performing his/her assigned responsibilities.
(d) Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that an employee believes that another employee is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

1015.3 SUPERVISOR RESPONSIBILITIES
(a) A supervisor observing an employee, or receiving a report of an employee who is perceived to be, unable to safely perform his/her duties due to a physical or mental condition shall take prompt and appropriate action in an effort to resolve the situation.
(b) Whenever feasible, the supervisor should attempt to ascertain the reason or source of the problem and in all cases a preliminary evaluation should be made in an effort to determine the level of inability of the employee to perform his/her duties.
(c) In the event the employee appears to be in need of immediate medical or psychiatric treatment, all reasonable efforts should be made to provide such care.
(d) In conjunction with the Watch Commander or employee’s available Division Commander, a determination should be made whether or not the employee should be temporarily relieved from his/her duties.
(e) The Chief of Police shall be promptly notified in the event that any employee is relieved from duty.
1015.4 NON-WORK RELATED CONDITIONS
Any employee suffering from a non-work related condition which warrants a temporary relief from duty may be required to use sick leave or other paid time off (PTO) in order to obtain medical treatment or other reasonable rest period.

1015.5 WORK RELATED CONDITIONS
Any employee suffering from a work related condition which warrants a temporary relief from duty shall be required to comply with personnel rules and guidelines for processing such claims.

Upon the recommendation of the Watch Commander or unit supervisor and concurrence of a Division Commander, any employee whose actions or use of force in an official capacity result in death or serious injury to another may be temporarily removed from regularly assigned duties and/or placed on paid administrative leave for the wellbeing of the employee and until such time as the following is completed:

(a) A preliminary determination that the employee’s conduct appears to be in compliance with policy and, if appropriate.

(b) The involved employee has met with a Department approved psychologist and received any necessary counseling and clearance to return to full duty.

(c) Employees who witness an event involving another employee whose actions or use of force in an official capacity resulted in the death or serious injury to another are required to meet with a Department approved psychologist prior to returning to duty.

1015.6 PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS

(a) Whenever circumstances reasonably indicate that an employee is unfit for duty, the Chief of Police may serve that employee with a written order to undergo a physical and/or psychological examination in cooperation with Department of Human Resources to determine the level of the employee’s fitness for duty. The order shall indicate the date, time and place for the examination.

(b) The examining physician or therapist will provide the Department with a report indicating that the employee is either fit for duty or, if not, listing any functional limitations which limit the employee's ability to perform job duties. If the employee places his/her condition at issue in any subsequent or related administrative action/grievance, the examining physician or therapist may be required to disclose any and all information which is relevant to such proceeding (Civil Code § 56.10(c)(8)).

(c) In order to facilitate the examination of any employee, the Department will provide all appropriate documents and available information to assist in the evaluation and/or treatment.

(d) All reports and evaluations submitted by the treating physician or therapist shall be part of the employee’s confidential personnel file.
(e) Any employee ordered to receive a fitness for duty examination shall comply with the terms of the order and cooperate fully with the examining physician or therapist regarding any clinical interview, tests administered or other procedures as directed. Any failure to comply with such an order and any failure to cooperate with the examining physician or therapist may be deemed insubordination and shall be subject to discipline up to and including termination.

(f) Once an employee has been deemed fit for duty by the examining physician or therapist, the employee will be notified to resume his/her duties.

1015.7 LIMITATION ON HOURS WORKED
Absent emergency operations members should not work more than:

• 16 hours in one day (24 hour) period or
• 30 hours in any 2 day (48 hour) period or
• 84 hours in any 7 day (168 hour) period

Except in very limited circumstances members should have a minimum of 8 hours off between shifts. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve to off-duty status any member who has exceeded the above guidelines.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, general overtime and any other work assignments.
Meal Periods and Breaks

1016.1 PURPOSE AND SCOPE
This policy regarding meals and breaks, insofar as possible shall conform to the policy governing all City employees that has been established by the City Manager.

1016.1.1 MEAL PERIODS
Sworn employees and dispatchers shall remain on duty subject to call during meal breaks. All other employees are not on call during meal breaks unless directed otherwise by a supervisor.

Uniformed patrol and traffic officers shall request clearance from Communications Bureau prior to taking a meal period. Uniformed officers shall take their breaks within the City limits unless on assignment outside of the City.

The time spent for the meal period shall not exceed the authorized time allowed.

1016.1.2 15 MINUTE BREAKS
Each employee is entitled to a 15 minute break, near the mid point, for each four-hour work period. Only one 15 minute break shall be taken during each four hours of duty. No breaks shall be taken during the first or last hour of an employee's shift unless approved by a supervisor.

Employees normally assigned to the police facility shall remain in the police facility for their breaks. This would not prohibit them from taking a break outside the facility if on official business.

Field officers will take their breaks in their assigned areas, subject to call and shall monitor their radios. When field officers take their breaks away from their vehicles, they shall do so only with the knowledge and clearance of Communications Bureau.

Break schedules for those assigned to specialty units are to be taken as approved by their respective Bureau Commander.

1016.2 ON-DUTY INJURY PREVENTION
The exercise facilities at the Main Police Station and each substation are available for on-duty and off-duty use by current department employees only. On-duty use of these facilities is limited as follows:

UNIFORMED SWORN PERSONNEL

(a) Use of the exercise facility shall be within the employee's assigned patrol district in lieu of the 30-minute paid meal break

(b) A request shall be made pursuant to the current Code 7 procedure, and the specific facility location shall be indicated in CAD

(c) The 30-minute period begins when the employee enters the exercise facility and ends when the 30 minutes elapses

(d) Upon returning to service, personnel must be in complete uniform with required equipment
Meal Periods and Breaks

(e) Personnel shall remain in uniform pants, shoes and t-shirt while exercising; remaining patrol equipment shall remain readily accessible for response to the field

(f) Personnel shall monitor radio traffic and respond back in service at any time when needed

(g) Exercises shall be performed in moderation and in line with the objective of injury prevention

NON-UNIFORMED SWORN PERSONNEL

(a) Use of the exercise facility shall be in lieu of the paid meal break

(b) Time spent in the exercise facility should not interfere with job tasks and should be at the discretion of the immediate supervisor

(c) Exercises shall be performed in moderation and in line with the objective of injury prevention

CIVILIAN PERSONNEL

(a) Use of the exercise facilities during regular work hours shall be in lieu of the employee’s 30-minute meal period and occur during their regularly scheduled lunch/break time

(b) Time spent in the exercise facility should not interfere with job tasks and should be at the discretion of the immediate supervisor

(c) Exercises shall be performed in moderation and in line with the objective of injury prevention
Lactation Break Policy

1017.1 PURPOSE AND SCOPE
The purpose of this policy is to provide reasonable accommodations to employees desiring to express breast milk for the employee’s infant child (Labor Code § 1034).

1017.2 POLICY
It is the policy of this department to provide, in compliance with the Fair Labor Standards Act, reasonable break time and appropriate facilities to accommodate any employee desiring to express breast milk for her nursing infant child (29 USC § 207; Labor Code § 1030).

1017.3 LACTATION BREAK TIME
A rest period should be permitted each time the employee has the need to express breast milk (29 USC § 207; Labor Code § 1030). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time. Such breaks, if feasible, should be taken at the same time as the employee’s regularly scheduled rest or meal periods.

While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time will be unpaid (Labor Code § 1030).

Employees desiring to take a lactation break shall notify the Communications Center or a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt department operations (Labor Code § 1032).

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

1017.4 PRIVATE LOCATION
The Department will make reasonable efforts to accommodate employees with the use of an appropriate room or other location to express milk in private. Such room or place should be in close proximity to the employee’s work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from co-workers and the public (29 USC § 207; Labor Code § 1031).

Employees occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other employees should avoid interrupting an employee during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for employees assigned to the field may be taken at the nearest appropriate private area.
Lactation Break Policy

1017.5 STORAGE OF EXPRESSED MILK
Any employee storing expressed milk in any authorized refrigerated area within the Department shall clearly label it as such and shall remove it when the employee ends her shift.

1017.5.1 STATE REQUIREMENTS
Employees have the right to request lactation accommodations. If a break time or location accommodation cannot be provided, the supervisor shall provide the member with a written response regarding the reasons for the determination (Labor Code § 1034).

Lactation rooms or other locations should comply with the prescribed feature and access requirements of Labor Code § 1031.

Employees who believe that their rights have been violated under this policy or have been the subject of discrimination or retaliation for exercising or attempting to exercise their rights under this policy, are encouraged to follow the chain of command in reporting a violation, but may also file a complaint directly with the Labor Commissioner (Labor Code § 1033).
Payroll Records

1018.1 PURPOSE AND SCOPE
This policy provides the guidelines for completing and submitting payroll records of department members who are eligible for the payment of wages.

1018.2 POLICY
The Anaheim Police Department maintains timely and accurate payroll records.

1018.3 RESPONSIBILITY FOR COMPLETION OF TIME CARDS
Detail supervisors are responsible for the accurate and timely submission of payroll time sheets for the payment of wages.

1018.4 TIME REQUIREMENTS
All employees are paid on a bi-weekly basis usually on Friday with certain exceptions such as holidays. Payroll time sheets shall be completed weekly and submitted to Payroll no later than 10:00 a.m. on Thursday or Friday morning depending on work schedules that place them off on Fridays.

1018.5 RECORDS
The Administration Division Commander shall ensure that accurate and timely payroll records are maintained as required by 29 CFR 516.2 for a minimum of three years (29 CFR 516.5).
Overtime Payment Requests

1019.1 PURPOSE AND SCOPE
It is the policy of the Department to compensate non-exempt salaried employees who work authorized overtime either by payment of wages as agreed and in effect through the Memorandum of Understanding (MOU), or by the allowance of accrual of compensatory time off. In order to qualify for either, the employee must complete and submit a Request for Overtime Payment as soon as practical after overtime is worked.

1019.1.1 DEPARTMENT POLICY
Because of the nature of police work, and the specific needs of the Department, a degree of flexibility concerning overtime policies must be maintained.

Non-exempt employees are not authorized to volunteer work time to the Department. All requests to work overtime shall be approved in advance by a supervisor. If circumstances do not permit prior approval, then approval shall be sought as soon as practical during the overtime shift and in no case later than the end of shift in which the overtime is worked.

The individual employee may request compensatory time in lieu of receiving overtime payment if that is deemed in the best interest of the Department and City or they may accept payment for the half time and accumulate the straight time portion of overtime payment due as compensatory time. The Chief of Police may suspend the latter option for any work section classification or individual if it is unlikely that opportunities to work the compensatory time will be available. Such decisions shall be communicated to the Police Association in writing. An employee may not exceed 80 hours of compensatory time at any given time during the year and the employee will be paid off to a balance of 40 hours of compensatory time in June of each year.

1019.2 REQUEST FOR OVERTIME COMPENSATION
Employees shall submit all overtime compensation requests to their immediate supervisors as soon as practicable for verification and forwarding to the Administration Division.

Failure to submit a request for overtime compensation in a timely manner may result in discipline.

1019.2.1 EMPLOYEES RESPONSIBILITY
Employees shall complete the requests immediately after working the overtime and turn them in to their immediate supervisor or the Watch Commander. Employees submitting overtime cards for on-call pay when off duty shall submit payment requests to the Watch Commander the first day after returning for work.

1019.2.2 SUPERVISORS RESPONSIBILITY
The supervisor who verifies the overtime earned shall verify that the overtime was worked before approving the request.

After the overtime payment request has been approved by a supervisor, the overtime payment request form is forwarded to the employee's Division Commander for final approval.
Overtime Payment Requests

1019.2.3 DIVISION COMMANDERS RESPONSIBILITY
Division Commanders, after approving payment, will then forward the form to Payroll for review.

1019.3 ACCOUNTING FOR OVERTIME WORKED
Employees are to record the actual time worked in an overtime status. In some cases, the Memorandum of Understanding provides that minimum times will be paid, (e.g. two hours for Court, Standby or Emergency Call Out). The supervisor will enter the actual time worked.

1019.3.1 ACCOUNTING FOR PORTIONS OF AN HOUR
When accounting for less than a full hour, time worked shall be rounded up to the nearest quarter of an hour as indicated by the following chart:

<table>
<thead>
<tr>
<th>TIME WORKED</th>
<th>INDICATE ON CARD</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 15 minutes</td>
<td>.25</td>
</tr>
<tr>
<td>16 to 30 minutes</td>
<td>.50</td>
</tr>
<tr>
<td>31 to 45 minutes</td>
<td>.75</td>
</tr>
<tr>
<td>46 to 60 minutes</td>
<td>1 hour</td>
</tr>
</tbody>
</table>

1019.3.2 VARIATION IN TIME REPORTED
Where two or more employees are assigned to the same activity, case, or court trial and the amount of time for which payment is requested varies from that reported by the other officer, the Watch Commander or other approving supervisor may require each employee to include the reason for the variation on the back of the overtime payment request.
Outside Employment

1020.1 PURPOSE AND SCOPE
In order to avoid actual or perceived conflicts of interest for departmental employees engaging in outside employment, all employees shall obtain written approval from the Chief of Police prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the Chief of Police in accordance with the provisions of this policy.

1020.1.1 DEFINITIONS
Outside Employment - Any member of this department who receives wages, compensation or other consideration of value from another employer, organization or individual not affiliated directly with this department for services, product(s) or benefits rendered. For purposes of this section, the definition of outside employment includes those employees who are self-employed and not affiliated directly with this department for services, product(s) or benefits rendered.

Outside Overtime - Any member of this department who performs duties or services on behalf of an outside organization, company, or individual within this jurisdiction. Such outside overtime shall be requested and scheduled directly through this department so that the Department may be reimbursed for the cost of wages and benefits.

1020.2 OBTAINING APPROVAL
No member of this department may engage in any outside employment without first obtaining prior written approval of the Chief of Police. Failure to obtain prior written approval for outside employment or engaging in outside employment prohibited by this policy may lead to disciplinary action.

In order to obtain approval for outside employment, the employee must complete an Outside Employment Application which shall be submitted to the employee’s immediate supervisor. The application will then be forwarded through channels to the Chief of Police for consideration.

If approved, the employee will be provided with a copy of the approved permit. Unless otherwise indicated in writing on the approved permit, a permit will be valid as long as there are no changes to the working conditions, assignments, tasks, or other activity related to the outside employment.

Any employee seeking approval of outside employment, whose request has been denied, shall be provided with a written reason for the denial of the application at the time of the denial (Penal Code § 70(e)(3)).

1020.2.1 DENIAL OF OUTSIDE EMPLOYMENT
Approval may be denied where it appears that the outside employment might:

(a) Render the employee unavailable during an emergency;
(b) Physically or mentally exhaust the employee to the point that their performance may be affected;
Outside Employment

(c) Require that any special consideration be given to scheduling of the employee's regular duty hours;

(d) Bring the Department into disrepute or impair the operation or efficiency of the Department or employee; or

(e) Constitute a perceived or actual conflict of interest.

1020.2.2 APPEAL OF DENIAL OF OUTSIDE EMPLOYMENT
If an employee’s Outside Employment Application is denied or withdrawn by the Department, the employee may file a written notice of appeal to the Chief of Police within ten days of the date of denial.

If the employee’s appeal is denied, the employee may file a grievance pursuant to the procedure set forth in the current Memorandum of Understanding (MOU).

1020.2.3 REVOCATION/SUSPENSION OF OUTSIDE EMPLOYMENT PERMITS
Any outside employment permit may be revoked or suspended under the following circumstances:

(a) Should an employee's performance at this department decline to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of competency, the Chief of Police may, at his or her discretion, revoke any previously approved outside employment permit(s). That revocation will stand until the employee's performance has been reestablished at a satisfactory level and his/her supervisor recommends reinstatement of the outside employment permit.

(b) Suspension or revocation of a previously approved outside employment permit may be included as a term or condition of sustained discipline.

(c) If, at any time during the term of a valid outside employment permit, an employee’s conduct or outside employment conflicts with the provisions of department policy, the permit may be suspended or revoked.

(d) When an employee is unable to perform at a full duty capacity due to an injury or other condition, any previously approved outside employment permit may be subject to similar restrictions as those applicable to the employee's full time duties until the employee has returned to a full duty status.

1020.3 PROHIBITED OUTSIDE EMPLOYMENT
Consistent with the provisions of Government Code § 1126, the Department expressly reserves the right to deny any Outside Employment Application submitted by an employee seeking to engage in any activity which:

(a) Involves the employee’s use of departmental time, facilities, equipment or supplies, the use of the Department badge, uniform, prestige or influence for private gain or advantage.

(b) Involves the employee’s receipt or acceptance of any money or other consideration from anyone other than this department for the performance of an act which the
Outside Employment

employee, if not performing such act, would be required or expected to render in the regular course or hours of employment or as a part of the employee’s duties as a member of this department

(c) Involves the performance of an act in other than the employee’s capacity as a member of this department that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other employee of this department

(d) Involves time demands that would render performance of the employee’s duties for this department less efficient. Such employment shall not interfere with the employee’s employment with the department

Additionally, employees shall not engage in any employment or business involving the sale or distribution of alcoholic beverages, or be employed by bail bond agencies or perform investigative work for insurance agencies, collection agencies, attorneys, or any other such position which may create an appearance of impropriety in the eyes of the public.

1020.3.1 OUTSIDE SECURITY AND PEACE OFFICER EMPLOYMENT

Consistent with the provisions of Penal Code § 70, and because it would further create a potential conflict of interest, no member of this department may engage in any outside or secondary employment as a private security guard, private investigator or other similar private security position.

Any private organization, entity or individual seeking special services for security or traffic control from members of this department must submit a written request to the Chief of Police in advance of the desired service. Such outside extra duty overtime assignments will be assigned, monitored and paid through the Department.

(a) The applicant will be required to enter into an indemnification agreement prior to approval.

(b) The applicant will further be required to provide for the compensation and full benefits of all employees requested for such outside security services.

(c) Should such a request be approved, any employee working outside overtime shall be subject to the following conditions:

1. The officer(s) shall wear the departmental uniform/identification.
2. The officer(s) shall be subject to the rules and regulations of this department.
3. No officer may engage in such outside employment during or at the site of a strike, lockout, picket, or other physical demonstration of a labor dispute.
4. Compensation for such approved outside security services shall be pursuant to normal overtime procedures.
5. Outside security services shall not be subject to the collective bargaining process.
6. No officer may engage in outside employment as a peace officer for any other public agency without prior written authorization of the Chief of Police.
1020.3.2 OUTSIDE OVERTIME ARREST AND REPORTING PROCEDURE
Any employee making an arrest or taking other official police action while working in an approved outside overtime assignment shall be required to complete all related reports in a timely manner pursuant to department policy. Time spent on the completion of such reports shall be considered incidental to the outside overtime assignment.

1020.4 DEPARTMENT RESOURCES
Employees are prohibited from using any department equipment or resources in the course of or for the benefit of any outside employment. This shall include the prohibition of access to official records or databases of this department or other agencies through the use of the employee’s position with this department.

1020.4.1 REVIEW OF FINANCIAL RECORDS
Employees approved for outside employment expressly agree that their personal financial records may be requested and reviewed/audited for potential conflict of interest (Government Code § 3308; Government Code § 1126). Prior to providing written approval for an outside employment position, the Department may request that an employee provide his/her personal financial records for review/audit in order to determine whether a conflict of interest exists. Failure of the employee to provide the requested personal financial records could result in denial of the off-duty work permit. If, after approving a request for an outside employment position, the Department becomes concerned that a conflict of interest exists based on a financial reason, the Department may request that the employee provide his/her personal financial records for review/audit. If the employee elects not to provide the requested records, his/her off-duty work permit may be revoked pursuant to the Revocation/Suspension of Outside Employment Permits section of this policy.

1020.5 CHANGES IN OUTSIDE EMPLOYMENT STATUS
If an employee terminates his or her outside employment during the period of a valid permit, the employee shall promptly submit written notification of such termination to the Chief of Police through channels. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through normal procedures set forth in this policy.

Employees shall also promptly submit in writing to the Chief of Police any material changes in outside employment including any change in the number of hours, type of duties, or demands of any approved outside employment. Employees who are uncertain whether a change in outside employment is material are advised to report the change.

1020.6 OUTSIDE EMPLOYMENT WHILE ON DISABILITY
Department members engaged in outside employment who are placed on disability leave or modified/light-duty shall inform their immediate supervisor in writing within five days whether or not they intend to continue to engage in such outside employment while on such leave or light-duty status. The immediate supervisor shall review the duties of the outside employment along with any related doctor’s orders, and make a recommendation to the Chief of Police whether such outside employment should continue.
Outside Employment

In the event the Chief of Police determines that the outside employment should be discontinued or if the employee fails to promptly notify his/her supervisor of his/her intentions regarding their work permit, a notice of revocation of the member's permit will be forwarded to the involved employee, and a copy attached to the original work permit.

Criteria for revoking the outside employment permit include, but are not limited to, the following:

(a) The outside employment is medically detrimental to the total recovery of the disabled member, as indicated by the City's professional medical advisors.

(b) The outside employment performed requires the same or similar physical ability, as would be required of an on-duty member.

(c) The employee’s failure to make timely notice of their intentions to their supervisor.

When the disabled member returns to full duty with the Anaheim Police Department, a request (in writing) may be made to the Chief of Police to restore the permit.
Occupational Disease and Work-Related Injury Reporting

1021.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases, mental health issues, and work-related injuries.

1021.1.1 DEFINITIONS
Definitions related to this policy include:

**Occupational disease or work-related injury** - An injury, disease, or mental health issue arising out of employment (Labor Code § 3208; Labor Code § 3208.3; Labor Code § 3212 et seq.).

1021.2 POLICY
The Anaheim Police Department will address occupational diseases and work-related injuries appropriately, and will comply with applicable state workers’ compensation requirements (Labor Code § 3200 et seq.).

1021.3 RESPONSIBILITIES

1021.3.1 MEMBER RESPONSIBILITIES
Any member sustaining any occupational disease or work-related injury shall report such event as soon as practicable, but within 24 hours, to a supervisor, and shall seek medical care when appropriate (8 CCR 14300.35).

1021.3.2 SUPERVISOR RESPONSIBILITIES
A supervisor learning of any occupational disease or work-related injury should ensure the member receives medical care as appropriate.

Supervisors shall ensure that required documents regarding workers’ compensation are completed and forwarded promptly. Any related Citywide disease- or injury-reporting protocol shall also be followed.

Supervisors shall determine whether the Major Incident Notification and Illness and Injury Prevention policies apply and take additional action as required.

1021.3.3 DIVISION COMMANDER RESPONSIBILITIES
The Division Commander who receives a report of an occupational disease or work-related injury should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Chief of Police, the City’s risk management entity, and the Administration Division Commander to ensure any required Division of Occupational Health and Safety Administration (Cal/OSHA) reporting is made as required in the illness and injury prevention plan identified in the Illness and Injury Prevention Policy.
Occupational Disease and Work-Related Injury Reporting

1021.3.4 CHIEF OF POLICE RESPONSIBILITIES
The Chief of Police shall review and forward copies of the report to the Department of Human Resources. Copies of the report and related documents retained by the Department shall be filed in the member’s confidential medical file.

1021.3.5 INJURY NOT REQUIRING MEDICAL ATTENTION
Those injuries and illnesses not requiring medical attention shall be recorded on a "First Aid Minor Injury and Exposure" form (APD 60). This form shall be completed and signed by the affected member and the member's supervisor.

By signing this form, the member will not preclude his/her ability to seek medical attention later.

1021.4 OTHER DISEASE OR INJURY
Diseases and injuries caused or occurring on-duty that do not qualify for workers' compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the appropriate Division Commander through the chain of command and a copy sent to the Administration Division Commander.

Unless the injury is extremely minor, this report shall be signed by the affected member, indicating that he/she desired no medical attention at the time of the report. By signing, the member does not preclude his/her ability to later seek medical attention.

1021.5 SETTLEMENT OFFERS
When a member sustains an occupational disease or work-related injury that is caused by another person and is subsequently contacted by that person, his/her agent, insurance company or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to his/her supervisor as soon as possible.

1021.5.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL
No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an occupational disease or work-related injury, the member shall provide the Chief of Police with written notice of the proposed terms of such settlement. In no case shall the member accept a settlement without first providing written notice to the Chief of Police. The purpose of such notice is to permit the City to determine whether the offered settlement will affect any claim the City may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the disease or injury, and to protect the City's right of subrogation, while ensuring that the member’s right to receive compensation is not affected.
Personal Appearance Standards

1022.1 PURPOSE AND SCOPE
In order to project uniformity and neutrality toward the public and other members of the department, employees shall maintain their personal hygiene and appearance to project a professional image appropriate for this department and for their assignment.

1022.2 GROOMING STANDARDS
Unless otherwise stated and because deviations from these standards could present officer safety issues, the following appearance standards shall apply to all employees, except those whose current assignment would deem them not appropriate, and where the Chief of Police has granted exception.

1022.2.1 HAIR
Hairstyles of all members shall be neat in appearance, professional and of natural hue/color of hair. For male sworn uniformed members and male professional staff with field duties, hair must not extend below the top edge of the uniform collar while assuming a normal stance.

For sworn uniformed female members and female professional staff with field duties, hair must be no longer than the horizontal level of the top of the shoulders when the employee is standing erect, or worn up or in a tightly wrapped braid or bun. Female employees who do not work in the field shall maintain their hair so as to present a neat and professional appearance.

1022.2.2 MUSTACHES
A short and neatly trimmed mustache may be worn. Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip.

1022.2.3 SIDEBURNS
Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and shall be trimmed and neat.

1022.2.4 FACIAL HAIR
Facial hair other than sideburns, mustaches and eyebrows shall not be worn, unless authorized by the Chief of Police or his or her designee.

1022.2.5 FINGERNAILS
Fingernails extending beyond the tip of the finger can pose a safety hazard to officers or others. For this reason, fingernails shall be trimmed so that no point of the nail extends beyond the tip of the finger.

1022.2.6 JEWELRY
For the purpose of this policy, jewelry refers to rings, earrings, necklaces, bracelets, wristwatches, and tie tacks or tie bars. Jewelry shall present a professional image and may not create a safety
Personal Appearance Standards

concern for the department member or others. Jewelry that depicts racial, sexual, discriminatory, gang-related, or obscene language is not allowed.

(a) Necklaces shall not be visible above the shirt collar.
(b) Earrings shall be small and worn only in or on the earlobe.
(c) One ring or ring set may be worn on each hand of the department member. No rings should be of the type that would cut or pose an unreasonable safety risk to the member or others during a physical altercation, if the member is assigned to a position where that may occur.
(d) One small bracelet, including a bracelet identifying a medical condition, may be worn on one arm.
(e) Wristwatches shall be conservative and present a professional image.
(f) Tie tacks or tie bars worn with civilian attire shall be conservative and present a professional image.

1022.3 TATTOOS
At no time will tattoos on the arms below the elbow be visible while on duty; provided, however, that any employee with an existing tattoo below the elbow as of January 1, 2009, shall not be subject to this prohibition with respect to such existing tattoo. Any modification of such existing tattoo below the elbow shall be subject to all provisions of this policy.

Any tattoo, brand, or mutilation on the head, neck, scalp, face or hand must be covered by way of a uniform, business attire or neutral colored skin patch while on duty. Tattoos, brands, or mutilations that are "inappropriate," as determined in the sole discretion of the Chief of Police, must also be covered. "Inappropriate," may include, but is not limited to marks that exhibit or advocate discrimination against gender, race, religion, ethnicity, or national origin; gang, supremacist, or extremist group affiliation; drug use; or sexually explicit acts, or other obscene material.

1022.4 BODY PIERCING OR ALTERATION
Except for a single stud pierced earring worn in the lobe of each ear of female employees only, no body piercing shall be visible while any employee is on duty or representing the Department in any official capacity. This piercing restriction does not apply to officers working in an under cover capacity.

Alteration to any area of the body visible in any authorized uniform or attire that is a deviation from normal anatomical features and which is not medically required is prohibited. Such body alteration includes, but is not limited to:

(a) Tongue splitting or piercing.
(b) The complete or transdermal implantation of any material other than hair replacement.
(c) Abnormal shaping of the ears, eyes, nose or teeth
(d) Branding or scarification.
1022.5 EXEMPTIONS
Members who seek cultural (e.g., culturally protected hairstyles) or other exemptions to this policy that are protected by law should generally be accommodated (Government Code § 12926). A member with an exemption may be ineligible for an assignment if the individual accommodation presents a security or safety risk. The Chief of Police should be advised any time a request for such an accommodation is denied or when a member with a cultural or other exemption is denied an assignment based on a safety or security risk.
Uniform Regulations

1023.1 PURPOSE AND SCOPE

The uniform policy of the Anaheim Police Department is established to ensure that uniformed officers will be readily identifiable to the public through the proper use and wearing of department uniforms. Employees should also refer to the following associated policies:

Department Owned and Personal Property
Body Armor
Personal Appearance Standards

The Uniform and Equipment Specifications list is maintained and periodically updated by the Chief of Police or his/her designee. That list should be consulted regarding authorized equipment and uniform specifications.

1023.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT

Police employees wear the uniform to be identified as the law enforcement authority in society. The uniform also serves an equally important purpose to identify the wearer as a source of assistance in an emergency, crisis or other time of need.

(a) Uniform and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean, and appear professionally pressed.

(b) All peace officers of this department shall possess and maintain at all times, a serviceable uniform and the necessary equipment to perform uniformed field duty.

(c) Personnel shall wear only the uniform specified for their rank and assignment.

(d) The uniform is to be worn in compliance with the specifications set forth in the department’s uniform specifications that are maintained separately from this policy.

(e) All supervisors will perform periodic inspections of their personnel to ensure conformance to these regulations.

(f) Civilian attire shall not be worn in combination with any distinguishable part of the uniform.

(g) Uniforms are only to be worn while on duty, while in transit to or from work, for court, or at other official department functions or events.

(h) If the uniform is worn while in transit, an outer garment shall be worn over the uniform shirt so as not to bring attention to the employee while he/she is off-duty.

(i) Employees are not to purchase or drink alcoholic beverages while wearing any part of the department uniform, including the uniform pants.
Uniform Regulations

(j) Mirrored sunglasses will not be worn with any Department uniform.

(k) Visible jewelry, other than those items listed below, shall not be worn with the uniform unless specifically authorized by the Chief of Police or the authorized designee.

1. Wrist watch
2. Wedding ring(s), class ring, or other ring of tasteful design. A maximum of one ring/set may be worn on each hand
3. Medical alert bracelet

1023.2.1 DEPARTMENT ISSUED IDENTIFICATION
The Department issues each employee an official department identification card bearing the employee’s name, identifying information and photo likeness. All employees shall be in possession of their department issued identification card at all times while on duty or when carrying a concealed weapon.

(a) Whenever on duty or acting in an official capacity representing the department, employees shall display their department issued identification in a courteous manner to any person upon request and as soon as practical.

(b) Officers working specialized assignments may be excused from the possession and display requirements when directed by their Division Commander.

Employees who lose their badge or police identification cards shall submit a written report to the Chief of Police concerning the circumstances of such loss as soon as possible, but in no event later than twenty-four (24) hours after the loss is discovered.

1023.3 UNIFORM CLASSES

1023.3.1 CLASS A UNIFORM
The Class A uniform is to be worn on special occasions such as funerals, graduations, ceremonies, or as directed. The Class A uniform is required for all sworn personnel. The Class A uniform includes the standard issue uniform with:

(a) Long sleeve shirt
(b) Black tie
(c) Gold tie bar
(d) Gold name tag
(e) Polished shoes
(f) Dress cap (as directed by event)
(g) Department issued award pins only
(h) Duty belt with only the following items:
   ○ Duty weapon
Uniform Regulations

- Magazine pouch or speed loader
- Belt keepers
- Single handcuff case

*Additional equipment may be added to the Class A duty belt for special events. The additional equipment will be authorized at the discretion of the supervisor in charge of the event.

1023.3.2 CLASS B UNIFORM
All officers will possess and maintain a serviceable Class B uniform at all times.

The Class B uniform will consist of the same garments and equipment as the Class A uniform with the following exceptions:

(a) The long or short sleeve shirt may be worn with the collar open. No tie is required.
(b) A black crew neck t-shirt must be worn with the uniform.
(c) All shirt buttons must remain buttoned except for the last button at the neck.
(d) A dress cap may be worn with either a long or short sleeve Class B uniform.

1023.3.3 SPECIALIZED UNIT UNIFORMS
The Chief of Police may authorize special uniforms to be worn by officers in specialized units such as Canine Team, SWAT, Bicycle Patrol, Motor Officers and other specialized assignments.

1023.3.4 FOUL WEATHER GEAR
The Uniform and Equipment Specifications lists the authorized uniform jacket and rain gear.

A cold weather "beanie" style head covering may be worn when the outside temperature drops below 50 degrees. The beanie may only be worn in conjunction with a long-sleeve uniform shirt or short-sleeve uniform shirt with a duty jacket. The beanie shall not be worn with a short-sleeve uniform shirt without a duty jacket. The beanie shall not be worn while wearing bicycle shorts. Officers may only wear the approved beanie head gear listed on the Uniform and Equipment Specifications List as updated by the Chief of Police or authorized designee.

The wearing of approved APD baseball caps is limited to the following situations:

- When it is raining
- When an employee is assigned a fixed post and will be outside without shade during daylight hours for an extended period of time

1023.3.5 RESERVE OFFICER UNIFORM
The Reserve Officer’s uniform will be the same as for the regular officer with the exception of the badge. All uniform policies, regulations and specifications apply equally to Reserve Officers.
1023.3.6 MOURNING BANDS
For any California officers killed in the line of duty, black mourning bands may be worn on officers' badges and the department flags will be flown at half-mast, from the time of notification until sundown on the day of the officer's funeral.

1023.4 INSIGNIA AND PATCHES
(a) Shoulder Patches - The authorized shoulder patch supplied by the Department shall be machine stitched to the sleeves of all uniform shirts and jackets, three-quarters of an inch below the shoulder seam of the shirt and be bisected by the crease in the sleeve.
(b) Service stars - Service stars indicating length of service may be worn on long sleeved shirts and jackets. They are to be machine stitched onto the left sleeve of the uniform.
(c) The regulation nameplate, or an authorized sewn on cloth nameplate, shall be worn at all times while in uniform. The nameplate shall display the employee's first and last name. If an employee's first and last names are too long to fit on the nameplate, then the initial of the first name will accompany the last name. If the employee desires other than the legal first name, the employee must receive approval from the Chief of Police. The nameplate shall be worn and placed above the right pocket located in the middle, bisected by the pressed shirt seam, with equal distance from both sides of the nameplate to the outer edge of the pocket.
(d) When a jacket is worn, the nameplate or an authorized sewn on cloth nameplate shall be affixed to the jacket in the same manner as the uniform.
(e) Assignment Insignias - Assignment insignias, (SWAT, FTO, etc.) may be worn as designated by the Chief of Police.
(f) Flag Pin - A flag pin may be worn, centered above the nameplate.
(g) Badge - The department issued badge, or an authorized sewn on cloth replica, must be worn and visible at all times while in uniform.
(h) Rank Insignia - The designated insignia indicating the employee's rank must be worn at all times while in uniform. The Chief of Police may authorize exceptions.

1023.5 CIVILIAN ATTIRE
There are assignments within the Department that do not require the wearing of a uniform because recognition and authority are not essential to their function. There are also assignments in which the wearing of civilian attire is necessary.
(a) All employees shall wear clothing that fits properly, is clean and free of stains, and not damaged or excessively worn.
Uniform Regulations

(b) All male administrative, investigative and support personnel who elect to wear civilian clothing to work shall wear button style shirts with a collar, slacks or suits that are moderate in style.

(c) All female administrative, investigative, and support personnel who elect to wear civilian clothes to work shall wear dresses, slacks, shirts, blouses, or suits which are moderate in style.

(d) The following items shall not be worn on duty:

1. T-shirt alone
2. Open toed sandals or thongs
3. Swimsuit, tube tops, or halter-tops
4. Spandex type pants or see-through clothing
5. Distasteful printed slogans, buttons or pins

(e) Variations from this order are allowed at the discretion of the Chief of Police or designee when the employee’s assignment or current task is not conducive to the wearing of such clothing.

(f) No item of civilian attire may be worn on duty that would adversely affect the reputation of the Anaheim Police Department or the morale of the employees.

1023.6 POLITICAL ACTIVITIES, ENDORSEMENTS, AND ADVERTISEMENTS
Unless specifically authorized by the Chief of Police, Anaheim Police Department employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize a department badge, patch or other official insignia, or cause to be posted, published, or displayed, the image of another employee, or identify himself/herself as an employee of the Anaheim Police Department to do any of the following (Government Code §§ 3206 and 3302):

(a) Endorse, support, oppose, or contradict any political campaign or initiative.
(b) Endorse, support, oppose, or contradict any social issue, cause, or religion.
(c) Endorse, support, or oppose, any product, service, company or other commercial entity.
(d) Appear in any commercial, social, or non-profit publication, or any motion picture, film, video, public broadcast, or any website.

1023.7 OPTIONAL EQUIPMENT - MAINTENANCE, AND REPLACEMENT
(a) Any of the items listed in the Uniform and Equipment Specifications list as optional shall be purchased totally at the expense of the employee. No part of the purchase cost shall be offset by the Department for the cost of providing the Department issued item.
Uniform Regulations

(b) Maintenance of optional items shall be the financial responsibility of the purchasing employee. For example, repairs due to normal wear and tear.

(c) Replacement of items listed in this order as optional shall be done as follows:

1. When the item is no longer functional because of normal wear and tear, the employee bears the full cost of replacement.

2. When the item is no longer functional because of damage in the course of the employee's duties, it shall be replaced following the procedures for the replacement of damaged personal property (Policy Manual § 700).

1023.7.1 RETIREE BADGES
The Chief of Police may issue identification in the form of a badge, insignia, emblem, device, label, certificate, card or writing that clearly states the person has honorably retired from the Anaheim Police Department. This identification is separate and distinct from the identification authorized by Penal Code § 25455 and referenced in the Retired Officer CCW Endorsement Policy in this manual.

A badge issued to an honorably retired peace officer that is not affixed to a plaque or other memento will have the words “Honorably Retired” clearly visible on its face. A retiree shall be instructed that any such badge will remain the property of the Anaheim Police Department and will be revoked in the event of misuse or abuse (Penal Code § 538d).

1023.8 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES
Anaheim Police Department employees may not wear any uniform item, accessory or attachment unless specifically authorized in the Uniform and Equipment Specifications list or by the Chief of Police or designee.

Anaheim Police Department employees may not use or carry any safety item, tool or other piece of equipment unless specifically authorized in the Uniform and Equipment Specifications list or by the Chief of Police or designee.
Police Cadets

1024.1 PURPOSE AND SCOPE
Cadets work under direct supervision, perform a variety of routine and progressively more advanced tasks in an apprenticeship program in preparation for a career in law enforcement.

1024.2 EDUCATION REQUIREMENTS
Cadets are required to maintain a minimum grade point average of 2.0 ("C" grade) for all courses taken. Cadets shall complete six semester units of college course work per semester.

1024.3 PROGRAM COORDINATOR
The Program Coordinator will be designated by the Chief of Police. This supervisor will be responsible for tracking the educational and job performance of cadets as well as making their individual assignments throughout the Department. He/she will also monitor the training provided for all cadets and review all decisions affecting job assignments, status for compensation, school attendance and performance evaluations.

1024.3.1 PROGRAM ADVISORS
The Program Coordinator may select individual officers to serve as advisors for the Cadet Program. These officers will serve as mentors for each cadet. Cadets will bring special requests, concerns, and suggestions to their program advisor for advice or direction before contacting the Program Coordinator. One advisor may be designated as the Coordinator's assistant to lead scheduled meetings and training sessions involving the cadets. Multiple cadets may be assigned to each program advisor. Program advisors are not intended to circumvent the established chain of command. Any issues that may be a concern of the individual's supervisor should be referred back to the Program Coordinator.

1024.4 ORIENTATION AND TRAINING
Newly hired cadets will receive an orientation of the organization and facilities before reporting to their first assignment. On-the-job training will be conducted in compliance with the Cadet Training Guidelines. Training sessions will be scheduled as needed to train cadets for as many assignments as possible. In addition to job-specific training, information will be offered to prepare cadets to compete successfully for a career in law enforcement. All training will focus on improving job performance, as well as preparation for a career in law enforcement.

1024.5 CADET UNIFORMS
Each cadet will be provided two uniforms meeting the specifications described in the Uniform Manual for civilian employees.
1024.6  ROTATION OF ASSIGNMENTS
Rotating job assignments should occur on a regular basis to enhance the career development for each cadet. Department needs and concerns will take precedence over individual considerations with the final decision resting with the Program Coordinator.

In general, senior cadets will be assigned to positions requiring more technical skill or responsibility, as well as serving to train cadets for new assignments or those newly hired.

1024.7  RIDE-ALONG PROCEDURES
All cadets are authorized to participate in the Ride-Along Program on their own time and as approved by their immediate supervisor and the appropriate Watch Commander. Applicable waivers must be signed in advance of the ride-along. Cadets shall wear their uniform while participating on a ride-along. Cadets may be paid for their ride-along shifts with the approval of their immediate supervisor.

1024.8  PERFORMANCE EVALUATIONS
Performance evaluations for all cadets shall be completed monthly during their first year on probation. Upon successful completion of probation, cadets and senior cadets will be evaluated on a yearly basis to assess their current job performance.
Nepotism and Conflicting Relationships

1025.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure equal opportunity and effective employment practices by avoiding actual or perceived favoritism, discrimination or actual or potential conflicts of interest by or between members of this department. These employment practices include: recruiting, testing, hiring, compensation, assignment, use of facilities, access to training opportunities, supervision, performance appraisal, discipline and workplace safety and security.

1025.1.1 DEFINITIONS
Business relationship - Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder, or investor in an outside business, company, partnership, corporation, venture or other transaction, where the Department employee’s annual interest, compensation, investment or obligation is greater than $250.

Conflict of interest - Any actual, perceived or potential conflict of interest in which it reasonably appears that a department employee’s action, inaction or decisions are or may be influenced by the employee’s personal or business relationship.

Nepotism - The practice of showing favoritism to relatives over others in appointment, employment, promotion or advancement by any public official in a position to influence these personnel decisions.

Personal relationship - Includes marriage, cohabitation, dating or any other intimate relationship beyond mere friendship.

Public official - A supervisor, officer or employee vested with authority by law, rule or regulation or to whom authority has been delegated.

Relative - An employee’s parent, stepparent, spouse, domestic partner, significant other, child (natural, adopted or step), sibling or grandparent.

Subordinate - An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

Supervisor - An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation and/or performance of a subordinate employee.

1025.2 RESTRICTED DUTIES AND ASSIGNMENTS
The Department will not prohibit all personal or business relationships between employees. However, in order to avoid nepotism or other inappropriate conflicts, the following reasonable restrictions shall apply (Government Code § 12940):

(a) Employees are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other employee who is a relative or with whom they are involved in a personal or business relationship.
Nepotism and Conflicting Relationships

1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to defer matters pertaining to the involved employee to an uninvolved supervisor.

2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing employees in such supervisor/subordinate situations. The Department, however, reserves the right to transfer or reassign any employee to another position within the same classification in order to avoid conflicts with any provision of this policy.

(b) Employees are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal or business relationship.

(c) Whenever possible, FTOs and other trainers will not be assigned to train relatives. FTOs and other trainers are prohibited from entering into or maintaining personal or business relationships with any employee they are assigned to train until such time as the training has been successfully completed and the employee is off probation.

(d) To avoid actual or perceived conflicts of interest, members of this department shall refrain from developing or maintaining personal or financial relationships with victims, witnesses or other individuals during the course of or as a direct result of any official contact.

(e) Except as required in the performance of official duties or, in the case of immediate relatives, employees shall not develop or maintain personal or financial relationships with any individual they know or reasonably should know is under criminal investigation, is a convicted felon, parolee, fugitive or registered sex offender or who engages in serious violations of state or federal laws.

1025.2.1 EMPLOYEE RESPONSIBILITY

Prior to entering into any personal or business relationship or other circumstance which the employee knows or reasonably should know could create a conflict of interest or other violation of this policy, the employee shall promptly notify his/her uninvolved, next highest level of supervisor.

Whenever any employee is placed in circumstances that would require the employee to take enforcement action or provide official information or services to any relative or individual with whom the employee is involved in a personal or business relationship, the employee shall promptly notify his/her uninvolved, immediate supervisor. In the event that no uninvolved supervisor is immediately available, the employee shall promptly notify dispatch to have another uninvolved employee either relieve the involved employee or minimally remain present to witness the action.
Nepotism and Conflicting Relationships

1025.2.2 SUPERVISOR'S RESPONSIBILITY
Upon being notified of, or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to promptly mitigate or avoid such violations whenever possible. Supervisors shall also promptly notify the Chief of Police of such actual or potential violations through the chain of command.
Department Badges

1026.1 PURPOSE AND SCOPE
The Anaheim Police Department badge and uniform patch as well as the likeness of these items and the name of the Anaheim Police Department are property of the Department and their use shall be restricted as set forth in this policy.

1026.2 POLICY
The uniform badge shall be issued to department members as a symbol of authority and the use and display of departmental badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on duty or otherwise acting in an official or authorized capacity.

1026.2.1 FLAT BADGE
The use of the flat badge is subject to all the same provisions of departmental policy as the uniform badge.

(a) Should the flat badge become lost, damaged, or otherwise removed from the officer’s control, he/she shall make the proper notifications as outlined in the Policy Manual 700.

(b) An honorably retired officer may keep his/her flat badge upon retirement.

(c) The purchase, carrying or display of a flat badge is not authorized for non-sworn personnel.

1026.2.2 PROFESSIONAL CIVILIAN PERSONNEL
Badges and departmental identification cards issued to non-sworn personnel shall be clearly marked to reflect the position of the assigned employee (e.g. Parking Control, Dispatcher).

(a) Non-sworn personnel shall not display any department badge except as a part of his/her uniform and while on duty, or otherwise acting in an official and authorized capacity.

(b) Non-sworn personnel shall not display any department badge or represent him/herself, on or off duty, in such a manner which would cause a reasonable person to believe that he/she is a sworn peace officer.

1026.2.3 RETIREE UNIFORM BADGE
Upon honorable retirement employees may purchase his/her assigned duty badge for display purposes. It is intended that the duty badge be used only as private memorabilia as other uses of the badge may be unlawful or in violation of this policy.
Department Badges

1026.3 UNAUTHORIZED USE
Except as required for on-duty use by current employees, no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current or honorably retired peace officer.

Department badges are issued to all sworn employees and professional civilian uniformed employees for official use only. The department badge, shoulder patch or the likeness thereof, or the department name shall not be used for personal or private reasons including, but not limited to, letters, memoranda, and electronic communications such as electronic mail or web sites and web pages.

The use of the badge, uniform patch and department name for all material (printed matter, products or other items) developed for department use shall be subject to approval by the Chief of Police. Employees shall not loan his/her department badge or identification card to others and shall not permit the badge or identification card to be photographed or reproduced without the approval of the Chief of Police.

1026.4 PERMITTED USE BY EMPLOYEE GROUPS
The likeness of the department badge shall not be used without the expressed authorization of the Chief of Police and shall be subject to the following:

(a) The employee associations may use the likeness of the department badge for merchandise and official association business provided they are used in a clear representation of the association and not the Anaheim Police Department. The following modifications shall be included:

1. The text on the upper and lower ribbons is replaced with the name of the employee association.

2. The badge number portion displays the acronym of the employee association.

(b) The likeness of the department badge for endorsement of political candidates shall not be used without the expressed approval of the Chief of Police.
Temporary Modified-Duty Assignments

1027.1 PURPOSE AND SCOPE
The purpose of this policy is to establish procedures for assigning employees to modified duty. Temporary modified-duty assignments may be available to employees who have incurred a duty-related illness or injury and, due to restrictions or limitations, are unable to perform their regular assigned duties. Non-duty related illnesses or injuries may also be considered for eligibility in accordance with this policy. Eligibility for modified-duty assignment is subject to the approval of the Chief of Police or his/her designee.

Modified-duty assignments are intended to provide an employee with the ability to continue working within the limits of his/her restrictions and limitations on a temporary basis while providing the Department with a productive employee during the interim period.

The Department will engage in a good faith interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability.

1027.1.1 DEFINITIONS
**Modified Duty** - Means a temporary, limited-term assignment not requiring performance of the full range of duties associated with the regular job classification. Modified duty also may be termed as light-duty assignments.

1027.2 GENERAL CONSIDERATIONS
Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or the California Fair Employment and Housing Act (Government Code § 12940 et seq.) shall be treated equally, without regard to any preference for a work-related injury.

No position in the Anaheim Police Department shall be created or maintained as a temporary modified-duty assignment.

Modified-duty assignments are a management prerogative and not an employee right. Modified-duty assignments shall be subject to continuous re-assessment dependent upon Department need and the employee’s ability to perform in a modified-duty capacity.

An injured employee may be assigned to a modified-duty position outside of his/her normal assignment or duties if it becomes available, but the employee shall be given the option to either accept the position or continue to draw on applicable sick leave or other leave accounts as applicable.

(a) If an employee cannot adequately perform in a modified-duty assignment, such assignment may be modified or terminated.

(b) The lack of Department need or a change in priorities may result in the employee's removal from or modification of a modified-duty assignment.
Temporary Modified-Duty Assignments

(c) The Department may place conditions as deemed appropriate upon any modified-duty assignment.

The Chief of Police or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an emergency vehicle, engaging in outside employment, or being otherwise limited in employing their peace officer powers.

Temporary modified-duty assignments shall generally not exceed a cumulative total of 1,040 hours in any one-year period.

1027.3 PROCEDURE
Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

Employees seeking a temporary modified-duty assignment should submit a written request to their Division Commanders or the authorized designees. The request should, as applicable, include a certification from the treating medical professional containing:

(a) An assessment of the nature and probable duration of the illness or injury.
(b) The prognosis for recovery.
(c) The nature and scope of limitations and/or work restrictions.
(d) A statement regarding any required workplace accommodations, mobility aids or medical devices.
(e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The Division Commander will make a recommendation through the chain of command to the Chief of Police regarding temporary modified-duty assignments that may be available based on the needs of the Department and the limitations of the employee. The Chief of Police or the authorized designee shall confer with the Personnel Department or the City Attorney as appropriate.

Requests for a temporary modified-duty assignment of 20 hours or less per week may be approved and facilitated by the Watch Commander or Division Commander, with notice to the Chief of Police.

1027.4 ACCOUNTABILITY
Written notification of assignments, work schedules and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate department operations and the employee’s medical appointments, as mutually agreed upon with the Division Commander.
Temporary Modified-Duty Assignments

1027.4.1 EMPLOYEE RESPONSIBILITIES
The responsibilities of employees assigned to temporary modified duty shall include, but not be limited to:

(a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.

(b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.

(c) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary modified duty.

(d) Submitting a written status report to the Division Commander via chain of command that contains a status update and anticipated date of return to full-duty when a temporary modified-duty assignment extends beyond 60 days.

1027.4.2 SUPERVISOR RESPONSIBILITIES
The employee’s immediate supervisor shall monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of supervisors shall include, but not be limited to:

(a) Periodically apprising the Division Commander of the status and performance of employees assigned to temporary modified duty.

(b) Notifying the Division Commander and ensuring that the required documentation facilitating a return to full duty is received from the employee.

(c) Ensuring that employees returning to full duty have completed any required training and certification.

(d) Ensuring that the Personnel Sergeant is apprised of the employee’s status and ability to perform the modified-duty assignment.

1027.5 MEDICAL EXAMINATIONS
Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Department may require a fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with the Fitness for Duty Policy.

1027.6 PREGNANCY
If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth, or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment. Nothing in this policy limits a pregnant employee’s right to a temporary modified-duty assignment if required under Government Code § 12945.
1027.6.1 NOTIFICATION
Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the City’s personnel rules and regulations regarding family and medical care leave.

1027.7 PROBATIONARY EMPLOYEES
Probationary employees who are assigned to a temporary modified-duty assignment shall have their probation extended by a period of time equal to their assignment to temporary modified duty.

1027.8 MAINTENANCE OF CERTIFICATION AND TRAINING
Employees assigned to temporary modified duty shall maintain all certification, training and qualifications appropriate to both their regular and temporary duties, provided that the certification, training or qualifications are not in conflict with any medical limitations or restrictions. Employees who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training or qualifications.
Light Duty Position for Non-Industrial Injuries (Sworn Personnel)

1028.1 PURPOSE AND SCOPE
The following policy shall govern instances where a sworn employee of the Anaheim Police Department suffers a non-industrial injury or illness that prevents him or her from performing the normal and regular duties of his or her assigned position. The purpose of this policy is to provide consistency in the handling of non-industrial injuries that impact employees' abilities to perform their job duties and to support employees who suffer non-industrial injuries or illnesses. This policy does not apply to employees who suffer industrial injuries or illnesses, and the standards and policies applicable to such injuries and illnesses remain as currently provided.

(a) The Department shall attempt to accommodate an employee who suffers a non-industrial injury or illness by finding a light duty position for the employee to fill on a temporary basis that takes into account the employee's medical condition and restrictions. The decision to place an employee in a light duty position, as well as what the light duty assignment (if any) will be, is at the discretion of the Chief of Police, and nothing in this policy obligates the Department to place an employee in any light duty assignment or a particular light duty assignment.

(b) The duration of the light duty assignment shall not exceed six months. In exceptional circumstances, this period may be extended for a limited time if approved by both the Chief of Police and the Human Resources Director.

(c) Article 41.10 of the Memorandum of Understanding between the Anaheim Police Association and the City of Anaheim ("MOU") provides that an employee who is continuously and totally disabled for more than thirty days shall be eligible to receive a short term disability benefit of eighty-five percent of the employee's base pay, which shall continue during total disability up to a maximum of six months from the date of disability. If the disability continues beyond six months, the disabled employee is entitled to seek long term disability benefits for an additional twelve months in accordance with the provisions of the MOU and the applicable long term disability insurance policy. In order to preserve the entitlement to long term disability benefits, employees are encouraged to apply for short term disability benefits under Article 41.10 even if they are placed in a light duty position. If an employee is placed in a paid light duty position and is also receiving short term disability benefits, the amount of the short term disability benefit will be offset from the salary received for working the light duty position. If the light duty position pays the employee more than eighty-five percent of his or her salary, no short term disability benefits will be due the employee.

(d) If an employee is not able to return to full duty after expiration of the eighteen month period afforded for disability leaves (six months of short term disability and twelve months of long term disability), he or she shall be separated from the sworn ranks of
the Police Department. However, the City will comply with its legal obligation, if any, to reasonably accommodate the employee’s disability.
Personnel Deployment List

1029.1 PURPOSE AND SCOPE
A Personnel Deployment List consisting of all sworn officers, sergeants, detectives and investigators has been established to facilitate the efficient assignment of personnel to meet the staffing needs during a major police incident, significant event during extraordinary circumstances, or during significant staffing shortages. The use of the Personnel Deployment list does not require the activation of a Tactical Alert and can be utilized at the direction of any lieutenant experiencing significant staffing shortages.

1029.2 APPLICATION OF PERSONNEL DEPLOYMENT LIST
Upon working any qualifying extra duty overtime assignment, that officer or sergeant’s name will move to the bottom of the list. Qualifying extra duty overtime includes voluntary overtime in Patrol, Special Events (e.g. Anaheim Stadium, Honda Center, Anaheim Convention Center), Disneyland Resort and mandatory overtime which results from this process. It shall be the responsibility of the sergeant or supervisor in charge of the particular qualifying overtime assignment to ensure the sworn personnel who worked the assignment are moved accordingly on the Personnel Deployment List upon completion of the assignment. The Special Events Sergeant is responsible for ensuring the Personnel Deployment List is current, and is also the point of contact for any potential discrepancies identified in the List. The Special Events Sergeant will work with the sergeant / supervisor overseeing the particular extra duty event to address any errors or omissions.
Extra Duty

1030.1 PURPOSE AND SCOPE
The Anaheim Police Department has a long history of providing professional and courteous police service to guests at special events throughout the City. These policies are intended to ensure that while working Extra Duty assignments, employees perform their duties in a manner which maintains the highest standards of professionalism and efficiency in carrying out the functions and objectives of the Anaheim Police Department. While Extra Duty assignments are made available to eligible personnel of this Department, no member of this Department has any right to work Extra Duty assignments.

1030.2 DEFINITION
Extra Duty shall include any and all planned duty assignments which are in addition to the employee's regular duty assignment. Extra Duty includes, but is not limited to special events at any City venue (e.g. Angel Stadium, Honda Center, Convention Center, Grove), and overtime assignments in the Resort (e.g. Downtown Disney (DTD)).

With the exception of Trainees and those assigned Permanent Modified Duty, all sworn officers and sergeants will be placed on the Extra Duty Roster (the scheduling tool used to fill all Extra Duty assignments), and are subject to be assigned Extra Duty events. Any shift assigned can be traded or given away as per the "Officer Replacements" section of this policy. This policy excludes undercover and plain clothes personnel who are assigned to Vice, Criminal Intelligence, Special Investigations Unit (SIU), Joint Terrorism Task Force (JTTF), Crime Task Force (CTF), Orange County Human Trafficking Task Force (OCHTTF) and any narcotics related task force(s).

1030.3 POLICY
Any employee working Extra Duty shall adhere to the following policies:

(a) SELECTION - Selection / assignment of personnel to extra duty will generally be from the Extra Duty roster. During significant staffing shortages, the Personnel Deployment list may be utilized to staff extra duty assignments. Personnel who work extra duty assignments are subject to assignment at all Special Events venues and/or locations (i.e., Angel Stadium, Honda Center, Convention Center, Grove, parks, Disney Resort, Garden Walk, or any other assignment scheduled by the Special Events Detail, Disney Sergeant or Tourist Oriented Policing Sergeant).

(b) REPORTING FOR DUTY - Personnel assigned to an event will report on time and prepared for duty.

(c) APPEARANCE - Personnel will report for duty in a clean uniform with all necessary equipment, including a portable radio with a charged battery. Shoes and leather/web gear will be properly maintained and presentable.

(d) CONDUCT - While working Extra Duty assignments, personnel shall conduct themselves in a manner that is consistent with the high performance standards of this Department.
(e) **ASSIGNMENTS** - Personnel shall report to their assigned positions/areas as soon as possible after briefing or at the prescribed time. Personnel shall remain in their assigned areas unless otherwise directed. Personnel shall not congregate with other personnel, other than their assigned partner or supervisor. An exception would be the handling of an incident requiring additional personnel or at the direction of a supervisor. Personnel shall refrain from leaning against walls or other objects.

(f) **BREAKS** - All breaks will be approved by a supervisor or the event desk sergeant. Personnel shall monitor their radios during breaks in the event they are needed for an emergency. When applicable, personnel shall notify the security office when breaks begin and end.

(g) **INCIDENT NOTES** - Personnel are required to document identifying information of persons they contact, including employees, witnesses, and related parties during enforcement actions or calls for service or incidents they are involved in during Extra Duty assignments. An exception would be those instances where the incident is entirely handled by house security and police personnel are merely standing by. The information shall be forwarded to the employee completing the event log for that assignment to document any activity by APD personnel. Incident/Crime reports will be completed prior to the conclusion of the Extra Duty assignment. Reports may be completed on the officer’s next regular work shift upon approval of the event supervisor.

(h) **ENFORCEMENT** - Personnel shall advise the event office of any enforcement or other police action they are involved in. Officers should take action during the commission of any crime, disorder or other activity requiring police involvement. Ejections of guests from an event will be conducted by the "house" security, not APD personnel. When required or requested, APD personnel should assist "house" security or other personnel with those ejections. If a juvenile(s) is ejected from the venue by "House" security, involved APD personnel must ensure that a parent or responsible adult is notified.

(i) **NOTIFICATIONS** - Personnel are required to notify the Special Events Detail via email of any unavailability for Extra Duty assignments as soon as possible. This includes training days, x-days, city business, regular work schedule changes, Patrol Overtime, other Overtime (e.g. DUI, Jail, Communications Center) and vacation dates that include your regularly scheduled days off. The notification email should be sent directly to the Special Events Office Specialist, or as directed by any Extra Duty Event supervisor.

(j) **ELECTRONIC EVENT ASSIGNMENT** - Personnel will be sent an e-mail advising them of the extra-duty event assignment. The group email "_OT" has been provided as an electronic means to trade and find replacements for events assigned to officers. "_OT Sgts" has been provided as an electronic means to trade and find replacements for events assigned to sergeants. Once a replacement has been found for a Special Events or DTD assignment, the originally assigned officer or sergeant has the responsibility to immediately e-mail that change to the officer or sergeant who took the shift, the sergeant in charge of the involved venue and the Special Events office specialist. Event sheets will be updated and can be accessed on the Common drive in the Extra Duty Overtime folder.
Extra Duty

(k) **DOUBLE BOOKING** - In the event an officer or sergeant is booked for two events on the same day with overlapping times, the officer or sergeant will immediately notify the supervisor(s) for the involved events. Personnel will not take on assignments for two different events that occur at the same time. Personnel will not take on multiple assignments at the same event. Personnel will not volunteer to work a Patrol shift or any other overtime assignment that conflicts with a previously assigned Extra Duty assignment.

(l) **OFFICER REPLACEMENTS** - If an officer or sergeant is unable to work his or her assignment, then it is his/her responsibility to find a suitable replacement once the Extra Duty event roster has been posted. In the event a police officer shift giveaway cannot be filled by an officer, then it can be made available to police sergeants by the venue supervisor. Authorization from the Resort Policing Section Commander is required before any reserve officers are utilized as replacements.

(m) **TRANSPORTATION** - Personnel shall not utilize marked police vehicles for transportation to an Extra Duty assignment unless authorized by a supervisor.

(n) **REST** - Personnel will arrive at special event locations rested and ready to execute their duties. APD policy regarding hours worked in a 24-hour period will be strictly adhered to. Per the APD Fitness for Duty Policy, employees shall not work more than 16 hours in any 24-hour period, unless exigent circumstances exist and only with authorization from a supervisor.

(o) **ELECTRONIC DEVICES/MOBILE PHONES** - Personnel assigned to Extra Duty shall refrain from utilizing any electronic device or mobile telephone while in public view. Should the need arise to employ such an implement, personnel shall move to a nearby area of concealment, quickly handle the task at hand, and promptly return to their assigned duties.

**INELIGIBILITY** - Violation(s) of any of the above may result in Extra Duty ineligibility; and may also constitute conduct which may result in further discipline pursuant to the Standards of Conduct Policy.

The Extra Duty supervisor shall report violations of this policy to the Resort Policing Section Commander. The Community Services Division Commander shall determine if an officer or sergeant shall be deemed ineligible for extra duty and the duration of that ineligibility.

Any employee on light duty, modified duty, administrative leave, or while suspended from duty without pay as a result of any disciplinary action shall be ineligible for Extra Duty assignments.

Any employee who receives two consecutive below standard performance evaluations and who does not show overall improvement during the period between evaluations shall be suspended from eligibility on the Extra Duty roster until his/her overall performance is rated at "Meets Expectations" or higher. The Community Services Division Commander will notify the Special Events Sergeant of any employee who is ineligible for extra duty for any reason. This notification will not include the reason(s) for the ineligibility.
(a) • NOTE: Employees who receive below standard evaluations will be reevaluated within sixty (60) days of the below standard evaluation, per the Evaluation of Employees Policy.
Employee Speech, Expression and Social Networking

1031.1 PURPOSE AND SCOPE
This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balancing of employee speech and expression with the needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

1031.1.1 APPLICABILITY
This policy applies to all forms of communication including but not limited to film, video, print media, public or private speech, use of all internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video, and other file-sharing sites.

1031.2 POLICY
Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Anaheim Police Department will carefully balance the individual employee’s rights against the Department’s needs and interests when exercising a reasonable degree of control over its employees’ speech and expression.

1031.3 SAFETY
Employees should consider carefully the implications of their speech or any other form of expression when using the internet. Speech and expression that may negatively affect the safety of the Anaheim Police Department employees, such as posting personal information in a public forum, can result in compromising an employee’s home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any employee, an employee’s family, or associates.
Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of an officer who is working undercover.
- Disclosing the address of a fellow officer.
- Otherwise disclosing where another officer can be located off-duty.

1031.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

To meet the department's safety, performance and public-trust needs, the following is prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, on a matter of public concern):

(a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Anaheim Police Department or its employees.

(b) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination or illegal behavior.

(c) Speech or expression of any form that could reasonably be foreseen as creating a negative impact on the safety of the employees of the Department. For example, a statement on a blog that provides specific details of tactics, special event staffing, undercover operations, or pictures of undercover officers.

(d) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Department or any disclosure of such materials without the expressed authorization of the Chief of Police or the authorized designee.

(e) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Anaheim Police Department on any personal or social networking or other website or web page without the express authorization of the Chief of Police.

(f) Releasing or divulging investigative or confidential information without the approval of the Chief of Police or the authorized designee.

Additionally, employees, while representing themselves as a member of the APD in their official capacity, shall not publicly criticize or ridicule the Department, its policies, or other employees by speech, writing, or other expression, when such speech, writing, or other expression is defamatory, obscene, unlawful, undermines the effectiveness of discipline, or is made with reckless disregard for truthfulness or known falsity.
Employee Speech, Expression and Social Networking

Employees shall not address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondents to a newspaper or a periodical while holding themselves out as representing the Department in such matters, without proper authority.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

1031.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS
While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or officer associations, employees may not represent the Anaheim Police Department or identify themselves in any way that could be reasonably perceived as representing the Anaheim Police Department in order to do any of the following, unless specifically authorized by the Chief of Police (Government Code § 3206; Government Code § 3302):

(a) Endorse, support, oppose or contradict any political campaign or initiative.
(b) Endorse, support, oppose or contradict any social issue, cause or religion.
(c) Endorse, support or oppose any product, service, company or other commercial entity.
(d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or on any website.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization (e.g., bargaining group or officer associations), is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Anaheim Police Department.

Employees shall not engage in political activities during the hours they are employed by the Police Department, nor shall they participate in political activities of any kind while in uniform or on City premises. All employees shall adhere to Anaheim Municipal Code Section 1.05.075 Political Activities of Employees.

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized bargaining unit or officer associations, on political subjects and candidates at all times while off-duty.

However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).
1031.4.2 PROHIBITED ENDORSEMENTS AND REFERRALS
Employees shall not recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional service, or commercial service (such as an attorney, ambulance service, towing service, bondsman, mortician, etc.). In the case of ambulance or towing service, when such service is necessary and the person needing the service is unable or unwilling to procure it or requests assistance, employees shall proceed in accordance with established Departmental procedures.

1031.5 PRIVACY EXPECTATION
Employees forfeit any expectation of privacy with regard to e-mails, texts, or anything published or maintained through file-sharing software or any internet site (e.g., Facebook) that is accessed, transmitted, received, or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

The Department shall not require an employee to disclose a personal user name or password for accessing personal social media or to open a personal social website; however, the Department may request access when it is reasonably believed to be relevant to the investigation of allegations of work-related misconduct (Labor Code § 980).

1031.6 CONSIDERATIONS
In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Chief of Police or authorized designee should consider include:

(a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.

(b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.

(c) Whether the speech or conduct would reflect unfavorably upon the Department.

(d) Whether the speech or conduct would negatively affect the member’s appearance of impartiality in the performance of his/her duties.

(e) Whether similar speech or conduct has been previously authorized.

(f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

1031.7 TRAINING
Subject to available resources, the Department should provide training regarding employee speech and the use of social networking to all members of the Department.
Standby Policy

1033.1 PURPOSE AND SCOPE
This policy provides guidelines for officers and sergeants eligible to be paid standby time for their on call duty status during off hours.

1033.2 POLICY
The Department, in agreement with Human Resources and the Anaheim Police Officers Association, shall assign certain police officers and sergeants to on call duty status during off duty hours that shall be compensated with standby time. Employees shall be assigned to standby duty at the discretion of the Chief of Police and based on the department’s operational needs.

1033.3 STANDBY DUTY REQUIREMENTS
Employees assigned to standby duty shall be subject to the following requirements:

(a) Respond to the initial request / notification as soon as possible, but in no case more than thirty (30) minutes. Methods of response to the initial request may include phone call(s), or electronic messaging including email / text message.

(b) Be actively engaged in tasks directly related to the emergency situation as soon as possible, but in no case more than one (1) hour of the initial notification.

(c) In the event in-person response is required to either an incident or crime scene in the field or to a police facility, arrival at the location in question should generally be within ninety (90) minutes of acknowledgment of the request.

(d) Extra duty assignments while the employee is assigned to standby duty are prohibited.

(e) Personnel assigned standby duty shall notify the Special Events secretary upon being informed of his / her scheduled standby commitment to avoid scheduling conflicts.

(f) Refrain from intoxicants or other activities which might impair the employee’s ability to perform assigned duties.

Employees assigned to standby shall be furnished with all equipment necessary to perform standby duties, including take-home cars, City-issued cellular phones and/or computers.
Attachments
Hate Crime Checklist.pdf
## HATE CRIME CHECKLIST

**Victim Type:**

- [ ] Individual
  - Legal name (Last, First):
  - Other Names used (AKA):
- [ ] School, business or organization
  - Name:
  - Type: (e.g., non-profit, private, public school)
  - Address:
- [ ] Faith-based organization
  - Name:
  - Faith:
  - Address:

**Target of Crime (Check all that apply):**

- [ ] Person
- [ ] Private property
- [ ] Public property
- [ ] Other

**Nature of Crime (Check all that apply):**

- [ ] Bodily injury
- [ ] Threat of violence
- [ ] Property damage
- [ ] Other crime:
  - Property damage - estimated value

**Type of Bias (Check all characteristics that apply):**

- [ ] Disability
- [ ] Gender
- [ ] Gender identity/expression
- [ ] Sexual orientation
- [ ] Race
- [ ] Ethnicity
- [ ] Nationality
- [ ] Religion
- [ ] Significant day of offense (e.g., 9/11, holy days)
- [ ] Other:
  - Specify disability (be specific):

**Actual or Perceived Bias – Victim’s Statement:**

- [ ] Actual bias [Victim actually has the indicated characteristic(s)].
- [ ] Perceived bias [Suspect believed victim had the indicated characteristic(s)].

*If perceived, explain the circumstances in narrative portion of Report.*

**Reason for Bias:**

- [ ] Do you feel you were targeted based on one of these characteristics?
  - Yes
  - No
  - *Explain in narrative portion of Report.*
- [ ] Do you know what motivated the suspect to commit this crime?
  - Yes
  - No
  - *Explain in narrative portion of Report.*
- [ ] Do you feel you were targeted because you associated yourself with an individual or a group?
  - Yes
  - No
  - *Explain in narrative portion of Report.*
- [ ] Are there indicators the suspect is affiliated with a Hate Group (i.e., literature/tattoos)?
  - Yes
  - No
  - *Describe in narrative portion of Report.*
- [ ] Are there Indicators the suspect is affiliated with a criminal street gang?
  - Yes
  - No
  - *Describe in narrative portion of Report.*

**Bias Indicators (Check all that apply):**

- [ ] Hate speech
- [ ] Acts/gestures
- [ ] Property damage
- [ ] Symbol used
- [ ] Written/electronic communication
- [ ] Graffiti/spray paint
- [ ] Other:
  - *Describe with exact detail in narrative portion of Report.*

**Relationship Between Suspect & Victim:**

- [ ] Suspect known to victim? Yes
- [ ] Nature of relationship:

*If Yes, describe in narrative portion of Report*

**HISTORY:**

- [ ] Length of relationship:

*If Yes, describe in narrative portion of Report*

**WEAPONS:**

- [ ] Weapon(s) used during incident?
  - Yes
  - No
  - Type:
- [ ] Weapon(s) booked as evidence?
  - Yes
  - No
- [ ] Automated Firearms System (AFS) Inquiry attached to Report?
  - Yes
  - No

POST 05/19 (Based on LAPD’s Hate Crime Supplemental Report, used with permission)
## HATE CRIME CHECKLIST

<table>
<thead>
<tr>
<th><strong>EVIDENCE</strong></th>
<th><strong>VICTIM</strong></th>
<th><strong>SUSPECT</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Witnesses present during incident?</td>
<td>☐ Yes  ☐ No</td>
<td>☐ Yes  ☐ No</td>
</tr>
<tr>
<td>Evidence collected?</td>
<td>☐ Yes  ☐ No</td>
<td>☐ Yes  ☐ No</td>
</tr>
<tr>
<td>Photos taken?</td>
<td>☐ Yes  ☐ No</td>
<td>☐ Yes  ☐ No</td>
</tr>
<tr>
<td>Total # of photos:</td>
<td>D#:</td>
<td>D#:</td>
</tr>
<tr>
<td>Taken by:</td>
<td>Serial #:</td>
<td>Serial #:</td>
</tr>
<tr>
<td>Statements taken?</td>
<td>☐ Yes  ☐ No</td>
<td>☐ Yes  ☐ No</td>
</tr>
<tr>
<td>Recordings:</td>
<td>☐ Video  ☐ Audio  ☐ Booked</td>
<td></td>
</tr>
<tr>
<td>Suspect identified:</td>
<td>☐ Field ID  ☐ By photo  ☐ Known to victim</td>
<td></td>
</tr>
</tbody>
</table>

### OBSERVATIONS

<table>
<thead>
<tr>
<th>VICTIM</th>
<th>SUSPECT</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ Tattoos</td>
<td>□ Tattoos</td>
</tr>
<tr>
<td>□ Shaking</td>
<td>□ Shaking</td>
</tr>
<tr>
<td>□ Unresponsive</td>
<td>□ Unresponsive</td>
</tr>
<tr>
<td>□ Crying</td>
<td>□ Crying</td>
</tr>
<tr>
<td>□ Scared</td>
<td>□ Scared</td>
</tr>
<tr>
<td>□ Angry</td>
<td>□ Angry</td>
</tr>
<tr>
<td>□ Fearful</td>
<td>□ Fearful</td>
</tr>
<tr>
<td>□ Calm</td>
<td>□ Calm</td>
</tr>
<tr>
<td>□ Agitated</td>
<td>□ Agitated</td>
</tr>
<tr>
<td>□ Nervous</td>
<td>□ Nervous</td>
</tr>
<tr>
<td>□ Threatening</td>
<td>□ Threatening</td>
</tr>
<tr>
<td>□ Apologetic</td>
<td>□ Apologetic</td>
</tr>
<tr>
<td>□ Other observations:</td>
<td>□ Other observations:</td>
</tr>
</tbody>
</table>

### ADDITIONAL QUESTIONS

(Explain all boxes marked "Yes" in narrative portion of report):

- Has suspect ever threatened you?  ☐ Yes  ☐ No
- Has suspect ever harmed you?  ☐ Yes  ☐ No
- Does suspect possess or have access to a firearm?  ☐ Yes  ☐ No
- Are you afraid for your safety?  ☐ Yes  ☐ No
- Do you have any other information that may be helpful?  ☐ Yes  ☐ No

### MEDICAL

<table>
<thead>
<tr>
<th>Victim</th>
<th>Suspect</th>
<th>Paramedics at scene?</th>
</tr>
</thead>
<tbody>
<tr>
<td>□</td>
<td>☐</td>
<td>☐ Yes  ☐ No</td>
</tr>
<tr>
<td>□</td>
<td>☐</td>
<td>Unit #:</td>
</tr>
<tr>
<td>Declined medical treatment</td>
<td>Name(s)/ID #:</td>
<td></td>
</tr>
<tr>
<td>Will seek own medical treatment</td>
<td>Hospital:</td>
<td></td>
</tr>
<tr>
<td>Received medical treatment</td>
<td>Jail Dispensary:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Physician/Doctor:</td>
<td></td>
</tr>
<tr>
<td>Authorization to Release Medical Information, Form 05.03.00, signed?</td>
<td>Patient #:</td>
<td></td>
</tr>
<tr>
<td>☐ Yes  ☐ No</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Officer (Name/Rank)</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Officer (Name/Rank)</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Supervisor Approving (Name/Rank)</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

POST 05/19
Commission on Peace Officer Standards and Training Hate Crimes Model Policy 2019.pdf
Statutes and Legal Requirements.pdf
Statutes and Legal Requirements

Items listed in this section include sections from the California Penal Code (CPC), Welfare and Institutions Code (WI) and Government Code (GC).

Definitions
CPC 422.55 - Provides general definition of hate crimes in California.
CPC 422.56 - Provides definitions of terms included in hate crimes statutes.
GC 12926 - Disability-related definitions applicable to some hate crime statutes.

Felonies
Hate Crimes
CPC 422.7 - Commission of a crime for the purpose of interfering with another’s exercise of civil rights.

Related Crimes
CPC 190.2(a)(16) - Homicide penalties related to certain hate crime related acts.
CPC 190.03(a) - Homicide penalties related to certain hate crime related acts.
CPC 288(b)(2) - Sexual assault of dependent person by caretaker
CPC 368(b) - Dependent adult abuse generally - may apply as disability-related hate crime.
CPC 594.3 - Vandalism of places of worship.
CPC 11412 - Causing or attempting to cause other to refrain from exercising religion by threat.
CPC 11413 - Arson or destructive device at place of worship.

Misdemeanors
Hate Crimes
CPC 422.6 - Use of force, threats, or destruction of property to interfere with another’s exercise of civil rights.
CPC 422.77 - Violation of civil order (Bane Act) protecting the exercise of civil rights

Related Crimes
CPC 302 - Disorderly conduct during an assemblage of people gathered for religious worship at a tax-exempt place of worship.
CPC 538(c) - Unauthorized insertion of advertisements in newspapers and redistribution to the public.
CPC 640.2 - Placing handbill, notice of advertisement on a consumer product or product packaged without authorization.
CPC 11411 - Terrorism of owner or occupant of real property. Placement or display of sign, symbol, or other physical impression without authorization, engagement in pattern of conduct, or burning or desecration of religious symbols.
**Enhancements**

CPC 190.2(a)(16) - Special circumstances imposing the Death Penalty or Life Without Possibility of Parole, if the victim was intentionally killed because of sexual orientation, gender, or disability.

CPC 190.3 - Special circumstances imposing LWOP if the victim was intentionally killed because of sexual orientation, gender, or disability.

CPC 422.75 - Penalty for felony committed because of victim’s race, color, religion, nationality, country or origin, ancestry, disability, or sexual orientation shall be enhanced one, two, or three years in prison, if the person acts alone; and two, three, or four years if the person commits the act with another.

CPC 1170.8 - Enhancement for robbery or assault at a place of worship.

CPC 1170.85(b) - Felony assault or battery enhancement due to age or disability.

**Reporting**

CPC 13023 - Requirement for law enforcement agencies to report hate crime data to DOJ.

WI 15630 – Elder and Dependent Adult Abuse Mandated Reporting (may apply in disability-related hate crimes).

**Training and Policy Requirements**

CPC 422.87 - Hate crimes policy adoption and update requirements (AB 1985, Effective January 1, 2019).

CPC 13519.6 - Defines hate crime training requirements for peace officers.

CPC 13519.41 - Training requirements on sexual orientation and gender identity-related hate crimes for peace officers and dispatchers (AB 2504, Effective January 1, 2019).

**Miscellaneous Provisions**

CPC 422.78 - Responsibility for prosecution of stay away order violations.

CPC 422.86 - Public policy regarding hate crimes.

CPC 422.89 - Legislative intent regarding violations of civil rights and hate crimes

CPC 422.92 - Hate crimes victims brochure requirement for law enforcement agencies.

CPC 422.93 - Protection of victims and witnesses from being reported to immigration authorities.

GC 6254 - Victim confidentiality.
## INDEX / TOPICS

### A

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACKNOWLEDGEMENTS</td>
<td>21</td>
</tr>
<tr>
<td>ADMINISTRATIVE INVESTIGATION</td>
<td>88</td>
</tr>
<tr>
<td>ADMINISTRATIVE INVESTIGATIONS</td>
<td>88, 88, 88</td>
</tr>
<tr>
<td>ADULT ABUSE</td>
<td>151</td>
</tr>
<tr>
<td>ARGUMENTATIVE</td>
<td>456</td>
</tr>
<tr>
<td>AIRCRAFT ACCIDENTS</td>
<td>372</td>
</tr>
<tr>
<td>AMBULANCE ACCIDENTS</td>
<td>416</td>
</tr>
<tr>
<td>ALCOHOL INTOXICANTS</td>
<td>206</td>
</tr>
<tr>
<td>AMMUNITION</td>
<td>700</td>
</tr>
<tr>
<td>AUTO COMPONENTS</td>
<td>72</td>
</tr>
<tr>
<td>BIOLOGICAL SAMPLES</td>
<td>373</td>
</tr>
<tr>
<td>BODY CAVITY SEARCH</td>
<td>569</td>
</tr>
<tr>
<td>BOMBS</td>
<td>373</td>
</tr>
</tbody>
</table>

### C

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>CANINES</td>
<td>402</td>
</tr>
<tr>
<td>CHANGE OF ASSIGNMENT</td>
<td>664</td>
</tr>
<tr>
<td>CHAPLAINS</td>
<td>271</td>
</tr>
<tr>
<td>CHIEF EXECUTIVE</td>
<td>17</td>
</tr>
<tr>
<td>CHILD ABUSE</td>
<td>167</td>
</tr>
<tr>
<td>CHILDREN</td>
<td>654</td>
</tr>
<tr>
<td>CITATIONS</td>
<td>427</td>
</tr>
<tr>
<td>CIVILIAN/NON-SWORN</td>
<td>19</td>
</tr>
<tr>
<td>CODE-3</td>
<td>117</td>
</tr>
<tr>
<td>COMMENDATIONS AND AWARDS</td>
<td>665</td>
</tr>
<tr>
<td>COMMUNICABLE DISEASE</td>
<td>315</td>
</tr>
<tr>
<td>COMMUNICATION OPERATIONS</td>
<td>515</td>
</tr>
<tr>
<td>COMMUNICATIONS CENTER</td>
<td>405</td>
</tr>
<tr>
<td>CONTACTS AND TEMPORARY DETentions</td>
<td>229</td>
</tr>
<tr>
<td>COURTROOM PROTOCOL</td>
<td>392</td>
</tr>
<tr>
<td>COURTROOM PROTOCOL</td>
<td>219</td>
</tr>
<tr>
<td>COURT ORDERS</td>
<td>219</td>
</tr>
<tr>
<td>COURT ORDERS</td>
<td>222</td>
</tr>
<tr>
<td>CRIME ANALYSIS</td>
<td>514</td>
</tr>
<tr>
<td>CRIME SCENE AND DISASTER INTEGRITY</td>
<td>314</td>
</tr>
<tr>
<td>Topic</td>
<td>Page</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Operations plans.</td>
<td>497</td>
</tr>
<tr>
<td>Warrant service.</td>
<td>490</td>
</tr>
<tr>
<td>MEDIA REQUEST</td>
<td>216</td>
</tr>
<tr>
<td>MEDICAL</td>
<td></td>
</tr>
<tr>
<td>Adult involuntary detention.</td>
<td>155</td>
</tr>
<tr>
<td>Aircraft accidents.</td>
<td>372</td>
</tr>
<tr>
<td>Examinations – Adult abuse.</td>
<td>156</td>
</tr>
<tr>
<td>For canines.</td>
<td>126</td>
</tr>
<tr>
<td>Leave act (FMLA).</td>
<td>636</td>
</tr>
<tr>
<td>Releases.</td>
<td>416</td>
</tr>
<tr>
<td>MINIMUM STAFFING</td>
<td>33</td>
</tr>
<tr>
<td>MISSING PERSON</td>
<td></td>
</tr>
<tr>
<td>at-risk.</td>
<td>176</td>
</tr>
<tr>
<td>Investigation Diligence.</td>
<td>175</td>
</tr>
<tr>
<td>MOBILE DIGITAL TERMINAL USE</td>
<td>391</td>
</tr>
<tr>
<td>MODIFIED DUTY ASSIGNMENTS</td>
<td>702</td>
</tr>
<tr>
<td>MUTUAL AID</td>
<td></td>
</tr>
<tr>
<td>First amendment assemblies.</td>
<td>422</td>
</tr>
<tr>
<td>Warrant service.</td>
<td>489</td>
</tr>
<tr>
<td>N</td>
<td></td>
</tr>
<tr>
<td>NOTIFICATION</td>
<td>85</td>
</tr>
<tr>
<td>NOTIFICATIONS</td>
<td></td>
</tr>
<tr>
<td>Aircraft accidents.</td>
<td>373</td>
</tr>
<tr>
<td>Impaired driving.</td>
<td>443</td>
</tr>
<tr>
<td>Sick leave.</td>
<td>636</td>
</tr>
<tr>
<td>O</td>
<td></td>
</tr>
<tr>
<td>OATH</td>
<td>18</td>
</tr>
<tr>
<td>OC SPRAY</td>
<td>72</td>
</tr>
<tr>
<td>OFFICER IDENTIFICATION</td>
<td>515</td>
</tr>
<tr>
<td>OFFICER SAFETY</td>
<td></td>
</tr>
<tr>
<td>Crime scene and disaster integrity.</td>
<td>314</td>
</tr>
<tr>
<td>Foot pursuits.</td>
<td>402</td>
</tr>
<tr>
<td>LEOSA</td>
<td>42</td>
</tr>
<tr>
<td>Seat belts.</td>
<td>654</td>
</tr>
<tr>
<td>Warrant service.</td>
<td>487</td>
</tr>
<tr>
<td>OFFICER-INVOLVED SHOOTING</td>
<td>83</td>
</tr>
<tr>
<td>OPERATIONS PLANNING AND DECONFLICT</td>
<td>493</td>
</tr>
<tr>
<td>ORGANIZATIONAL STRUCTURE AND RESPONSIBILITY</td>
<td>23</td>
</tr>
<tr>
<td>ORGANIZATIONAL STRUCTURE AND RESPONSIBILITY</td>
<td></td>
</tr>
<tr>
<td>OUTSIDE AGENCY ASSISTANCE</td>
<td>228</td>
</tr>
<tr>
<td>OUTSIDE EMPLOYMENT</td>
<td>679</td>
</tr>
<tr>
<td>Change in Status.</td>
<td>682</td>
</tr>
<tr>
<td>Obtaining Approval.</td>
<td>679</td>
</tr>
<tr>
<td>Prohibited Outside Employment.</td>
<td>680</td>
</tr>
<tr>
<td>Security Employment.</td>
<td>681</td>
</tr>
<tr>
<td>OVERTIME PAYMENT</td>
<td>677</td>
</tr>
<tr>
<td>PAT DOWN SEARCH</td>
<td>569</td>
</tr>
<tr>
<td>PAT DOWN SEARCHES</td>
<td>569</td>
</tr>
<tr>
<td>PEPPER PROJECTILES</td>
<td>73</td>
</tr>
<tr>
<td>PEPPER SPRAY</td>
<td>72</td>
</tr>
<tr>
<td>PERFORMANCE EVALUATIONS</td>
<td></td>
</tr>
<tr>
<td>Sick leave.</td>
<td>637</td>
</tr>
<tr>
<td>PERSONAL APPEARANCE</td>
<td>686</td>
</tr>
<tr>
<td>PERSONAL PROPERTY</td>
<td>500</td>
</tr>
<tr>
<td>Loss Or Damage.</td>
<td>501</td>
</tr>
<tr>
<td>PHOTOGRAPHS</td>
<td></td>
</tr>
<tr>
<td>Aircraft accidents.</td>
<td>374</td>
</tr>
<tr>
<td>First amendment assemblies.</td>
<td>420</td>
</tr>
<tr>
<td>PIO</td>
<td>216</td>
</tr>
<tr>
<td>POLICE CADETS</td>
<td>695</td>
</tr>
<tr>
<td>Program Advisors.</td>
<td>695</td>
</tr>
<tr>
<td>POLICY MANUAL</td>
<td>19</td>
</tr>
<tr>
<td>POLITICAL ACTIVITY</td>
<td>715</td>
</tr>
<tr>
<td>POLITICAL ENDORSEMENTS</td>
<td>715</td>
</tr>
<tr>
<td>PRESS INFORMATION OFFICER</td>
<td>216</td>
</tr>
<tr>
<td>PRIVACY EXPECTATIONS</td>
<td></td>
</tr>
<tr>
<td>MDT/MDC</td>
<td>391</td>
</tr>
<tr>
<td>Unmanned aerial system.</td>
<td>484</td>
</tr>
<tr>
<td>PRIVATE PERSONS ARRESTS</td>
<td>246</td>
</tr>
<tr>
<td>PROHIBITED SPEECH</td>
<td>714</td>
</tr>
<tr>
<td>PROPERTY PROCEDURES</td>
<td></td>
</tr>
<tr>
<td>Narcotics And Dangerous Drugs.</td>
<td>519</td>
</tr>
<tr>
<td>Property Booking.</td>
<td>518</td>
</tr>
<tr>
<td>Property Handling.</td>
<td>518</td>
</tr>
<tr>
<td>Property Release.</td>
<td>524</td>
</tr>
<tr>
<td>PROTECTED INFORMATION, UNAUTHORIZED RELEASE BADGES, PATCHES AND IDENTIFICATION, CONDUCT</td>
<td>202</td>
</tr>
<tr>
<td>PROTECTIVE CUSTODY</td>
<td></td>
</tr>
<tr>
<td>Dependent adults.</td>
<td>155</td>
</tr>
<tr>
<td>PUBLIC SAFETY VIDEO SURVEILLANCE</td>
<td>277</td>
</tr>
<tr>
<td>PURSUIT INTERVENTION</td>
<td>112</td>
</tr>
<tr>
<td>PURSUITS</td>
<td></td>
</tr>
<tr>
<td>Foot.</td>
<td>402</td>
</tr>
<tr>
<td>R</td>
<td></td>
</tr>
<tr>
<td>RADIO COMMUNICATIONS</td>
<td>515</td>
</tr>
<tr>
<td>RAPID RESPONSE AND DEPLOYMENT</td>
<td>361</td>
</tr>
<tr>
<td>RECORDS BUREAU</td>
<td></td>
</tr>
<tr>
<td>Administrative hearings.</td>
<td>444</td>
</tr>
<tr>
<td>Impaired driving.</td>
<td>444</td>
</tr>
<tr>
<td>RECORDS RELEASE</td>
<td></td>
</tr>
<tr>
<td>ALPR</td>
<td>409</td>
</tr>
<tr>
<td>Public safety video surveillance.</td>
<td>280</td>
</tr>
<tr>
<td>REFLECTORIZED VESTS</td>
<td>427</td>
</tr>
<tr>
<td>REPORT CORRECTIONS</td>
<td>214</td>
</tr>
<tr>
<td>REPORT PREPARATION</td>
<td>211</td>
</tr>
</tbody>
</table>