

Orange County Sheriff's Department

Sheriff-Coroner

Don Barnes

The seal of the Orange County Sheriff-Coroner is a five-pointed star with a decorative border. In the center is a circular emblem featuring a landscape with a sun, a bear, and a ship, surrounded by the text "THE GREAT SEAL OF THE STATE OF CALIFORNIA". Above the seal, the word "SHERIFF" is written in a blue arc. Below the seal, "ORANGE COUNTY CALIFORNIA" is written in a blue arc, with five stars underneath. The entire seal is rendered in a light, semi-transparent gold color.

Field Operations Manual

Field Operations

&

Investigative Services Command

TABLE OF CONTENTS

Section 1	Procedure to Change Field Operations Manual
Section 2	ABC License Types and Privileges
Section 3	Alarms
Section 5	Arrest Techniques
Section 6	Assault Cases
Section 7	Burglary Cases
Section 8	Case Distribution
Section 9	Citations
Section 10	Civil Process and Enforcement Issues
Section 11	Court Orders
Section 12	Crowd and Mob Control
Section 13	Persons with Disabilities
Section 14	Deaths
Section 15	Disasters/Terrorist Events
Section 16	Disturbance Calls
Section 17	Driving Under the Influence
Section 19	Evidence
Section 20	Explorer Program
Section 21	Explosive Devices and Bombs
Section 22	Fire Scene
Section 23	First Aid and C.P.R.
Section 24	Identification Bureau Services
Section 25	Immigration
Section 27	Juvenile Procedures/Amber Alert
Section 28	Labor Disputes
Section 29	Mental Illness (5150)
Section 30	Miranda
Section 31	Missing Adults
Section 32	Narcotics
Section 33	Patrol Vehicle Assignment
Section 34	Prowler Calls
Section 35	Radio Procedure/Mobile Data Computers
Section 36	Sexual Assault/Rape
Section 37	Railroad Emergencies
Section 38	Release from Custody (CPC 647f)
Section 39	Report Forms
Section 40	Robbery Cases
Section 41	Shift Responsibilities
Section 43	Special Events
Section 44	Tagging and Booking Property

Section 45	Traffic Control
Section 46	Unusual Occurrences/Hot Calls
Section 47	Abandoned Vehicle/72-Hr Towing/Abatement
Section 48	Vehicle Removal Authority
Section 49	Sources for Information
Section 51	Critical Incident Management
Section 52	Hate Crimes
Section 54	Air Support Bureau (ASB)
Section 55	Domestic Violence
Section 56	Recovered Stolen Property
Section 58	Jurisdiction & CHP
Section 59	Guidelines for Traffic Collision Reporting
Section 62	Gang Related Crime
Section 64	Oleoresin Capsicum (O.C.) Spray
Section 65	Preliminary Alcohol Screening (PAS) Device
Section 66	Victim Information Notification Everyday (VINE)
Section 67	Critical Incident Response Team (CIRT)
Section 68	Jaycor Pepperball Non-Lethal System
Section 69	12 Gauge Less-Lethal Munitions
Section 70	Public Records Act
Section 72	Motorcycle Strike Team
Section 73	Swat Activation Criteria
Section 74	Rapid Deployment Tactics
Section 76	SAR Distress Alert Policy
Section 78	Private Property Impounds
Section 79	Security Bureau
Section 80	Alternative Enforcement Vehicles

Archived Sections Moved To Lexipol:

Section 4	Animal Problems
Section 18	Emergency Vehicle Responses
Section 42	Shooting Policy
Section 50	Media Relations
Section 53	Canine Unit
Section 61	Patrol Video Systems (PVS)
Section 63	Tire Deflation Equipment
Section 71	Mobile Field Force Tactics
Section 77	Electronic Control Device

Section 57	Transportation Bureau	(Moved To CCOM 9000)
Section 60	Miscellaneous Traffic	(Removed Per County Counsel)
Section 75	Tactical Operations Plan	(Removed)
Section 26	John Wayne Airport	(Airport Operations Div. Guide)

INTRODUCTION

This manual has been prepared to aid Sheriff's Patrol personnel in performing their duties. It is not intended to be used as a substitute for training requirements, nor does it relieve any deputy of the responsibility of seeking answers to questions from an authoritative source. It is incumbent upon each deputy to keep abreast of all changes in the laws, departmental regulations and procedures. To do so, regular study should be made of such items as the Penal and Vehicle Codes, past and present departmental bulletins and regular briefing items.

All deputies should exercise their responsibilities in an efficient and professional manner. In so doing, the public's trust and confidence in the Orange County Sheriff-Coroner Department will be enhanced.

Disclosure of the material contained in this manual may harm public safety and place officers in danger. The contents of this manual are not to be released to any member of the public or outside agency without authorization from the Field Operations and Investigative Services Command.

Finally, this manual is offered for reference, and is not intended to replace or modify departmental Rules and Regulations, nor is it intended to stifle discretion or initiative when appropriate.

MISSION STATEMENT

Our mission is to provide responsive, professional, and caring law enforcement services to all people in Orange County. We will respond to calls for service promptly, protect lives and property to the very best of our abilities, initiate and maintain crime prevention programs, and apprehend criminal offenders. All sheriff employees are expected to behave in a friendly, helpful and effective manner, as appropriately determined by the circumstances and nature of the duties they may be called upon to exercise.

GOALS AND OBJECTIVES

- I. Protect Lives and Property
 - A. Maintain a patrol force in the unincorporated county area and contract law enforcement cities at a level that provides an average of 50% preventive patrol time.
 - B. Be alert to any potential danger to the community as a whole or citizens individually, and take appropriate action in all cases when such dangers are observed or reported.
 - C. Patrol assigned areas in a manner that will maximize the deterrent effect of marked patrol units.
- II. Respond to Calls for Service
 - A. Respond to emergency, life-threatening or serious crimes in progress calls (Priority 1) within 5 minutes.
 - B. Respond to all calls for service promptly.
- III. Investigate Crimes
 - A. Thoroughly investigate all crimes reported as determined by the available leads and potential solvability.
 - B. Maintain active communication with the victims of crimes as to the progress of their case.

PROCEDURE TO CHANGE
OPERATIONS PROCEDURE MANUAL

I. Prior Approval

- A. No changes will be made to the Field Operations Manual (FOM) without prior approval of the Assistant Sheriff, Commander of Field Operations & Investigative Services Command or the Field Training Bureau Commander.
- B. Except as authorized in Section II-B of this procedure, no change will be made that is inconsistent with the procedures of other Department Divisions with similar functions or with other sections of this manual.

II. Procedure for Change

A. Request for change – Non-Emergency

- 1. Submit a memorandum to a Division Commander identifying the section to be changed and the reason the change is being requested. Include a copy of the existing section and a copy marked with the requested changes.
- 2. If the Division Commander concurs with the proposed change, a draft of the proposed change will be sent to the Field Training Bureau Commander. The Field Training Bureau will review and disseminate to all affected Division Commanders/Directors with a request for review and comments.
- 3. Once comments have been received, the Field Training Bureau Commander will forward the request for change to the Area Commander of Field Operations & Investigative Services for approval/rejection of the requested change.
- 4. No change will become effective until such time as the Assistant Sheriff or Commander of Field Operations & Investigative Services Command has approved the change.

B. Request for change – Emergency

- 1. Emergency changes (those changes needing immediate action and the emergency is of such a nature that the normal approval

process cannot be adhered to) can be made. Emergency changes require a written memorandum be submitted to the involved Division Commander. Once reviewed and approved by the Division Commander, the involved Divisional FOM change will be in effect and will remain in effect until such time as the emergency is over and the non-emergency approval process can be adhered to.

III. Updating and Copies

- A. The Field Training Bureau Commander will be assigned as the Field Operations Manual Coordinator. The Field Training Bureau will coordinate with the respective Operational Division Commanders to assure the accuracy of all procedures.
- B. All sworn and professional personnel that are subject to working a field assignment and are assigned to the Field Operations Command will download a complete FOM and all approved changes from the department Intranet. Those employees are responsible for maintaining their FOM's at the current level of information and are subject to inspection at any time for the purpose of verifying they are maintained and updated.

ABC LICENSE TYPES AND PRIVILEGES

I. Alcoholic Beverage Control

- A. The Department of Alcoholic Beverage Control (ABC) is the primary regulatory agency tasked with administering the provisions of the Alcoholic Beverage Control Act, which includes licensing.
- B. The ABC publishes an enforcement manual to assist law enforcement's awareness of laws covered by the Alcoholic Control Act. Most violations of this act are misdemeanors under the Business and Professions Code. Manuals may be obtained through the Sheriff's Vice Detail or by contacting any of the ABC Department offices.

II. Alcoholic Beverage Licenses

- A. The selling of alcoholic beverages requires an Alcoholic Beverage License per Business and Professions Code 23300. Operating without the proper licensing is a misdemeanor under Business and Professions Code 23301. Of the licenses ABC issues, the following are the types the field deputy is likely to encounter:
 - 1. Type 20 – Off-Sale Beer and Wine (Package Store, e.g. Convenience Store)
Authorizes the sale of beer and wine for consumption off the premises where sold. Minors are allowed on premises.
 - 2. Type 21 – Off-Sale General (Package Store, e.g. Liquor Store)
Authorizes the sale of beer, wine and distilled spirits for consumption off the premises where sold. Minors are allowed on the premises.
 - 3. Type 40 – On Sale Beer (Bar, Tavern)
Authorizes the sale of beer only for consumption on or off the premises where sold. No wine or distilled spirits may be on the premises. While full meals are not required, sandwiches or snacks must be available. Minors not allowed on premises.
 - a. Type 60 – On-Sale Beer/Seasonal
Same as Type 40 and issued for a specific season. Inclusive dates of operation are listed on the license certificate.

4. Type 61 – On-Sale Beer-Public Premises (Bar, Tavern)
Authorizes the sale of beer only for consumption on or off the licensed premises. No wine or distilled spirits may be on the premises. Minors are not allowed to enter and remain. Food service is not required.
5. Type 41 – On-Sale Beer and Wine-Eating Place (Restaurant)
Authorizes the sale of beer and wine for consumption on or off the premises where sold. Distilled spirits may not be on the premises (except brandy, rum, or liqueurs for use solely for cooking purposes.) Must operate and maintain the licensed premises as a bona fide eating place. Minors are allowed on the premises.
6. Type 42 – On-Sale Beer and Wine-Public Premises (Bar, Tavern)
Authorizes the sale of beer and wine for consumption on or off the premises where sold. Distilled spirits may not be on the premises. Food service is not required. Minors are not allowed to enter and remain.
 - a. Business and Professions Code 25663.5 allows musicians ages 18-21 in on-sale licensed premises provided the establishment follows a number of specific conditions (e.g. restricted area/stage, no nude/topless entertainment, etc). See the section for specifics.
7. Type 47- On-Sale General Eating Place (Restaurant)
Authorizes the sale of beer, wine and distilled spirits for consumption on the licensed premises. Authorizes the sale of beer and wine for consumption off the licensed premises. Must operate and maintain the licensed premises as a bona fide eating place. Minors are allowed on the premises.
8. Type 48 – On-Sale General Public Premises (Bar, Night Club)
Authorizes the sale of beer, wine and distilled spirits for consumption on the licensed premises. Authorizes the sale of beer and wine for consumption off the licensed premises. Food service is not required. Minors are not allowed to enter or remain.
9. Type 75 – On-Sale General Brewpub (Restaurant)
Authorizes the sale of beer, wine, and distilled spirits for consumption on a bona fide eating place plus a limited amount of brewing of beer. Also authorizes the sale of beer and wine

only for consumption off the premises where sold. Minors are allowed on the premises.

10. Type 67 – Bed and Breakfast Inn

Authorizes the sale of wine purchased from a licensed winegrower or wine wholesaler only to registered guests of the establishment for consumption on the premises. No beer or distilled spirits may be on the premises. Minors are allowed on the premises.

11. Type 80 – Bed and Breakfast Inn – General

Authorizes the sale of beer, wine and distilled spirits purchased from a licensed wholesaler of winegrower only to registered guests of the establishments for consumption on the premises. Minors are allowed to stay on the premises.

- B. ABC also issues licenses and authorizations from the retail sale of beer, wine and distilled spirits on a temporary basis for special events like catering events and community fundraisers. In most instances, the local ABC office requires the applicant to obtain prior written approval of the sheriff's department and/or local government entity.
- C. Business and Professions Code 24046 states licenses must post the ABC license in a conspicuous place.
- D. As noted above special restrictions or conditions may be attached to a license. Examples of these conditions include hours of operation, security needs, signage, and dance/entertainment. The licensee must maintain a copy of any license condition.

III. ABC RELATED VIOLATIONS

A. Posting license	23044 B&P
B. Retail operating standards guidelines	25612.5 B&P
C. After hours, allowing consumption	M22632 B&P
D. After hours, sales or purchase	M25631 B&P
E. Attempt to purchase by minor	M25658.5 B&P
F. Beer keg, present false info to buy	M25659.5(d) B&P
G. Beer keg, possession of w/o I.D. tag	M25659.5(c) B&P
H. Disorderly licensed premise, allow/maintain	M25601 B&P
I. Distilled spirits, unlawful possession of on licensed premises	M25607(a) B&P
J. Employ minor in on-sale premises licensee only)	M25663(a) B&P (cite licensee only)

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|--|---------------------|
| K. Employ minor in off-sale premises licensee only) | M25663(b) B&P (cite |
| L. False Identification, use of by minor | M25661 B&P |
| M. Possession by minor on street, highway, public place | M25662(a) |
| N. Sales to minors | M25658(a) B&P |
| O. Sales to minors (consumption) minor) | M25658(b) B&Pcite |
| P. Violation to (25658a) causing injury or death | 25658(c) |
| Q. Sales to minors (permitting consumption) licensee only) | M25658(d) B&Pcite |
| R. Selling refilled spirits | M25177 B&P |
| S. Serving obviously intoxicated person or habitual drunkard | M25602(a) B&P |
| T. Immunity from Prosecution (B&P 25667) | |

1. A minor under age 21 may not be prosecuted for violating 25662(a) or 25658(b) if that minor is the first 911 caller to request medical assistance (for him/her or another) due to alcohol consumption, remains at scene and cooperates with emergency responders.

ALARMS

I. Silent and Audible

A. Response.

1. Respond immediately.

2. Obey all traffic laws.

3. [REDACTED]

4. Telephone calls to alarm locations.

[REDACTED]

B. Arrival

1. Advise dispatch of persons, vehicles, or suspicious circumstances present.

[REDACTED]

[REDACTED]

[REDACTED]

C. False Alarm

1. Secure the building.
 - a. Advise dispatch if unable to check a specific area of residence or building (i.e, no roof or backyard access)
2. Unable to secure building.
 - a. Request dispatch to contact a responsible party to respond.
 - b. Do not advise dispatch of unsecured building over the radio.
 - c. Do not leave building unsecured. If unable to secure and no responsible party is available, notify your field sergeant.

D. Discovered Audible Alarm

1. Response and arrival should be the same as previous section.
2. Advise dispatch of address and business name.



E. Robbery Alarm

1. Telephone "Code 4" to desk.
 - a. Do not consider scene secure.
 - b. Desk has no positive way of determining situation.

F. Alarm Notification Card

1. In all cases of audible or silent alarms, whether assigned or discovered, the patrol deputy will complete an Alarm Notification Card. All applicable spaces must be completed.
2. The deputy must classify the alarm as "billable" or "non-billable" within the meaning of a false alarm, as stated on the reverse side of the form, and advise dispatch on the radio whether the alarm is "billable" or "non-billable."

3. The Alarm Notification Card must be left at the location of the alarm.
 - a. Preferably with the alarm subscriber, employee, family member, or other person having legitimate access to the premises.

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5. The deputy should report if there was no sign indicating a valid phone number for the alarm company, inability to contact a responsible party or no area of coverage given.
 6. Notify a supervisor of continuous repeat false alarm problems from a single location.

ARREST TECHNIQUES

I. Essential Elements of an Arrest

- A. Safety: The primary concern of every arrest should be the safety of the arresting deputy. Make an arrest only when it is safe to do so. Caution is the key to a safe arrest. Be mentally and physically alert to all activity in the immediate vicinity at all times and do not let your guard down.

[REDACTED]

- C. Preparation and Planning: Know why you are going to arrest the suspect. Plan your actions ahead of time and be prepared to make necessary changes.

[REDACTED]

- E. Stay Alert: Lapses in attention provide the suspect with opportunity. Prepare, plan, and make the arrest with heightened awareness.

II. Suspect Contacts

- A. The manner in which a suspect is contacted is usually dictated by the want or circumstances.

[REDACTED]

[REDACTED]

2. Other suspects should be approached with heightened awareness and caution. When the deputy is visible to the

suspect during the approach, the deputy should control the suspect's movement by verbal commands.

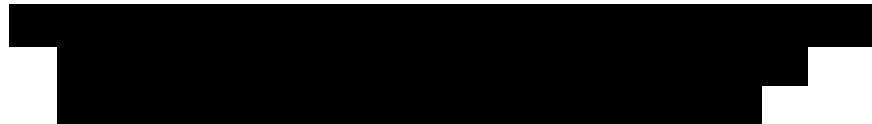
- a. A grasping hand search for weapons should be done on all suspects as soon as possible. Whenever possible a grasping hand search should be done with a back-up deputy present.
- B. Good safety techniques should be used at all times during the suspect contact.



- C. One deputy, one suspect.



- D. One deputy with two or more suspects.



III. Searching Males

- A. Use the grasping hand method, ensuring that you systematically search the entire suspect.
 1. In order to avoid punctures from syringes and other foreign objects, deputies should avoid reaching into suspect's pockets without knowledge of its contents.

IV. Searching Females

- A. The law makes no distinction between the searching of males and females. Good common sense on the part of the deputy is called for whenever they are called on to search a member of the opposite sex.

- B. The basic principle to follow when taking a female into custody is to handcuff her, search the obvious areas, and then transport her to the jail where a thorough search can be conducted by a female deputy.

V. Felony Car Stop (Riverside)

A. Pre-stop procedure

- 1. Notify dispatcher as soon as the vehicle is located.
- 2. Give location, want, vehicle description, number of occupants, direction of travel, and speed.

[REDACTED]

B. Method of stop.

- 1. Advise dispatch of the 960-X and location.
- 2. Use emergency lights to stop the suspect vehicle.

[REDACTED]

- a. Distance from suspect vehicle can increase depending upon the circumstances.

[REDACTED]

[REDACTED]

- 6. Make a determination whether you use the public address system or not.

C. Exiting the unit.

[REDACTED]

[REDACTED]

3. The primary and all the back-ups will cover the occupants of the suspect vehicle with handguns, shotguns, and other appropriate weapons.

[REDACTED]

5. The following commands should be given:
 - a. We are the Orange County Sheriff's Department.
 - b. You are under arrest.
 - c. You are considered armed and dangerous.
 - d. Do not move until you are told to do so or we will shoot you.
 - e. All of you keep looking straight ahead.
6. Depending upon the number of occupants, give the following commands:

[REDACTED]

7. Optional placement of hands.

[REDACTED]

8. Immobilize the suspect vehicle by having the driver slowly remove the ignition keys with one hand and throw them out of the window.

D. Removing the suspects from the vehicle.

[REDACTED]

- a. Not mandatory, remain flexible.
- b. All occupants should exit from the same side as the first suspect.

2. Suspects should exit in this order:

[REDACTED]

3. As each suspect exits the vehicle, he will open the vehicle door from the outside.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

8. The back-up deputy now takes control of the suspect.

9. The back-up deputy moves forward, handcuffs and searches the suspect.
10. The back-up walks the suspect back to a patrol unit, re-searches him/her, and places him/her in the back of a patrol unit.
11. Repeat this procedure for every suspect in the vehicle.



VI. Felony Car Stop (Prone) – Follow the same procedure as in the Riverside Felony Car Stop up to the point where the suspect completes the 360 degree turn.

A. Positioning for prone suspects.



- a. Repeat these steps for all the suspects in the suspect vehicle, moving each suspect further away from the vehicle.



2. Approach suspect vehicle as described in Felony Car Stop (Riverside)

[REDACTED]

4. After the suspects have been handcuffed and completely searched, they should be placed into a patrol unit.

VII. Arrival of Back up Units

A. Responsibilities

1. Assist primary deputy.

[REDACTED]

4. If available, have additional units block traffic/conduct traffic control.

VIII. Single Unit Felony Car Stop

[REDACTED]

ASSAULT CASES

- I. Assault and Battery (CPC 240-242)
 - A. Assault defined: An assault is an unlawful attempt, coupled with a present ability, to commit a violent injury on the person of another.
 - B. Battery defined: A battery is any willful and unlawful use of force or violence upon the person of another.
 - C. Arrival at the Scene.
 1. Separate the parties involved.
 2. Perform first aid and obtain medical attention for the victim/suspect, if required.
 3. Observe and protect the crime scene. Note the condition of the room; overturned furniture, broken dishes, etc., blood spots, and anything that would indicate a struggle had taken place.
 - a. Prevent alteration of the scene and contamination of evidence by other deputies and bystanders, etc.
 4. Attempt to calm the parties involved.
 5. Allow only one person to talk at a time. Attempt to move victim and witnesses to an area out of hearing of the others.
 6. Do not take sides. Get statements from victim, witnesses, and suspect before making a decision.
 7. If an arrest is made, Mirandize the suspect and interview in an attempt to obtain additional statements.
 - D. Enforcement Procedures
 1. An Initial Crime Report should be completed in all cases when a crime has occurred listing a suspect and a victim.
 2. Ask the victim if he/she desires prosecution and explain citizen's

arrest, keeping in mind that the deputy does not arrest, but only transports for the arresting party.

- a. Complete an Order of Arrest by Private Person, signed by the victim.
3. If the victim has sustained obvious injuries, contact the Identification Bureau for photographs.
 - a. The deputy or victim should make an appointment with the Identification Bureau ahead of time.
 - b. If the victim is unable to meet with Identification personnel, take digital photographs in the field and book the photographs into evidence.
 4. Citations should be avoided in these cases because of the likelihood that the situation will continue after the deputy leaves.
 5. On the Initial Crime Report, complete boxes 22 through 25 for the Crimes against Persons section for all CPC 240 (Assault) and CPC 240-242 (Assault and Battery) cases.

II. Fighting in Public Place – CPC 415(1)

- A. Fighting in a Public Place is defined as any person who unlawfully fights in a public place or challenges another person in a public place to fight.
 1. Unless statements can be obtained from independent witnesses, the burden of determining the elements of CPC 415(1) will rest with the deputy handling the call.
 - a. This can be determined by suspect's statements.
 - b. The extent and nature of injuries sustained by both parties can assist in making the determination.

B. Arrival at the Scene

1. Your approach and conduct at the scene should be the same as described under Assault and Battery.

C. Enforcement Procedure

1. When both parties in an assault type incident allege that the

other party is a suspect in the assault and demand the arrest of the other party, an Initial Crime Report, CPC 415(1) Fighting in a Public Place, would be an appropriate course of action, if the incident occurred in a public place.

- a. The report should list both parties as suspects on the same face sheet.
 - b. The State of California will be the victim.
 - c. If the incident occurred on private property, the deputy will have to determine a suspect and a victim, and handle as a CPC 240/242 report.
2. Physical arrest or issuance of citations should be avoided in these types of calls.
 - a. The offense must have occurred in the deputy's presence to affect an arrest.
 3. Suspects involved should be advised that they may be notified by U.S. Mail when and if they are to appear in court.
 4. If the offense is likely to continue after the deputy leaves the area, follow procedures outlined in Section 5 – Arrest Techniques.

III. Various Types of Assault and Battery and Fighting in Public Place Cases

A. Family fights without injuries.

1. Refer to Section 55 for proper procedure of Domestic Violence incidents.

B. Assaults involving neighbors.

1. Handle as any other assault case.

C. Cases in bars.

1. Move the victim and suspect outside the bar.
2. Note the degree of intoxication of parties when evaluating their statements.

D. Cases involving traffic disputes.

1. Clear the roadway to free traffic.
2. Search for witnesses among the bystanders.

IV. Assault with a Deadly Weapon (CPC 245)

A. A Deadly Weapon is defined as any object likely to produce great bodily harm. The object can be anything; the manner in which it is used determines if it is a deadly weapon. A pistol is normally considered a deadly weapon, but if it is held in a raised or lowered position and not pointed in a threatening manner at a person, it would not be a deadly weapon, although you may have another violation, such as brandishing a firearm.

B. Arrival at the Scene

1. Follow the same procedure listed in "Assault and Battery."
2. Locate and isolate the weapon used. When you locate the weapon, do not move it or allow it to be moved, unless an emergency situation exists to prevent its contamination or loss. If you must move the weapon, move it cautiously to prevent destruction of evidence, such as fingerprints. The weapon used in an ADW case is a critical piece of evidence and should be preserved until collected, even if a guard must be placed over the weapon to prevent its contamination.
3. Locate the suspect. If the suspect has fled the scene, obtain from witnesses and the victim a complete description of the suspect and initiate a broadcast ASAP.
4. Prevent contamination of the crime scene. Establish the area where the crime occurred and keep everyone out of the area.
5. Request the Identification Bureau respond if needed. They will photograph the crime scene and collect the evidence.

BURGLARY CASES

- I. Investigation of Residential Burglaries
 - A. Do not touch anything at the crime scene.
 - B. Make contact with the victim and determine if a burglary has occurred.
 1. Many reported burglaries may involve other circumstances:
 - a. Repossessions
 - b. Children of victim
 - c. Roommates
 - d. False reports to defraud the insurance company
 - C. Once established that a burglary has occurred:
 1. Locate the point and method of entry. Establish what the suspect(s) did from the initial arrival at the residence to the departure.
 2. List all items taken in full detail, including sizes, colors, and any other distinguishing marks or characteristics.
 3. Check the exterior of the residence for items of stolen property the suspect(s) may have dropped. Check for shoeprints and other evidence.
 4. Contact the neighbors for possible witnesses to the crime.
 - a. Ensure that all witness information is included in the report.
 - b. Ensure that statements of the witnesses are included in the report. Do not write "all witnesses said the same thing."
 5. Check for vehicles not known to the area.
 6. If there is a loss and a forced point of entry can be established, contact the Orange County Crime Lab and ask for a specialist to respond. In any case that is questionable, consult with the patrol sergeant.

7. Do not tell victims that an investigator will contact them at some specific time. An investigator will be assigned to the case once the report is processed. If the assigned investigator needs additional information he/she will contact the victim at that time. If the victim needs information he/she can call the investigator.

II. Investigation of Commercial Burglaries

- A. Do not touch anything at the crime scene.
- B. Make contact with the victim and determine if a burglary has occurred.
- C. Unless an emergency exists, such as the imminent danger of the suspect's escape, establish a perimeter around the business with additional deputies and ask the dispatcher to locate the owner and have him/her respond with a key to open the business.
 1. In order to preserve evidence, do not enter through the suspect's point of entry unless absolutely necessary.
- D. Safe burglaries.
 1. In instances where the suspect has entered a closed business and attacked the safe of the business, the crime report shall include a complete description of the method used, such as a cutting torch, explosives, etc.
 2. Notify the patrol sergeant.

III. Burglary in Progress



- D. Coordinate your search with your back-up deputy.
- E. Search the entire building for indications of entry, including the roof of the building.



- H. If available, request a canine unit for the interior building search.
- I. Consider requesting a helicopter for an airborne search of the rooftop and surrounding areas.
- J. Search the interior of the building thoroughly. A burglar trapped inside a building can hide in the most inconspicuous places, such as air ducts, rafters, boxes, etc.
- K. Request that the owner respond. After the building is cleared, the owner (or someone else who is familiar with the interior) should check the building to ascertain if anything is missing or out of place.

IV. Burglary Calls to Residences When the Owner is Away

- A. If the owner is available, the Orange County Crime Lab may be called. If there is no responsible party available, do not call the Identification Bureau at that time.
 - 1. The victim may choose not to have the scene worked for prints.
- B. In all cases, leave a business card and include the case number along with the telephone number of the appropriate investigative unit.

V. The appropriate Investigation Bureau supervisor shall be notified when:

- A. The loss is major or significant.
- B. Circumstances are such that the Investigations Bureau would require knowing of the crime immediately. Example(s) would include a bloody scene and missing individual indicating another crime may have occurred.

- C. There are suspect(s) in custody.
- D. There is enough information or evidence available which could logically lead to a suspect(s) if investigators were quickly pressed into action.
- E. It is anticipated that the news media may respond and our media relations personnel will require information.

CASE DISTRIBUTION

- I. In-Custody Desk/Court Services
 - A. If a person has been arrested and booked into Orange County Jail the In-Custody Desk having responsibility for the arrest will process the arrest paperwork and compile a court package.
 - 1. The court package will consist of the arrest report(s), criminal history and DMV printouts of the defendant.
 - 2. The appropriate In-Custody Desk employee will forward this package to the respective court.

- II. Criminal Citations
 - A. Citations are logged and entered into the Records Management System (RMS) by the assigned Divisional Support Staff, then forwarded to the North Investigation Detail.
 - B. All citations are processed by the North Investigations Detail.
 - C. Citations are sent to the appropriate court for disposition.

- III. Dignitary Protection and Intelligence (DPI) handles:
 - A. Intelligence gathering on various organized crime groups.
 - B. Threat assessments.
 - C. Protection of elected officials and high risk security operations throughout Orange County.

- IV. Economic Crimes Detail handles:
 - A. All checks and credit card cases including “no account” and “nsf” checks.
 - B. All cases which are strictly frauds, except auto thefts.
 - C. Bank fraud.
 - D. Business fraud

- E. Consumer fraud.
 - F. Credit card fraud.
 - G. Embezzlement.
 - H. Forgery.
 - I. Identity theft.
 - J. Computer crimes.
- V. Gang Enforcement Team (GET) handles:
- A. Assisting the various investigative details on all gang related crimes.
 - B. Pro-active enforcement directed towards gang members.
- VI. Homicide Unit handles:
- A. Homicides, suicides, and all other deaths.
 - B. Child Abduction
 - C. Personnel investigations involving law violations.
 - D. Kidnapping for ransom or extortion.
 - E. Missing adults.
 - F. Casualty reports – (unattended deaths, 5150's etc.).
 - G. CLUE – “County Law Enforcement Unsolved Elements” – (unsolved, cold case murders).
- VII. Juvenile Services Bureau handles:
- A. Juvenile and school based crime within the North and South Operations Divisions, including runaway and missing juvenile reports.

- VIII. Narcotics Bureau handles:
- A. All cases that are exclusively narcotics violations, as defined in H&S and B&P Codes.
- IX. North/South/West Investigations Details handle:
- A. The investigation of certain crimes in their geographical areas of responsibility.
 - B. Crimes Investigated include:
 - 1. Crimes against property such as burglary, theft, vandalism, etc.
 - 2. Crimes against persons such as assault, assault with a deadly weapon, mayhem, robbery, etc.
 - 3. Lewd and annoying phone calls.
 - 4. Violations of court orders.
 - 5. Any other criminal cases that occurred in their geographical areas that are not handled by the Homicide, Special Victims Detail, Economic Crimes, Narcotics, Vice, or other Division/Bureau/Section/or Unit.
- X. RNSP (Regional Narcotics Suppression Program)
- A. This detail is a multi-agency task force made up of officers from local Orange County agencies and the FBI. Their mission is to target middle and high level illegal narcotics traffickers.
 - B. All narcotics reports or information should first go to the North or South Narcotics Details and they in turn will pass on relevant information to the RNSP.
- XI. Special Victims Detail/Family Protection handles:
- A. Rape.
 - B. Indecent exposure.
 - C. Unlawful intercourse.

- D. Child molestation.
 - E. Child annoyance.
 - F. Sex perversion.
 - G. Crimes against nature.
 - H. Incest.
 - I. Other sex crimes.
 - J. Elderly abuse.
 - K. Child abuse.
 - L. Child stealing.
 - M. W&I 300 (unfit homes, etc.)
 - N. Internet crimes related to sexual offenses.
 - O. CPC 290 (Sex Registrant) violations.
 - P. Emergency Protective Order violations.
 - Q. Domestic Violence
- XII. Vice Detail handles:
- A. Prostitution.
 - B. Escort services/massage parlor violations.
 - C. Alcoholic Beverage Control violations.
 - D. Gaming and bookmaking violations.
- XIII. Warrant Detail handles:
- A. Misdemeanor, felony warrants, fugitive detail, juvenile and adult escapees.

XIV. D.E.T. handle:

- A. Specific identified crime problems in assigned targeted areas.

XV. Auto Theft Detail handles:

- A. All auto theft related and CHP 180 reports, including fraud, non-returned rental vehicles, and stolen or missing license plates.
- B. Follow up investigation on all vehicle thefts from within Orange County Sheriff's Department jurisdictions.
- C. Follow up investigation on all recovered stolen vehicles recovered from within our jurisdiction when stolen from within our jurisdiction.
- D. Follow up investigation with outside agencies on all recovered stolen vehicles recovered from within our jurisdiction when stolen from outside our jurisdiction.

CITATIONS

- I. Department Policy for Issuing Citations
 - A. The Sheriff's Department currently provides police services for multiple contract cities. As a result, deputies are responsible for extensive traffic enforcement and accident investigation in those cities. If a deputy is specifically assigned to or involved in traffic enforcement for a contract city they should consistently enforce the laws and issue citations when traffic violations occur in their presence. Traffic enforcement is encouraged to help reduce the number of traffic accidents in these areas. Deputies not assigned to specific traffic enforcement should use discretion in issuing traffic citations and may consider giving verbal warnings (except in cases of flagrant or hazardous violations) in lieu of citations. The responsibility for the enforcement of traffic laws in the unincorporated areas rests with the California Highway Patrol. However, each member of the Sheriff's Department who operates a patrol car shall have in their possession a traffic citation book for use when violations (i.e., VC, PC, HS, BP, etc.) occur in the deputy's presence. Issuing a citation should be done without reducing our criminal patrol effort.
 - B. Citations are issued for both misdemeanors and infractions. VC 12500 violations, in addition to other violations that are listed in the Uniform Bail Schedule under the Infraction Schedule, may be cited as an infraction or misdemeanor, based on certain conditions. The court has left the issuance of citations for an infraction, or a misdemeanor, up to the discretion of the issuing deputy. The court currently will not accept VC 14601 violations filed as an infraction although it is listed under the Infraction Schedule of the Uniform Bail Schedule.
 1. Prior misdemeanor convictions for VC 12500 violations should be cited as a misdemeanor.
 2. Prior convictions for ANY misdemeanor violation, which may also be listed as an infraction should be cited as a misdemeanor.
 3. First time offenders should be cited as a correctable infraction.
 4. Expired driver license should be cited as a correctable VC 12500 infraction and not VC 12951.
 5. VC 40610 dictates when certain infraction violations may be

checked as non-correctable. Refer to this section to determine if a need to mark a violation as non-correctable based on that listed criteria.

II. Procedure for Issuing Criminal or Traffic Citations to Juvenile Offenders

A. A separate citation will be required for each juvenile cited.

1. Violations on criminal citations may be drawn from the Penal Code (PC), Vehicle Code (VC), Business and Professions Code (BP), Orange County Codified Ordinance (OCCO), or the applicable Municipal Code. Additionally, all violations, whether infractions or misdemeanors, emanating from the same incident WILL be written on the same citation. For current procedures regarding whether the juvenile will be given a court date or "To Be Notified" should be marked on the citation refer to Section 27 of the Field Operations Manual.
2. If a suspect is to be booked into Juvenile Hall on a charge or multiple charges and there is an accompanying non-bookable charge from the same incident (such as the reason for your stop), write a supplemental initial crime report on the non-bookable charge (this includes misdemeanors AND INFRACTIONS), and seek a complaint. DO NOT cite on the non-bookable charge.
 - a. If a deputy chooses to release a juvenile on a charge or multiple charges without a Juvenile Hall booking and there is an accompanying non-bookable charge from the same incident (such as a traffic violation that results in a PC 245 charge also), write a supplemental crime report on the non-bookable charge and seek a complaint for all charges resulting from the same incident. DO NOT cite on the non-bookable charge.
3. If the CHP wishes to cite for a violation they observed, which is the probable cause for your bookable offense, ensure that all citation information is in your report. That includes citation number, officer, and appearance date, etc. If the CHP does not choose to cite for the violation which is the probable cause for your arrest, follow the procedure in section II.A.2. on the previous page.
4. The purpose of this is to ensure that the defendant appears in court on one incident and all violations pertaining to that one incident are before the judge at that time.

B. A citation may be issued in lieu of booking when:

1. The section(s) is eligible for release on citation.
 - a. Juveniles will be issued a court date to the appropriate traffic court for all traffic infractions. Refer to Section 27 of the Field Operations Manual to determine whether a juvenile misdemeanor violator will be cited to Juvenile Court or the "To Be Notified" box should be marked.
2. The juvenile is 13 years or older.
3. In the opinion of the deputy, detention or parental notification is not necessary to ensure the juvenile's appearance in court.
4. The juvenile is properly identified.
5. In the opinion of the deputy, the incident is best handled through the issuance of a citation rather than a physical arrest.

C. Jurisdiction

1. All juveniles cited for non-traffic offenses will be reviewed for Juvenile Diversion.
2. All juveniles cited for traffic infractions will be cited into the appropriate traffic court. Parents ARE required to attend. The traffic court will notify the juvenile who demands an appearance that they must bring a parent.
 - a. Misdemeanor traffic related citations including VC 12500 must be cited into Juvenile Traffic Court with a court date. Review Section 27 of the Field Operations Manual for current juvenile citation procedures. Parents ARE required to attend at Juvenile Traffic Court.
 - b. Infraction citations for any VC 12500 citation must be cited into Juvenile Traffic Court with a court date.
3. Issuance of citations for non-traffic offenses:
 - a. Complete the citation as directed within this section.
 - 1) A court date should be issued.
 - 2) On the back of the citation, write in the Juvenile's:

-
- a) City and State of Birth.
 - b) School of last attendance.
 - c) Grade/Status.
- b. Request a DR number when required
 - c. Place the DR number on the face of the citation (white copy) and on the back of the pink copy.
 - d. Write victim information on back of the pink copy. Victim information must include: name, age-DOB, home address and telephone, business address and telephone, occupation, sex and race.
 - e. Write narrative of offense on a continuation page. Check the box on the back of the citation "See continuation page for details, this DR#".
 - f. On all offenses but those listed below, the "Booking Required" space must be checked on the citation.
 - 1) County Ordinance violations.
 - 2) Failure to identify.
 - 3) Trespass.
 - g. Juvenile Court will be the court of jurisdiction on all non-traffic offenses.
 - 1) Exceptions:
 - a) Vehicle trespass (PC 602m), Vehicle on lands of another (OCCO 3-8-47).
 - b) Fire closure violations – OCCO 3-3-1/UFC Appendix II-A, Section 5(c)
 - h. Enter parent information on back of pink copy.
 - i. Turn citation and narrative in with your log at the end of
-

your patrol shift.

D. Responsibilities of the Deputies:

1. Identity must be reasonably established.
2. The need for immediate custody must be weighed. For example:
 - a. Is the juvenile in need of immediate and continuous supervision?
 - b. Is the continued detention of the juvenile of immediate and urgent necessity for the protection of the juvenile, another, or another's property?
 - c. Is the juvenile likely to flee the jurisdiction of the court?
 - d. Has the juvenile violated probation or any other order of the court?
 - e. Is the Juvenile too mentally immature to be released in the field?
 - f. Is the juvenile intoxicated?
3. If the answer to any of the above questions is "yes" or other causes exist, the juvenile should not be released in the field. Either book into Juvenile Hall or release to a parent, guardian, or responsible adult.
4. In determining which disposition of the juvenile the deputy will take, the deputy shall prefer the alternative which least restricts the juvenile's freedom of movement, provided such alternative is compatible with the best interests of the juvenile and the community.
5. Pursuant to WI 625, the advisement of the juvenile's constitutional rights is mandatory following a detention or arrest. This statute is not to be confused with Miranda, which requires a waiver if custody and interrogation are both present.
6. If none of the above exists, the juvenile may be cited and released.

E. Refusal to Sign.

1. When a juvenile refuses to sign a citation and is detained at Juvenile Hall or

released to a parent, guardian, or responsible adult, all three copies of the citation will be booked into Sheriff's evidence. Submit a memo to the division commander advising the disposition of the citation.

2. An Initial Crime Report and Application for Petition will be completed and forwarded to the applicable court for prosecution.

F. Procedure for Diverting First Time Juvenile Offenders

1. All criminal citations will be reviewed for juvenile diversion, except:
 - a. Juveniles who are cited for VC sections, regardless of the other violations that have been listed.
 - b. On active Probation or CYA Parole.
 - c. Involved in a gang related act.
2. If the juvenile is KNOWN to be a prior offender, on probation, or unsuitable for diversion:
 - a. Complete an Application for Petition.

III. Procedure for Issuing Criminal or Traffic Citations to Adult Offenders.

1. It is the general policy of The Department to release persons 18 years or older accused of misdemeanor offenses in the field on a signed promise to appear. This policy applies particularly to cases of petty theft and to minor assaults where the parties have cooled down and there is little likelihood of continued violence. When a defendant is physically arrested, the deputy must indicate the reason for detention on the back of the yellow copy (PC 853.6(i)) of the booking slip (See Lexipol policy 327 for further information).

B. A separate citation will be required for each adult cited.

1. Violations on criminal citations may be drawn from any code (PC, VC, BP, HS, OCCO). Additionally, all violations, whether infractions or misdemeanors, emanating from the same incident will be written on the same citation with one appearance date, so the defendant may appear on ALL charges at one time.
2. If a suspect is to be booked into jail on a charge or multiple charges and there is an accompanying non-bookable charge from the same incident (such as the reason for your stop), write a supplemental Initial Crime Report on the non-

bookable charge (this includes misdemeanors and infractions), and seek a complaint. DO NOT cite on the non-bookable charge.

If a deputy chooses to release an adult in the field on a charge or multiple charges without a jail booking, and there is an accompanying non-bookable charge from the same incident (such as a traffic violation that results in a PC 245 charge also), write a supplemental crime report on the non-bookable charge and seek a complaint for all charges resulting from the same incident. DO NOT cite on the non-bookable charge.

3. If the CHP wishes to cite for a violation they observed, which is the probable cause for your bookable offense, ensure that all citation information is in your report. That includes citation number, officer, and appearance date, etc.

The purpose of this is to ensure that the defendant appears in court on one incident and all violations pertaining to that one incident are before the judge at that time.

C. When a citation is issued in lieu of booking a subject, the following procedure shall be followed:

1. Write a normal citation – do not write an “Initial Crime Report” except as described in #G.
2. Request a DR number.
3. Place a DR number on face of citation (white copy) and back of pink copy.
4. Write victim information on back of pink copy.
 - a. Victim information must include:
 - 1) Name. Can be a person, business name, or public entity, i.e., John Doe, Target Stores, or State of California.
 - 2) Age-DOB
 - 3) Occupation
 - 4) Race
 - 5) Sex
 - 6) Home Address-Phone
 - 7) Business Address-Phone

-
- D. Write narrative of offense on a continuation page. Check the box on back of pink "See continuation page for details, this DR#".
 - E. On all offenses but those listed below, the "Booking Required" space must be checked on the citation.
 - 1. County Ordinance violations.
 - 2. Failure to identify.
 - 3. Trespass.
 - F. Turn citation in to the appropriate Patrol Division.
 - G. On all misdemeanor theft, assault, and sex crime citations, an "Initial Crime Report" must be completed and turned in with the citation.
 - 1. On all theft and sex offenses, the method of operation is sent to D.O.J.
- IV. Issuance of Citation Books / E-Cite Devices
- A. The issuing of citation books, both criminal / traffic & parking, to members of the patrol division will usually be handled by the clerical staff, equipment cage, shift supervisor, or Department Commander.
 - B. Books issued to other members of the Department or other enforcement agencies of the County of Orange must be approved by the North or South Operations Division Commander.
 - C. Electronic Citation Devices are available in all patrol divisions, OCTA, and John Wayne Airport. These devices are encouraged to be utilized for issuing both infraction and misdemeanor citations. The OC Bail Extract, User guides, Uniform Bail Schedule, and commercial violation procedures have been provided for these devices.
- V. When to Stop the Violator
- A. Violators should be stopped as soon as safety allows. Never consider any stop as routine.
- VI. Stopping the Violator

- A. Advise dispatcher of your intent to conduct a vehicle stop using radio code 961 (no back-up unit required), radio code 960 (back-up is requested) or 960-X (back-up, Code-3). Further, advise the dispatcher first of the location of your intended stop, then give the license number of the suspect vehicle. If possible, do not initiate the stop (activate emergency lights) prior to advising dispatch. This will allow you time to receive vehicle information from dispatch prior to being committed to the actual stop.

The reason for providing your location first is so that if something does go wrong, and you need immediate assistance, other deputies will know where to respond. Also, the Computer Assisted Dispatch (CAD) system is structured to input location first (for officer safety), then to input the license information.

- B. The attention of the motorist should be gained as easily and safely as possible by activating the overhead red light and sounding the horn when necessary to gain the violator's attention. The overhead flashing lights should be turned on also as a warning to other motorists and as a safety precaution for the deputy and the violator. If at all possible, the use of the siren should be avoided. It also tends to confuse other motorists and should only be used when the driver does not respond to prior methods. If possible, an attempt should be made to prevent other vehicles from coming between the patrol unit and the violator's vehicle so that instructions can be given easily and properly and to assist the violator in parking in a safe location. After the stop has been made, take into consideration which combination of lighting to use based on what is safest for you while considering the impact on surrounding traffic.
- C. [REDACTED] is recommended for stops made on the freeway or busy streets to reduce the hazard of being struck by a passing vehicle.

VII. Parking the Patrol Unit

- A. Whenever possible, [REDACTED]
[REDACTED]
This affords the deputy a measure of protection, but the deputy should remain on alert as the time spent alongside the violator's vehicle is the most hazardous of the citing period.

VIII. Demeanor

- A. The deputy's conduct with the violator is of paramount importance. It has an effect on the violator's attitude throughout the duration of the citing period and a strong bearing on public opinion concerning The Department. A courteous and business-like demeanor must be observed and at no time should the deputy enter into an argument. Remember, most violators blame the deputy, not themselves. Many times, before the deputy speaks, the violator has formulated an opinion. You may positively affect the violator by being alert, acting in a confident manner, and speaking reasonably.

IX. Salutation

- A. A natural, courteous greeting, such as "Good afternoon," "How do you do?", or "Hello," should be used immediately upon contacting the violator. The salutation should depend on what is normal usage by the deputy. Avoid greetings that might appear "sarcastic". Do not use remarks which may be misunderstood by the violator of the opposite sex. They may feel offended once they realize they are being cited.

X. Obtaining the Necessary Information

- A. As soon as the violator has been greeted, the deputy should ask if they have a driver's license. (Under VC 12951(b), the driver of a motor vehicle shall present his license for examination upon demand of a peace officer enforcing the provisions of the Vehicle Code). "Do you have a driver's license with you?" is recommended.
- B. If the driver states "Yes" they do have their license with them, the deputy should ask where in the car the license is located. Do not let the driver begin "searching" for the license. Once gaining verbal compliance, direct the violator to produce the license from where they told you it was located. "Ok Sir. Go ahead and slowly remove your wallet from the rear pocket of your pants" is recommended. Do not allow the violator to "rummage" through the interior "looking" for their license. Uncontrolled movement can allow a violator the chance to access a weapon or attempt to conceal or destroy evidence of a crime, such as a controlled substance. If the violator ignores your request and directions – becoming uncooperative, order him to cease movement and request assistance. If the driver cannot produce a license, direct them to remain seated in the vehicle and request assistance. If a traffic stop appears to be developing into an investigative stop, not the simple issuance of a ticket, request the

necessary assistance. Do not remove the violator from the vehicle by yourself or begin searching the vehicle for the license or any other item without assistance.

- C. Once the license has been located, the driver should be asked to remove the license from its container. Accept only the driver's license. Before learning the name of the violator, the deputy should use the word "Sir" or "Miss". After the name is learned, it should be used thereafter. When addressing a violator by name, the correct title should always be used.

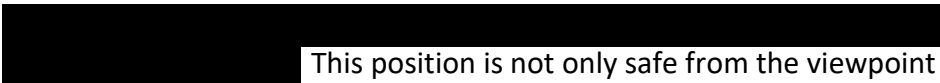
XI. Reason for Stopping Violator

- A. After receiving and checking the driver's license, the violator should be briefly informed of the reason for being stopped. By using a pleasant tone of voice and stating facts, resentment may be avoided and the violator may be discouraged from offering a denial. A remark such as "I stopped you because you were driving too fast", indicates the reason for the vehicle stop, but does not provide a basis during the initial conversation for an argument over the specific speed involved.

XII. Explanation of the Offense

- A. Unless requested by the violator, an explanation of the offense should not be given. A voluntary explanation may be accepted as preaching and may cause resentment. If an explanation is necessary, it should be brief and to the point, with particular effort taken to avoid controversy.

XIII. Position for Writing the Citation

- A.  This position is not only safe from the viewpoint of traffic, but if the violator leaves the vehicle, it allows the deputy to observe his entire person more easily. It is recommended that the driver remain in his vehicle, permitting the deputy to complete the citation without interference.
- B. The deputy should not lean on, nor write the citation by leaning on, any part of the violator's vehicle. Under no circumstances should the deputy stand between the two vehicles, nor should he/she allow any other person to do so.

XIV. Writing the Citation

- A. Listed on the following pages are the various sections of a citation and the information necessary to correctly complete one. First – Criminal and traffic, second – parking. All citations will be written in black ink only, except computer issued parking citations.

CRIMINAL AND TRAFFIC CITATIONS:

1. CITY OF- When the violation occurs in any incorporated city, the name of the city is placed in this space. If the violation occurs in the unincorporated area, this space will be left blank.
2. MISDEMEANOR- TRAFFIC- NON-TRAFFIC- The MISDEMEANOR box will be marked whenever a citation is issued in lieu of physical arrest and booking. When the misdemeanor cited is from the California Vehicle Code (i.e., VC 14601, VC 12500(a)), the TRAFFIC box will also be marked. When the misdemeanor cited is not from the Vehicle Code (i.e., PC 594.2(a), PC 21510(b)), the NON-TRAFFIC box will be marked in addition to the MISDEMEANOR box. This is true even if the reason for the stop is a VC violation.
3. DATE OF VIOLATION – TIME – DAY OF WEEK –The month shall be indicated by a number, such as “1” for January, followed by the day and year. The time is written in the standard form, such as 3:45 a.m. or 3:45 p.m. The day of the week that the citation is written is circled in this space.
4. CASE NO. -- If a citation is issued in lieu of physical arrest for a misdemeanor violation, i.e., petty theft-shoplifting, VC 40303 optional booking sections, the case number of the report is placed in this space.
5. NAME – The cited person’s name is to be indicated with the first name first, middle name, and then last name. If the cited person has no middle name, indicate this with the letters [NMN] in brackets.
6. ADDRESS – The cited person’s present address should be written in this space. Be sure to include apartment numbers, state of residence, and zip code.
7. DRIVER LIC. NO. – The number of the cited person’s driver’s license should be written in this space, followed by the name of the state that issued the driver’s license. If the cited person does not have his/her license in his/her possession, verify their identity and enter their issued license number. If the person has an Index (X-Ray) number that is on file, use that number when applicable.
8. CLASS –The class of license should be entered in this space (i.e., A, B, C, CM1, M2).

9. COMMERCIAL—The Yes or No box will be checked as appropriate.
10. AGE – The cited person’s age is written as 16, 25, 54, etc.
11. BIRTHDATE – The cited person’s birthdate should be written in this space. The month shall be indicated by a number, such as “1” for January, followed by the day and year.
12. OTHER DESCRIPTION—Enter any permanent identifiers, i.e., tattoos, scars, etc.
13. PHYSICAL DESCRIPTION – The sex of the cited person is entered as M (male) or F (female). The general physical description (Hair, Eyes, Height, Weight, Race) is written in the appropriate space. This will not necessarily be the physical description on the license.
14. VEH. LIC. NO. OR VIN – The license plate number of the vehicle is written in this space and the state that issued the license plates. If no plates are issued for the vehicle, enter the vehicle’s VIN.
15. PHYSICAL DESCRIPTION OF VEHICLE – The year indicated shall be the model year and not the year sold. The make indicated shall be the manufacturer’s name. e.g., Ford, Cessna, Coast Catamaran, followed by the manufacturer’s model name (vehicles only), e.g., Mustang. The body style is indicated as 4 dr/sdn, etc., for a vehicle, M/C for motorcycle, and S/B for sailboat, M/B for motorboat, and C/C for cabin cruiser of vessels. Body and style are not required for aircraft. Indicate the primary and secondary color, if any, for the conveyance in this space. Indicate the vessel length in the appropriate space.
16. EVIDENCE OF FINANCIAL RESPONSIBILITY— When a vehicle registered in the State of California is stopped for a traffic violation other than parking, the deputy may ask the driver for proof of financial responsibility. The proof can be provided on an electronic device or in paper form. Deputies are to use VC 16028(a) for this non-correctable violation section. All other insurance violations are also non-correctable and the court may, at its discretion, allow the violation to be correctable when proof of insurance is shown. Enter the name of the insurance company in the space provided or “None” if the driver does not have insurance.
17. REGISTERED OWNER OR LESSEE – The registered owner’s name should be written here with the first, middle, and last name. If the conveyance is leased, the lessee’s name shall be written on the citation only if the lessee’s name appears on the registration as the registered owner. (The owner’s name on the DMV registration card is listed last name, first name, middle name). The Same as Driver box may be

marked in lieu of entering the name if applicable.

- a. The commercial vehicle box will be checked if the vehicle involved in the offense is a commercial vehicle as defined by VC 15210(b).
 - b. The hazardous materials box will be checked if the vehicle involved in the offense was transporting hazardous material as defined by VC 353.
18. ADDRESS OF OWNER OR LESSEE – A current and complete address shall be written in this space. The Same as Driver box may be marked in lieu of entering the address if applicable.
19. CORRECTABLE VIOLATION (VEH. CODE 40610) – CHECK BOXES – The “Yes” check box is to be used for violations that are sign-off violations, such as equipment violations. Moving violations and parking violations should be checked “No”. VC 40522 requires the deputy to specify the offense charged and note that the charge be dismissed upon proof of correction on any violation specified in VC 40303.5 (a list of correctable sections in the vehicle code) unless any exceptions exist as described in VC 40610. Correctable offenses can be found in the Uniform Bail Schedule which should periodically be reviewed for changes.
20. BOOKING REQUIRED – A deputy may indicate booking for an individual who commits any of the offenses as set forth in Section 40303 of the Vehicle Code or any misdemeanor offense where a citation is issued in lieu of physical arrest and booking. The space shall be left blank if booking is not required.
21. CODE AND SECTION / DESCRIPTION– Indicate which code has been violated by using the correct code abbreviation, e.g., VC for Vehicle Code, OCCO for Orange County Codified Ordinance, etc. The correct section and subsection, e.g., VC 22406(a) rather than VC 22406, should be written with the more severe violation listed first. A concise, accurate description of the violated section shall be written to assist in “informal trials”.
22. SPEED – If applicable, the speed of the cited person’s vehicle is indicated. Approximate Speed is the speed of the vehicle at the time of violation. Prima Facie / Maximum Speed is the statutory speed limit, e.g., VC 22350 (speeds established by a valid Engineering Traffic Survey), VC 22352 (those speeds which apply unless posted otherwise, e.g., 15 mph on any alley, 25 mph in a school zone, etc). Vehicle speed limit is the posted speed limit. If the area is not posted, indicate this by the words “Not Posted”. Radar/Lidar/Pace/Visual obtained speeds will be written in the “Radar” box along with the radar or lidar serial number.

23. LOCATION OF VIOLATION(S) – The location at which the violation(s) occurred is noted, giving the exact street address, the cross streets, nearest street, or streets between which the violation occurred. Enter the name of the city, e.g., Anaheim or geographic name of the unincorporated area, e.g., Trabuco Canyon, of the location of the violation.
24. WEATHER – SURFACE – TRAFFIC – WIND – Circle the appropriate word in each of the areas. The wind velocity (speed) and direction should be entered only when citing a vessel.
25. VIOLATIONS NOT COMMITTED IN MY PRESENCE – This box is marked when the deputy makes an arrest for a violation not committed in his presence (private person's arrest).
26. ARRESTING OR CITING OFFICER – PID NO. – The deputy who issued the citation shall sign legibly, followed by the deputy's Department issued Personal Identification Number (PID). If the deputy's signature is not legible, the printed name should follow the signature.
27. DATE—Enter the date the citation is issued here.
28. NAME OF ARRESTING OFFICER IF DIFFERENT FROM CITING OFFICER – Enter the complete name of the arresting person if different from that of the deputy issuing the citation, e.g., private person's arrest, assist outside agency.
29. SIGNATURE – The cited person should sign name exactly as it appears on the driver's license. The citing deputy should advise the cited person that signing is not an indication of guilt, but is a promise to appear in court. Refusal to sign (Section VC 40302(b)) will result in the person being arrested and taken before a magistrate, rather than being cited and released.
30. WHEN: ON OR BEFORE THIS DATE / TIME -- The appearance date is the month, day, year, and time the cited person is to appear in court. The cited person shall be cited into court on a date and time commensurate with the policies of the court. See Section II above regarding procedures for citing juveniles.
31. NIGHT COURT (VEHICLE CODE INFRACTIONS ONLY) -- If the court the cited person has been cited into has a night court session, indicate the month, day, year and time. The night court appearance date shall be prior to the day appearance date. Night court is for traffic infractions only. Do not cite a violator into night court for a non-traffic or misdemeanor traffic violation. Be sure that the night court date issued is a minimum of 8 weeks from the date of violation. If utilizing an Electronic Citation Device, "You may arrange with the clerk to appear at a night

session of the court” is checked by default and a night court date does not need to be entered in the dropdown menu for night court selection.

32. WHERE -- Place an "X" in the box preceding the court of jurisdiction.
33. THUMBPRINT / PHOTOGRAPHS – The thumbprint box is provided for a thumbprint on the back of the court copy of the citation when issuing a paper citation. This is strongly recommended for misdemeanor violations and/or if the violator has no picture identification. Photographs may be obtained in lieu of a thumbprint if utilizing the E-Cite Device and are attached to the citation file in Crossroads.
34. REVERSE OF PINK COPY -- DR# -- If a citation is issued in lieu of physical arrest for a misdemeanor violation, e.g., petty theft-shoplifting or VC 40303 optional booking sections, the case number of the report is placed in this space.
35. REVERSE OF PINK COPY – GRID / AREA -- The grid number is written in this space only when a citation is issued in lieu of physical arrest. The area number is written next to the grid, e.g., 18-212, 18-316, 18-145, etc.
36. REVERSE OF PINK COPY -- VICTIM -- Complete name (individual, business, or public entity), DOB, race, address, city, phone number, business address, etc., is placed in this section.
37. REVERSE OF PINK COPY –SEE CONTINUATION PAGE FOR DETAILS THIS DR# – Check this box when using a continuation sheet for the narrative of a criminal violation.
38. REVERSE OF PINK COPY -- A space is available for notes regarding the violation(s). Do not write the narrative portion of an offense in this space.
39. REVERSE OF PINK COPY -- IF VIOLATOR IS A JUVENILE – In circumstances when issuing a citation to a juvenile, ensure the back of the file (pink) copy is completed with the juvenile's parent information. This is done so that notification to the parents can be made by mail that a citation was issued to the juvenile.
40. GOLDENROD COPY OF CITATION -- This copy should be left attached to the citation book for future reference by the citing deputy should the need arise.

SECOND – PARKING CITATIONS (may vary in contract cities)

1. CITY OF – When the violation occurs in any incorporated city, the name of the city is placed in this space. If the violation

occurs in the unincorporated area, this space will be left blank and the appropriate Check Box marked.

2. DATE – DAY OF WEEK - TIME - The month shall be indicated by a number, such as “1” for January, followed by the day and year. The day of the week that the citation is written is placed in the next space. The time is written in the standard form, such as 3:45 a.m. or 3:45 p.m.
3. VIN -when enforcing parking violations, write the last four (4) digits of the vehicle identification number on the notice of parking violation, if that number is visible through the windshield or indicate as Not Visible if it is covered.
4. VEHICLE LICENSE NUMBER / STATE / EXP. DATE - The license plate number of the vehicle is written in this space, followed by the state that issued the license plate and the date the registration expires.
5. PHYSICAL DESCRIPTION OF VEHICLE - The year indicated shall be the model year and not the year sold. The make indicated shall be the manufacturer's name, e.g., Ford, Coast Catamaran, followed by the manufacturer's model name (vehicles only), e.g., Mustang. The body style is indicated as 4 dr/sdn, etc., for a vehicle, M/C for motorcycle, and S/B for sailboat, M/B for motorboat, and C/C for cabin cruiser or vessels. Enter the color of the vehicle.
6. LOCATION OF VIOLATION(S) - The location at which the violation(s) occurred is noted, giving the exact street address, the cross streets, nearest street, or streets between which the violation occurred.
7. VIOLATION(S) - Indicate which code(s) has been violated by using the correct code abbreviation, e.g., VC for Vehicle Code, OCCO for Orange County Codified Ordinance, etc. The correct section and subsection, e.g., VC 22500(a) rather than VC 22500, should be written with more severe violations listed first. A concise, accurate description of the violated section shall be written to assist in "informal trials". Descriptions should be brief, but should address the following where applicable:

- a. Explanation of section violated.

VC 40302(b) – Refusal to Sign a Promise to Appear. The deputy will mark the appropriate box on the back of the pre-booking form per PC 853.6(i).

XVIII. Notice of Correction and Proof of Service

A. Form used to correct errors on citations.

B. Must be completed in triplicate.

1. NAME OF COURT -- Write the Court of Jurisdiction, address and phone number.
2. DEFENDANT -- Enter the defendant's full name.
3. AMENDING OFFICER NAME / ID NO. --The deputy who is amending the citation shall enter his/her name, followed by the deputy's Department issued Personal Identification Number (PID).
4. DEPARTMENT / AGENCY – Enter "Orange County Sheriff's Department" or "O.C.S.D."
5. CITATION NUMBER – Enter the serial number of the issued citation.
6. CASE NUMBER – Enter the DR number in this box if applicable.
7. A NOTICE TO APPEAR / NOTICE TO CORRECT VIOLATION WAS ISSUED TO YOU BY AN OFFICER OF THIS DEPARTMENT ON DATE – Enter the date the citation was issued.
8. CHECK BOXES – Mark the appropriate box and enter the corrected information.
9. DATE – Enter the date the correction and proof of service form was filled out.
10. SIGNATURE OF OFFICER – Sign the form.
11. DEFENDANT'S ADDRESS – Enter the full name and current address of the defendant.

C. Corrections on citations issued without the driver being present, i.e., parking or registration citations.

1. A copy of the teletype containing the registered owner's name and address must accompany the Notice to Appear / Notice to Correct Violation.

2. A parking correction must be attached with the transmittal form for Parking Administration.
3. Submit the Notice to Appear / Notice to Correct Violation with the original citation.

Sample Citation (White copy):

SHERIFF-CORONER OF ORANGE COUNTY City of 1

MISDEMEANOR **2 SH SAMPLE**
 Traffic Nontraffic

NOTICE TO APPEAR

Date of Violation / / 3 Time AM PM Day of Week 2 S M T W T F S Case No. 4

Name (First, Middle, Last) 5 Owner's Responsibility (Veh. Code, /40001)

Address 6

City _____ State _____ ZIP Code _____

Driver Lic. No. 7 State _____ Class Commercial Yes No 8 9 Birth Date / / 10 11 Other Description 12

13 Sex 14 Hair 15 Eyes 16 Height 17 Weight 18 Race Aircraft Boat Vehicle

Veh. Lic. No. or VIN _____ State _____

19 Yr. of Veh. 20 Make 21 Model 22 Body Style 23 Color COMMERCIAL VEHICLE (Veh. Code, / 15210(b))
 HAZARDOUS MATERIAL (Veh. Code, / 353) 17

Evidence of Financial Responsibility _____

Registered Owner or Lessee Same as Driver

Address _____ Same as Driver

City _____ State _____ ZIP Code _____

Correctable Violation (Veh. Code, /40610)		Description <u>20</u>		Booking Required	Misdemeanor or Infraction (Circle)
Yes	No	Code and Section <u>21</u>			
<input type="checkbox"/>	<input type="checkbox"/>				M I
<input type="checkbox"/>	<input type="checkbox"/>				M I
<input type="checkbox"/>	<input type="checkbox"/>				M I
<input type="checkbox"/>	<input type="checkbox"/>				M I

22 Speed Approx. 23 PF/Max. Spd. 24 Veh. Lmt. 25 Radar 26 Radar Serial # Continuation Form Issued

27 Location of Violation(s) _____

Weather			Surface		Traffic			Wind	
Clear	Fog	Rain	Dry	Wet	Light	Med	Heavy	Dir	Speed
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

30 Arresting or Citing Officer _____ PID No. _____
31 Date _____ Name of Arresting Officer, if different from Citing Officer _____ PID No. _____

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

Signature 32 _____


WHEN: ON OR BEFORE THIS DATE: 30 _____ Time: _____ AM PM

NIGHT COURT: (Vehicle Code infractions only) 31 _____ Time: _____

WHAT TO DO: FOLLOW THE INSTRUCTIONS ON THE REVERSE.

WHERE:

32 Central Justice Center, 700 Civic Center Drive, Rm. L100, Santa Ana 92701 (877) 872-2122
 Harbor Justice Center, Laguna Hills Facility, 23141 Moulton Pky, 2nd Floor, Laguna Hills 92653-1206 (877) 872-2122
 Harbor Justice Center, Newport Beach Facility, 4601 Jamboree Rd., Newport Beach 92660-2595 (877) 872-2122
 North Justice Center, 1275 North Berkeley Avenue, Fullerton 92832-1258 (877) 872-2122
 West Justice Center, 8141 13th Street, Westminster 92683-4593 (877) 872-2122
 Juvenile Court, 341 The City Drive South, Orange 92868 (657) 622-5508
 TO BE NOTIFIED


 * S H *

Judicial Council of California
 Rev. 04-01-10 (Veh. Code, // 40500(b), 40513(b), 40522, 40600; Pen. Code, / 853.9)

SH SAMPLE
 COURT COPY
 SEE REVERSE
 TR-130

Sample Citation (Reverse of pink copy):

DR# 34 GRID/AREA 35
Victim 36
DOB _____ Race _____
Address _____
City _____ Phone _____
Bus. Addr: _____
City _____ Phone _____
Contact At: Home Business Other
37 See continuation page for details, this DR#
38
39 IF VIOLATOR IS A JUVENILE:
FATHER'S NAME _____
ADDRESS _____
CITY _____ ZIP _____
HOME PHONE _____ BUS. PHONE _____
MOTHER'S NAME _____
ADDRESS _____
CITY _____ ZIP _____
HOME PHONE _____ BUS. PHONE _____
Check if Additional Page is Used

Sample Parking Citation:

ADMIN COPY

ORANGE COUNTY SHERIFF'S DEPARTMENT
NOTICE OF PARKING VIOLATION
CITY OF 1

UNINCORP. NORTH UNINCORP. SOUTH **P SAMPLE**

2 DATE	DAY OF WEEK	TIME	VIN (Last 4 Digits) <u>3</u>
4 VEHICLE LICENSE NO./VIN.		STATE <input type="checkbox"/> CA	EXP. DATE
5 YEAR	MAKE	MODEL	BODY STYLE COLOR

6 LOCATION OF VIOLATION

	VIOLATION OF CALIFORNIA VEHICLE CODE	PENALTY
1	21113a <small>(General - Vehicle)</small>	7
2	22500a WITHIN INTERSECTION	8
3	22500b WITHIN A CROSSWALK	
4	22500e BLOCKING A DRIVEWAY	
5	22500f PARKED ACROSS SIDEWALK	
6	22500h DOUBLE PARKED	
7	22500.1 PARKED IN FIRE LANE	
8	22502a 18" FROM CURB	
9	22507.8a HANDICAPPED PARKING - NO PERMIT	
10	22514 FIRE HYDRANT - WITHIN 15 FEET	
11	5200 NO LICENSE PLATE	
12	5204(a) NO YEAR/MONTH TAB	

VIOLATION OF BOSR/OCCO/MUNI CODE

1	OCCO 6-4-603(d)	STREET SWEEPING - POSTED NO PARKING
TOTAL PENALTY		

OFFICER 9 BADGE NO.

MAIL YOUR PARKING PENALTY WITHIN 21 DAYS TO:
CITATION PROCESSING CENTER
P.O. BOX 2730, HUNTINGTON BEACH, CA 92647

PENALTY MAY BE INCREASED IF NOT PAID WITHIN 21 DAYS.

(REV. 09/02)

P
SAMPLE

Sample Notice to Appear / Notice to Correct Violation:

NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: TELEPHONE:	
1	
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT: 2	
NOTICE OF CORRECTION AND PROOF OF SERVICE (Vehicle Code, § 40505)	
AMENDING OFFICER NAME/ID NO.: 3	DEPARTMENT/AGENCY: 4
CITATION NUMBER: 5	CASE NUMBER: 6

1. A *Notice to Appear/Notice to Correct Violation* was issued to you by an officer of this department on (date): **7**
2. The citation issued to you contained an error as indicated by the items checked below. This notice of correction does not affect the validity of the citation or the required court appearance.
 - Date/time of violation should be _____
 - Date/time of court appearance should be changed
from _____ to _____
 - Violation section(s) should be changed
from _____ to _____
 - Location of violation should be changed
from _____ to _____
 - Other (specify): _____

8

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

Date: **9** _____ **10**
(Signature of officer)

Form Adopted for Mandatory Use
Judicial Council of California
TR-100 [Rev. January 1, 2004]

11

Original to Court _____
Date: _____ (Type or print name)
Defendant's Address: _____
(SIGNATURE)

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

On (date): _____ I served this Notice of Correction on the parties at the address listed below by depositing in a sealed envelope, postage prepaid, with the United States Postal Service at (city and state): _____

I am at least 18 years of age, not a party to this action, and I am a resident of or employed in the county where the mailing took place. My business address is: _____

CIVIL PROCESS AND ENFORCEMENT ISSUES

- I. Introduction
 - A. The purpose of this section is to provide an overview of civil law and the most likely issues patrol deputies may encounter.
 - B. The Sheriff's role in government is made more complex since the Sheriff serves the judicial branch of government as an officer of the courts, yet at the same time the Sheriff is part of the executive branch of the government. Paradoxically, in matters of civil process, the Sheriff acts as an agent for the private litigants.
 - C. Civil process and enforcement issues can be quite complex and are ever changing (as in criminal law). In general, civil issues span the following areas; service of process, non-writ process, attachments, money judgment writs, keepers, sheriff's sales, redemptions, writs of possession, extraordinary writs, claims, exemptions, stay of executions, undertakings and bonds, bankruptcy, tax liens, writs of attachment, family law, conservatorships, and civil arrests.
 - D. A civil dispute may be defined as any problem between two or more parties when no initial crime is involved. Deputies must first determine if the problem is a civil or criminal matter or both, while providing safety to individuals and property. Deputies should not give legal advice.
- II. Restraining and Protective Orders
 - A. Violation of court orders constitutes a crime, and peace officers have a duty to enforce them. Prompt and forceful intervention by law enforcement can be effective not only in resolving the immediate short-term problem, but also in breaking the longer-term cycle of abusive behavior which often underlies the kinds of situations that prompt the issuance of protective orders.
 - B. To better understand the statutes authorizing restraining orders a definition of some of the common terms may be helpful.
 1. Order to Show Cause – "OSC"
 - a. Whenever a plaintiff or victim petitions or applies to a court for a restraining order, the court will set the matter for a noticed hearing

where both sides can be heard. The notice to the other side is called an order to show cause (OSC). An OSC is merely a court order to the other side (the defendant or respondent) commanding them to be present at the hearing and give reasons, i.e., "show cause," why the relief the plaintiff (petitioner) is seeking should not be granted.

2. Temporary Restraining Order – "TRO"

- a. In critical situations where "instant relief" is appropriate, a court may issue a temporary restraining order (TRO) at the same time it issues the OSC. Such a restraining order is called "temporary" because it stays in effect only until the evidentiary hearing with the defendant takes place. Such a hearing must be scheduled promptly, usually within a week or two. (Code Civ. Proc., § 527.)
- b. You should realize that an order to show cause (OSC) becomes a temporary restraining order (TRO) if the judge has authorized it and the appropriate box on the form has been checked. In other words, if the relief the plaintiff wants is also granted, temporarily, pending the hearing, at the same time the OSC is issued, the document becomes a combination OSC and TRO.

3. Ex Parte Order

- a. A temporary restraining order may often be obtained with or without notice to the other side. When it is obtained without notice, it is considered an "ex parte" order because it was obtained "by one party" only. Many statutes now provide for issuance of ex parte restraining or protective orders. (Fam. Code, §§ 240, 2045, 6320 et seq.)

4. Permanent Injunction

- a. An "injunction" is simply a writ or order of the court requiring a person to refrain from a particular act. When such an order is obtained after a full evidentiary hearing or "trial," it is considered "permanent." That is, it stays in effect indefinitely or until modified or dissolved.
- C. In the area of domestic law, most restraining and protective orders last a shorter, specific time, usually not longer than three years.
- D. Types of Restraining and Protective Orders

1. Various types of restraining and/or protective orders are authorized under statutes in the Civil Code, the Code of Civil Procedure, and the Family Code.
2. Dissolution, Legal Separation, and Annulment Orders (Fam. Code, § 2000 et seq.)
 - a. Restraining orders may be obtained as part of a proceeding to obtain dissolution (divorce), a legal separation, or an annulment.
 - b. Such orders may include: (1) orders prohibiting the transferring, encumbering, concealing or disposing of any real or personal property; (2) orders requiring notice and accounting of all extraordinary expenditures; (3) protective and stay-away orders; (4) orders determining the custody and visitation of minor children; (5) orders dealing with the use and control of real or personal property; and (6) orders regarding community and separate property. (Fam. Code, § 2045.)
3. Uniform Parentage Act Orders (Fam. Code, § 7600 et seq.)
 - a. All lawsuits brought pursuant to the Uniform Parenting Act, from the minute they are filed, should contain a temporary restraining order which prohibits all parties, without the written consent of the other party or an order from the court, from removing from the state any minor child for whom the lawsuit is seeking to establish a parent and child relationship. (Fam. Code, § 7700.)
 - b. In addition, the court may issue a broad range of orders similar to those listed above in connection with dissolution proceedings, namely, protective orders or stay-away orders, orders dealing with real or personal property and community property, and orders determining the rights of custody and visitation pertaining to minor children. (Fam. Code, § 7710.)
4. Domestic Violence Prevention Act Orders (Fam. Code, § 6200 et seq.)
 - a. The Domestic Violence Prevention Act is designed to prevent the recurrence of acts of violence and sexual abuse, and to provide for a separation of the persons involved in domestic violence for a period sufficient to enable these people to seek a resolution of the causes of the violence.

- b. A non-emergency order is enforceable anywhere in the state and you must enforce it as long as; (1) your department or agency has received a copy of it, or (2) you personally have been shown a copy of the order, or (3) you have obtained information about the content of the order from the DOJ's Domestic Violence Restraining Order Registry. Also, domestic violence restraining orders from other states and U.S. territories are similarly enforceable in California.
 - c. For more information concerning the Domestic Violence Act see the OPM section on COURT ORDERS.
 - d. For more information concerning Domestic Violence orders see the OPM section on DOMESTIC VIOLENCE.
5. Protective Custody Warrant (Fam. Code, § 3134.5)
- a. Upon request of the district attorney, the court may issue a protective custody warrant to secure the recovery of an unlawfully detained or concealed child. The protective custody warrant for the child shall contain an order that the arresting agency shall place the child in protective custody, or return the child as directed by the court. The protective custody warrant may be served in any county in the same manner as a warrant of arrest and may be served at any time of the day or night.
6. Civil Harassment Prevention Orders (Code Civ. Proc., § 527.6)
- a. Section 527.6 of the Code of Civil Procedure was on the books long before the Family Code came into existence and provided relief for many situations which were not originally covered in the Domestic Violence Protection Act.
 - b. Section 527.6 defines "harassment" as "unlawful violence", a "credible threat of violence", or a "knowing and willful course of conduct directed at a specific person which seriously alarms, annoys or harasses the person, and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial emotional distress to the plaintiff."
 - c. A person who files for an injunction can obtain a TRO, under this statute, with or without notice, but a hearing must be scheduled

within 15 days or, with good cause, 22 days and can stay in effect for up to three years

- d. A copy of any TRO or injunction issued under this statute should be served upon the appropriate law enforcement agency.
 - e. If you respond to the scene of reported harassment involving the parties to a court order issued under this section (§ 527.6), you must, upon request of the petitioner (plaintiff, or "protected person"), serve a copy of the order on the respondent (defendant), regardless of whether or not the respondent has been taken into custody. The petitioner (plaintiff) is supposed to provide you with an endorsed copy of the order and a proof of service which you must then complete and send to the issuing court.
 - f. If, however, the protected person is not able to provide you with a copy of the protective order, you must attempt to verify whether one exists. If you determine that such an order has been issued but not served, you must inform the respondent (defendant) of the terms of the order and then enforce it. In this regard, simply telling the respondent about the terms of the order will constitute "service" of the order, and will also be sufficient notice for purposes of this section (§ 527.6), as well as for purposes of Penal Code section 273.6 (which makes it a misdemeanor to intentionally and knowingly violate any order issued pursuant to section 527.6, or any protective order issued pursuant to Family Code section 6218) and Penal Code section 12021, subdivision (g) (which makes it a misdemeanor or felony for a person to purchase or receive a firearm when the person knows he or she is subject to any such order). (Code Civ. Proc., § 527.6 (h) and (j).) Deputies should write the appropriate report to document the service. After any restraining order is served, it must be entered into CLETS within one business day from the date it was served.
7. Petition of Employer for Injunction Prohibiting Violence or Threats of Violence against employees.
- a. Under California Code of Civil Procedures section 527.8 courts can make orders to protect an employee from suffering unlawful violence or credible threat of violence. These orders can be requested by the employer of a person who is suffering unlawful violence or credible threats of violence, and will be enforced by law enforcement agencies.

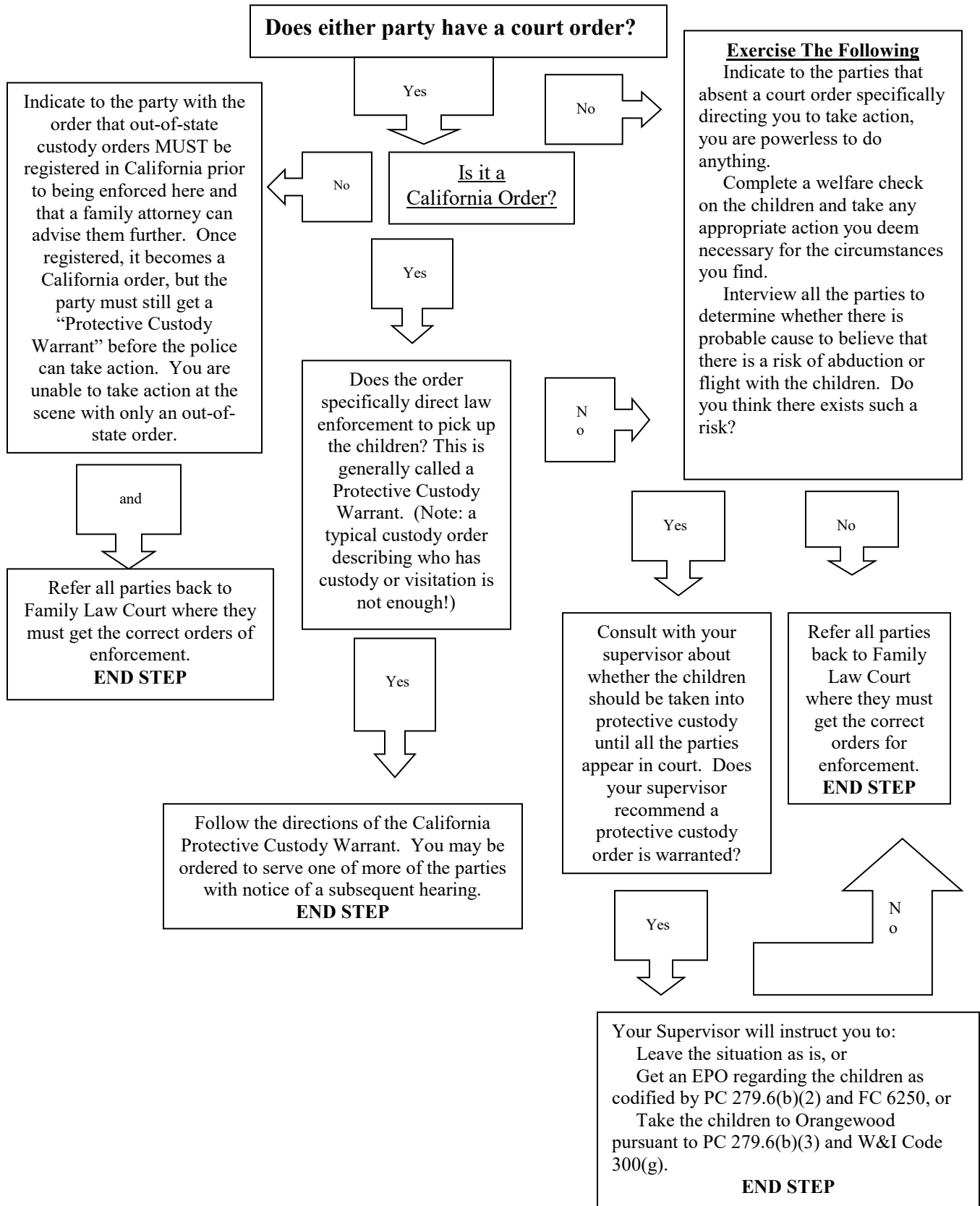
- b. An employer is defined as; every person engaged in any business or enterprise in this state that has one or more persons in service under any appointment, contract of hire, or apprenticeship, express or implied, oral or written, irrespective of whether such person is the owner of the business or is operating on a concessionaire or other basis. (Lab. Code, § 350(a).)
- c. Workplace violence forms are available from the court clerk's office or legal publishers and must be served by someone other than the employer, 18 years of age or older. Under this statute, employers can obtain court orders which last up to 3 years on behalf of their employees only and up to 15 days on behalf of employees and certain family or household members.
- d. California law defines employees as: Every person, including aliens and minors, rendering actual service in any business for an employer, whether gratuitously or for wages or pay, and whether such wages or pay are measured by the standard of time, piece, task, commission, or other method of calculation and whether such service is rendered on a commission, concessionaire, or other basis. Members of boards of directors and public officers. Volunteers or independent contractors who perform services for the employer at the employer's work site. (Lab. Code, § 350(b).)

III. Enforcing Custody Orders

1. Tips for Custody Disputes

- a. Take your time.
- b. Carefully read the papers.
- c. Ask questions as needed.
- d. Do not get emotionally involved.
- e. Be very sure about the action you take.
- f. If you are unsure about what action to take, consult your immediate supervisor.

IV. Flow Chart for Enforcing Custody Orders



V. Other Enforcement Options

1. The following Penal Code sections may also be applicable depending upon the situation.
 - a. CPC 166 – Criminal contempt of court
 - b. CPC 166.4 – Criminal contempt by willful disobedience of any process of order lawfully issued by any court.
 - c. CPC 166.5 – Criminal contempt by resistance willfully offered by any person to the lawful order or process of any court.
2. Generally, enforcement is handled in the same manner as in a domestic situation. The best policy is that we should only act as a neutral party to keep the peace and prevent any crime from occurring because of the confrontation. If a crime has occurred, the appropriate action should be taken and reports written.

III. Repossessions

- A. Default on a conditional sales contract will cause repossession. A conditional sales contract exists when an article is purchased on credit, is physically in the possession of the buyer, but the title of the item remains with the seller until the contract is paid in full.
- B. Who can Repossess
 1. There are three groups of people who can repossess property: (1) The seller and his full time employees; (2) A “Successor in Interest” and his full time employees; and (3) Licensed collection agencies.
- C. Method of Repossession
 1. When a buyer becomes delinquent in his payment, the reposessor may attempt to recover his property. There are however, definite limits to what repossessors may do in his attempt to repossess. The repossession must be made in a peaceful manner, the reposessor must not commit an assault or battery, and he must not cause a disturbance. Repossessors are required to report the repossession of an automobile to the Sheriff’s Department.
- D. Repossessor’s Rights

1. Authorized repossessionors may recover property anywhere he can find it, provided he does not break and enter an enclosure to effect the repossession. He does not need the permission of the buyer for this purpose. He may repossess an automobile parked in a driveway, or porch furniture on the porch of the buyer's home. The repossessionor, however, cannot enter a house to recover property without permission of the occupant, and he may not break into a locked garage to repossess merchandise. (Code Civ. Proc., § 1159-1161; Pen. Code, §§ 418, 602, 603.)

E. Buyer's Rights

1. If the buyer is present at the time a repossession attempt is made and objects to the property being taken, the repossessionor has no right to repossess. The general rule is that property in the possession of the buyer cannot be taken against his express objections. Where the buyer of property upon conditional sale defaults in his payments, and by the terms of the agreement, the seller is authorized in such event to retake the property, the seller is entitled under this power to repossess the property if he can do so peaceably; but, if the buyer objects and protests against the seller's retaking the property and obstructs him in so doing, it is the duty of the seller to resort to legal process to enforce his rights of repossession. Mere oral objection to repossession is sufficient. The repossessionor is not entitled to use force, and he is guilty of an assault and battery or of disturbing the peace if he does so.

F. Repossessor in Possession of Property

1. Once the repossession of property is completed, the repossessionor is entitled to retain possession against the objections of the buyer or anyone else. For example, while no one else is present, assume a repossessionor gains possession of a parked car and proceeds down the street for half a block (Bus. & Prof. Code § 7507.12.). The buyer pursues him and finally succeeds in jumping into the car. At this point, the repossession is complete if the buyer must pursue the repossessionor and the property in order to object to the repossession. If the buyer can object before the repossessionor moved the property away, then the repossession is not complete, and the buyer may prevent the repossession by placing his objections. The buyer's spouse has the same rights in these situations as does the buyer.

G. Third Person in Possession

1. When property is in the possession of any person, regardless of his connections with the buyer, the reposessor has no right to take it against such person's objections. Assume the buyer has loaned the vehicle to a friend. As long as the friend is in the car, or while the car is in the friend's garage, the reposessor has no right to take the car. In such a case, the buyer's rights are transferred to the person who possesses the property with the buyer's consent. If the friend left the loaned vehicle parked on the street while he shopped, he would not be considered in possession, and the reposessor could take the car. A friend or neighbor has no right to object to repossession of property unless that person has actual possession of the property with the consent of the buyer. If the reposessor prepares to take a car from in front of the buyer's home while the buyer is away, and a neighbor objects to the repossession, the repossessioning agent still has the right to take the property. If the car is left in a commercial parking lot or garage, the reposessor has no right to take it from the parking lot or garage attendant who has been specifically charged with the responsibility for the property.

VI. Personal Property in vehicles.

1. The buyer of an automobile has a right to remove from the car any personal belongings such as suitcases, clothing, cameras, etc., before the repossession of the vehicle. The buyer does not have the right, however, to remove anything which is attached to the car, such as spotlights, radio, heater, etc., even though the buyer purchased such equipment and attached it after obtaining the vehicle from the seller. The reposessor should give the buyer a receipt for such equipment or accessories, and the buyer may then regain them from the seller after the car has been repossessed.

VII. Legal Procedure for Repossession

1. When a seller fails to recover his property through peaceful methods, he should be advised to contact an attorney who may initiate a suit to recover the possession of the property. This is a provisional remedy and is known as a Claim and Delivery Action. The order must be directed to the Sheriff in the county where the property is located. Occasionally, patrol deputies may be called to assist the Civil Operations Division Deputy in executing a Claim and Delivery Action.
2. If the reposessor later refuses to return or disclaims knowledge of the existence of such personal property, the buyer may maintain a civil

action to recover the value of such property. (Varela (1971) 15 Cal.App.3d 741.)

3. Also, the buyer may demand and get a receipt for attached personal property and may likewise recover such property or value at a later time.

VIII. Points to Remember

1. The deputy in the field should not take it upon himself to try to determine if there has been a notice and hearing or a waiver of notice and hearing.
2. Deputies should not try to interpret the contract or get involved in any manner in private repossessions, except to keep the peace.
3. A person who makes a good-faith repossession without complying with the notice and hearing requirements is subject to civil liability, but not criminal liability.
4. The reposessor is required to conduct himself in a peaceful manner at all times. As with any other person, he cannot commit an assault or battery or cause a breach of the peace.
5. In those situations where the reposessor has not gained possession, you should advise him to seek civil remedy.
6. This remedy consists of a "claim and delivery" action and the issuance by the court of a writ of possession. (Code Civ. Proc., §§ 509-521.) Such a writ will be served by a Deputy Sheriff of the Court Operations Division.

IV. Landlord/Tenant Disputes

- A. In general, when a landlord and tenant enter into a contract, oral or written, the landlord gives the tenant temporary possession and use of the landlord's property for a specified amount of money for a specific period of time. In turn, the tenant agrees to return the property to the landlord at a future time, namely, the end of the lease term.
 1. Generally, rents are paid in advance, and the landlord gives the tenant a receipt for the period covered. Property may be rented for a fixed term or on a month-to-month basis.

2. When the tenant contemplates moving, he usually gives the landlord advance notice of his intention based on the period for which the tenant pays rent. For example, on a month-to-month tenancy, either party may terminate with 30-days advance notice. However, if the tenant has lived in the dwelling for more than one year, the landlord must give the tenant a 60 day notice. If the landlord is selling the house and has opened escrow, the notice requirement remains at 30 days.

B. Landlord's Obligations

1. A landlord has a general legal obligation to keep the rental premises in a condition fit for human occupancy and to repair all defects that make the premises uninhabitable. (Civ. Code, § 1941.1.) This means that the landlord must provide an apartment that has:
 - a. Adequate weatherproofing, waterproofing, and rodent-proofing;
 - b. A workable plumbing system;
 - c. At least one working toilet, bathtub, and bathroom sink;
 - d. At least one working kitchen sink;
 - e. Adequate heating facilities;
 - f. Safe electrical wiring;
 - g. Adequate garbage and trash storage and removal facilities;
 - h. At least one working telephone jack.

C. Tenant's Rights and Options

1. If the landlord fails to perform his responsibilities of keeping the dwelling in good repair, the tenant should inform the landlord of the problem in writing.
2. If the landlord fails or refuses to correct the problem after being notified of the defect, the tenant has several alternatives. A tenant has the right to "repair and deduct" for an amount up to one month's rent. (Civ. Code, § 1942.)

3. If the defective condition is a violation of the Housing Code, the tenant should consider reporting the violation to the housing authorities. They will investigate the defect and compel the landlord to correct it.
4. If the problem is one that the housing authorities do not handle, the tenant should consider calling the Health or Code Enforcement Department for assistance.
5. If all else fails, the tenant should see an attorney. To keep the peace, you should describe these various remedies and suggest that the tenant consult an attorney or legal aid society.

D. Proper Handling of Landlord/Tenant Disputes

1. Your objective, when confronted with a landlord/tenant dispute, is not to make or encourage an arrest but to try to achieve a lasting solution to the conflict by explaining to the parties what conduct is not lawful and by suggesting alternative solutions that are lawful.
2. If a tenant's complaint is that his landlord has locked him out, seized his property, removed the doors or windows to his premises, interfered with the use of his utilities, or unreasonably trespassed on his premises, you can often successfully resolve the dispute by:
 - a. informing the landlord that he has probably committed a misdemeanor violation by his act; and
 - b. Briefly explaining to the landlord that if he has legal grounds for evicting his tenant, he should bring an unlawful detainer action against him, but that "self-help" evictions are unlawful.
 - c. If the tenant has a defective facility in his apartment, you should advise him to explore the various legal alternatives open to him.
3. Very often the landlord is unaware that his conduct is unlawful, i.e., that he has committed a misdemeanor. In such a case, a simple explanation that the landlord's self-help measures are unlawful will often be enough to satisfy him.
4. If, however, the landlord is uncooperative (e.g., he refuses to replace the tenant's doors and windows), you can explain to him that criminal proceedings can be initiated by the tenant. This tactic usually insures his cooperation.

5. While an arrest should not normally be encouraged, you should ultimately take whatever action is necessary under the circumstances. Note, however, that most offenses related to landlord/tenant disputes are misdemeanors. Consequently, you may not arrest unless the offense occurred in your presence.

E. Tenant Lockout

1. Penal Code section 418 reads:
 - a. "Every person using or procuring, encouraging or assisting another to use, any force or violence in entering upon or detaining any lands or other possessions of another, except in the cases and in the manner allowed by law, is guilty of a misdemeanor."
2. Very often, when a tenant is behind in his rent, the landlord will jam or change the tenant's door lock in order to prevent the tenant's further use of the dwelling until the rent is paid. This lockout procedure is a misdemeanor prohibited by Penal Code section 418. You should tell the landlord to permit the tenant back into the dwelling and to proceed with an unlawful detainer suit instead.

F. Seizure of Present Tenant's Property

1. It is not unusual for a landlord to seize a tenant's possessions in payment for past-due rent. This is unlawful. A landlord may not take physical possession of his tenant's property unless he first obtains a court order allowing him to do so. (Civ. Code, § 1861)
2. The seizure of a tenant's property without a court order is a misdemeanor prohibited by Penal Code section 418, and entering the premises to seize the property may constitute trespass.
3. A court order is needed even though by statute a landlord is given a lien against the tenant's property on the premises for the value of the unpaid rent, as well as for the costs of enforcing the lien. Even a lease stating that the landlord may seize the tenant's property does not make it legal to do so without a court order.
4. Furthermore, even with a court order, the lien may not be enforced against property which is necessary for the tenant's livelihood, or against any necessary household items (e.g., stove, refrigerator, tables,

chairs, beds, washing machine, etc. - see Civ. Code, § 1861a, subd. (c), for a complete listing).

5. A landlord may also try to take possession of a tenant's property pursuant to a writ of possession of real property obtained in a successful unlawful detainer action. Code of Civil Procedure section 1174 sets out the procedure a landlord is obligated to follow in seizing, storing and disposing of a tenant's personal property. However, this is a very technical area, and you should advise the landlord to consult an attorney.

G. Removal of Former Tenant's Property

1. A landlord also has a right to dispose of personal property that remains on the premises after a tenancy has terminated and the tenant has vacated the premises. Civil Code section 1980 et seq. govern the disposition of the former tenant's property and set forth strict procedures for storage, notice and sale of the former tenant's property.
2. Generally, the landlord may either leave the personal property in the vacated premises, or may put it in safe storage. Either way, the landlord must give written notice to the former tenant, describing the abandoned property, informing the tenant (or other owner) where the property may be claimed, and advising him that he has 15 days (in the case of personal delivery of the notice) or 18 days (in the case of mailing the notice) within which to pay for the storage and take possession of the property.
3. This notice also informs the former tenant (or other owner) that if he fails to reclaim the abandoned property within the specified time, it will be sold at a public sale or, if its resale value (probably referring to garage sale prices) is less than \$700, that it may be kept, sold, or destroyed by the landlord. (Civ. Code, §§ 1984-1986.)
4. If the tenant or owner pays the reasonable rental costs and reclaims the property within the specified time, the landlord must release the property to him. In fact, even if the deadline has passed, the landlord still must release the property--assuming it has not yet been sold or destroyed--provided that the former tenant pays all reasonable costs of storage, advertising, and preparation for sale, if any such costs were incurred.
5. As always, law enforcement's role in these situations is strictly limited to keeping the peace by explaining the foregoing rights and duties and

encouraging a peaceful resolution. If peaceful removal or return cannot be arranged, you should advise the parties to seek legal counsel.

H. Removal of Doors and Windows

1. The provisions of Penal Code section 594 prohibiting the destruction of any property are no longer effective in California. Penal Code section 594 now only applies to the destruction or damage to any real or personal property of another.

I. Trespass

1. A landlord will often enter his tenant's premises without permission from the tenant. If the entry is reasonable --for example, to repair a leaking water pipe, or to investigate smoke--it is not considered a trespass. In addition, if the tenant has consented by the terms of the lease to his landlord's entry at will, then such entry likewise is not trespass. However, a landlord will often enter his tenant's premises without prior permission in order to harass the tenant or snoop around. This conduct is considered to be a trespass constituting a misdemeanor under Penal Code section 602.5. Such "forcible" entry is also prohibited by Code of Civil Procedure section 1159 and may subject a landlord to punitive damages.

J. Interruption of Utility Services

1. The landlord may not interrupt or terminate utility services. This is prohibited by Civil Code section 789.3, as well as by local ordinance in some cities. "Utilities" means water, power, telephone, gas, or any other service. Interrupting such service may make the landlord liable to his tenant for punitive damages.
2. Even though the landlord may have proper legal grounds for evicting his tenant, it is unlawful for him to use any of the methods discussed above (i.e., lockout, seizure, trespass, etc.) in an attempt to force the tenant to vacate the premises. Rather, he must bring a civil suit, called an "unlawful detainer" action, to have his tenant legally evicted.

IX. Eviction

1. The only legal way for a landlord to evict a tenant is by bringing an "unlawful detainer" action in court. The unlawful detainer statute was designed to replace the older "self-help" remedies which often lead to violence. A landlord may not "throw out" a tenant. A tenant is entitled

to peaceful possession until an unlawful detainer lawsuit results in a judgment. And even then, only the sheriff may actually evict the tenant and restore the landlord to peaceful possession.

X. The Eviction Process

1. The process starts when the landlord serves the tenant with a 3, 30, or 60 day notice to quit. If the tenant is behind on the rent, the landlord may serve them with a 3 day notice to pay rent or quit. If the tenant pays the rent within the 3 days the landlord must let the tenants remain. If the landlord just wants the tenants out, he must serve the tenants with a 30 day notice to vacate or a 60 day notice to vacate if the tenants have lived there for more than a year.
2. If the tenant does not move out at the end of the time period, the landlord must serve the tenant with an "Unlawful Detainer Summons and Complaint". If the tenant loses the hearing or fails to show up, the landlord is given a "Writ of Possession Real Property" from a local court. The writ usually indicates the names of the defendants to be removed from a specific property location or address, but may include all other occupants or defendants.
3. The landlord then provides copies of the order to the Sheriff's Department Court Operations Division, and pays a statutory fee for enforcement of the order.
4. The Sheriff's Department Court Operations Division will then post a "Notice to Vacate" on the property and/or serve the defendant(s) personally with a copy of the order.
5. Under the law, the defendant is allowed five (5) days to voluntarily vacate the premises. If the defendant does not voluntarily vacate the premises by the conclusion of the fifth day, the Sheriff's Department will forcefully evict the defendant from the premises, and return possession of the property to the landlord.

XI. Notice of Eviction

1. At this point, several key actions take place. First, the defendant is advised that they no longer have a legal right to occupy the premises. This is accomplished by the Deputy conducting the eviction by personally advising the defendant whenever possible, and/or by posting a "Eviction Restoration Notice".

2. This notice is important. The posting of the “Eviction Restoration Notice” on a real property indicates that an occupant/defendant has been successfully evicted from the posted property by the Sheriff’s Department, and that the occupant/defendant does not have any right to re-enter the property. Deputies should be aware that defendants are frequently known to remove this notice from the subject property.

XII. Plaintiff’s Receipt for Possession

1. In addition to the posting of the “Eviction Restoration Notice” on the subject property following a successful eviction, the landlord or plaintiff form is provided to the landlord or agent in order to provide the property owner with written documentation confirming that they have been legally provided with the right to possession of the subject property.

XIII. Defendants Reentering Real Property Following Eviction

1. When a landlord presents a copy of the “Eviction Restoration Notice and Copy of Writ” and requests assistance in removing a previously evicted tenant, deputies should inspect both the “Writ of Possession” and court order and the “Plaintiff’s Receipt for Possession” carefully. Deputies should validate the case number identified in the upper left-hand corner of the receipt and compare it to the attached copy of the court order or Writ of Possession. The writ or court order will specifically identify the affected property location or address. If the Writ is not attached, the landlord should be asked to provide a copy.
2. After determining the validity of the order and the receipt, deputies may presume that all parties have been lawfully evicted and are no longer entitled to occupy the property. Deputies should proceed with the enforcement of the applicable sections of the law, and may either remove or arrest any parties illegally occupying the premises.

XIV. Under current law, deputies should consider any defendant who has willfully re-entered or re-occupied the subject premises to be in violation of one or more of the following statutes:

1. Penal Code 419 - Repossession of lands after removal by legal process
2. Penal Code 166 - Contempt of Court

3. Penal Code 602(o) Trespass – Refusal to leave private property
4. Penal Code 602.5 - Unauthorized entry of property

XV. Abandoned Property

1. In cases where the tenant has "abandoned" the property, it may be possible for the landlord to avoid, or claim exemption from, going through the unlawful detainer process.
2. For such a claim to be valid, however, the landlord must strictly follow the statutory procedure, which includes giving written notice to the tenant stating the landlord's belief that the tenant has abandoned the unit. (Civ. Code, § 1951.3, subd. (a).)
3. The tenant must be at least 14 days behind in rent payments before the landlord is entitled to give this kind of written notice. The notice must inform the tenant that unless the tenant denies the abandonment in writing within 15 days after personal service (or, if service is accomplished by mail, within 18 days after mailing), the property will be "deemed abandoned" and the tenancy will terminate. If the tenant responds with such a denial, he or she must also give an address where he or she can be served by certified mail with a summons and complaint in an unlawful detainer action.
4. If the tenant denies that he or she has abandoned the property, the landlord may still be able to prove otherwise and avoid having to file an unlawful detainer lawsuit. (Civ. Code, § 1951.3, subd. (f).) For instance, a tenant's prolonged absence, combined with return of the keys, would probably suffice, as would a written "surrender" from the tenant.
5. However, the landlord's claim of abandonment will not stand up against the tenant's denial unless the landlord has strictly complied with the procedure outlined above.

XVI. Special Issues

1. The Lodger
 - a. Not all "occupants" are "tenants" whom the landlord can evict only by bringing an unlawful detainer lawsuit. When specific conditions exist, the landlord can avoid bringing an action for unlawful detainer against an occupant. Civil Code section 1946.5 became law in 1987 to assist the landlord in removing a

lodger who resides with the owner of the dwelling unit. However, for this statute to apply, **all** of the following conditions must exist:

1. The dwelling unit must also be occupied by the owner;
 2. The owner must retain a right to access to all areas of the dwelling and have overall control of the dwelling unit;
 3. Only one lodger can reside in the unit. If there is more than one lodger, even mother and child, the usual unlawful detainer process must be followed; and
 4. The lodger must have contracted either for room, or room and board.
2. Some of the important aspects of this issue are:
- a. A “Lodger” is a person who rents a room from the owner of a dwelling unit, who personally occupies the dwelling, retains the right of access to all areas of the dwelling unit occupied by the lodger and has overall control of the entire dwelling unit.
 - b. Termination of the arrangement may be done by either party giving written notice to the other of the intention to terminate at least seven (7) days, but not more than thirty (30) days, before the date of the termination. In the case of month-to-month tenancies at least a thirty day notice must be given
 - c. Notice shall be given by one of the following (Civil Code 1946):
 1. Personally;
 2. By substitute service and mailing a copy;
 3. By posting and mailing a copy, or
 4. By Certified or registered mail, registered delivery, with a return receipt requested.
 - d. Upon expiration of the notice, any right of the lodger to remain in any part of the dwelling is terminated. The person may be removed pursuant to Penal Code 602.3, or other applicable provision of law.

- e. The lodger may be arrested by the owner pursuant to PC 837 (Private Person Arrest). Pursuant to PC 142(a), the deputy will receive custody of the arrested person then cite and release. If the person refuses to leave, the deputy is not precluded from removing the person from the premises.
- f. Any personal property left on the premises will be stored by the property owner pursuant to Civil Code 1965.

3. The Gratuitous Guest

- a. In situations where there is no “contract” or “reward” (that is, in situations where the person is in temporary possession of the dwelling unit with the owner simply because of the good will of the owner and is not doing or providing anything in return for his room, or room and board), then it is even more simple; not even the abbreviated “notice” procedure of Civil Code section 1946.5 need be followed. Rather, the occupancy of such a guest can be terminated at will, without notice or legal proceedings of any kind.
- b. For example, if the owner allowed someone temporarily to visit or to share his residence, the owner would simply need to ask or tell that person to leave; no notice or other legal step is required. And if the guest does not comply, his/her further occupancy becomes an illegal trespass.

4. The Former Employee

- a. A landlord can evict a former employee who had a right of occupancy during his employment if he has been terminated according to law. The former employer and landlord is not required to give a 3 day, 30 day, or 60 day notice to the former employee before starting an unlawful detainer lawsuit. However, if the former employee fails to vacate the property voluntarily, then the former employer and landlord must still go to court to initiate an unlawful detainer lawsuit. (CCP, § 1161(1).)

5. Recreational Vehicle Park

- a. During the summer months, there is an increase in non-paying recreational vehicle violations at local RV parks. Pursuant to

799.58 of the Civil Code, law enforcement agencies are required to remove a defaulting occupant from a recreational vehicle park when all the requirements of the Civil Code have been met.

- b. California Civil Code, Section 799.58
 1. *“Subsequent to serving a copy of the notice specified in this article to the city police or county sheriff, whichever is appropriate, and after the expiration of 72 hours following service of the notice on the defaulting occupant, the police or sheriff, shall remove or cause to be removed any person in the recreational vehicle. The management may then remove or cause the removal of a defaulting occupant’s recreational vehicle parked on the premises of the park to the nearest secured storage facility. The notice shall be void seven days after the date of service of the notice.”*
- c. When the deputy arrives at the RV Park, the following must be determined to exist:
 1. Registration agreement between a park and an occupant shall be in writing and shall contain the term of the occupancy and the rent therefore, the fees, if any, to be charged for services which will be provided by the park, and a statement of the grounds for which a defaulting occupant’s recreation vehicle may be removed as specified in 799.22 of the Civil Code and containing the telephone number of the local traffic law enforcement agency. (CC 799.43)
 2. At the entry to the recreational vehicle park, or within the separate designated section for recreational vehicles within a mobile home park, there shall be displayed in plain view on the property a sign indicating that the recreational vehicle may be removed from the premises for the reasons specified in Section 799.22 of the Civil Code and containing the telephone number of the local traffic enforcement agency. (CC 799.46)
 3. The person to be removed must fit the legal definition of a “defaulting occupant.” An “occupant” is the owner or operator of a recreational vehicle who has occupied a lot in the park for 30 days or less. (CC 799.28) A “defaulting occupant” means an occupant who fails to pay his or her

occupancy in a park or who fails to comply with reasonable written rules and regulations of the park given to the occupant upon registration. (CC 799.22) If a subject has been in a park longer than 30 days, he or she is classified as a "tenant" and after nine months, he or she is classified as a "resident". (CC 799.31) Tenants and residents are not subject to the provisions of removal outlined in CC 799.58.

4. The deputy shall, pursuant to 799.58 of the Civil Code, proceed to remove the occupant from a recreational vehicle when all of the following conditions have been met:
 - a. The appropriate law enforcement agency must have been served a copy of the 72 hour notice that was served upon the defaulting occupant. (799.56(c))
 - b. The notice must reference the date of service upon the occupant. The notice and removal procedure is void if more than 7 days has elapsed from the date of service upon the occupant. (CC 799.58)
 - c. The notice served upon the occupant must state that if the defaulting occupant does not remove the recreational vehicle from the premises of the park within 72 hours after receipt of the notice, the management has authority pursuant to Section 799.58 of the Civil Code to have the recreational vehicle removed from the lot to the nearest storage facility. (CC 799.57)

6. Baggage Lien Law

- a. Hotel, motel, inn, boardinghouse, and lodging housekeepers shall have a lien upon the baggage and other property belonging to or legally under the control of their guests, boarders, tenants, or lodgers. However, the lien may be enforced only after final judgment in an action brought to recover monies owed to the landlord. The landlord must obtain a writ of possession prior to seizing any property. (CC 1861)

V. Civil Writs of Attachment

- A. In general, an attachment is a writ (order) issued by the court which commands the sheriff to attach/levy and safely keep property pending the determination of a civil court action.
1. There are many different types of attachments and each carry specific filing and enforcement guidelines. In general, your job is to keep the peace, determine if any crime has been committed, and document the incident.
 2. The following is a discussion of the most common forms of execution of Writs of Attachment. Each one of these execution types of court orders is going to be served by a Deputy Sheriff from the Court Operations Division. However, patrol deputies may be called prior to, during, or after the accomplishment of one of these types of execution orders and a general knowledge of the law will assist in successful completion of the call for service.
- B. Vehicle Levy
1. A vehicle registered to and in the possession of the defendant may be levied upon and sold at auction by the Sheriff. The legal owner may file a claim on the vehicle.
- C. Keepers
1. The keeper levy is a term commonly used to describe a levy upon a going business where the sheriff normally attaches all cash, stock-in-trade, inventory, fixtures and equipment on the premises and installs a keeper to safeguard these assets
 2. The keeper is contracted by the sheriff to assist in the enforcement of these writs by maintaining physical custody and control of all property under the levy, under the supervision of the Sheriff's Department.
 3. If a patrol deputy is called to a business where a keeper is installed the keeper will have a Sheriff's Department identification card and all appropriate court orders. If a problem occurs the keeper will call the installing Court Operations Division deputy first before asking for patrol assistance. However, if a problem is severe enough the keeper has been instructed to contact dispatch. Responding deputies should assist the keeper in keeping the peace and enforcing the court order.
- D. Till Taps

1. Under this type of Writ of Execution the plaintiff may request that the Sheriff's Department (levying officer) seize and remove cash, or a small portable item at the judgment debtor's place of business.
2. If the defendant owns or is a business that has a "Cash Till" on the premises, the Sheriff may execute a till tap levy. Monies from the till are removed and paid to the plaintiff.

E. Bank Levy

1. A defendant's bank account may be garnished. Instructions to the Sheriff must include the name of the bank and the address. It is important that the name on the account be exactly the same as on the judgment. The defendant may file a "Claim of Exemption" for return of monies. Normally, there are no issues with this type of levy as banks are very familiar with the process.

F. Earnings Without Order

1. An Earnings Withholding Order requires an employer to send to the Sheriff Department approximately 25% of the defendant's net earnings each payday. The employer has 15 days after being served to send an answer to the Sheriff's Department regarding the defendant's employment and pay status.

G. Claim and Delivery

1. A Claim and Delivery is not an action in and of itself. It is a provisional remedy, which allows the plaintiff to recover specific property in the possession of a defendant. Until a court action determines otherwise, possession of the property is only temporary. Property may be seized from the possession of the defendant, or a person acting as an agent for the defendant with no ownership interest.
2. The writ must have the following:
 - a. Directed to the Sheriff of Orange County.
 - b. Describe the specific property to be seized.
 - c. Specify any private place to be entered.
 - d. Direct the Sheriff to levy on the property if found. Hold until released or sold.

- e. Inform the defendant of the right to object to the undertaking, or
 - f. Obtain redelivery by filing an undertaking.
3. The Sheriff's Department may seize the described property located in any public place. It may be seized only from the defendant or the defendant's agent. In most cases, the agent is the person in possession of the property not claiming ownership or lien.
 4. If the property is located in a private place, all efforts to have the property delivered to the levying deputy must be attempted. The levying deputy is not authorized to enter a private place without prior court order or permission. If a "break-in" order is issued (CCP 514.010 (c)), the levying deputy will announce their purpose and intent, then attempt to get voluntary compliance by making a demand. If a deputy believes that entry and seizure will involve substantial risk or serious injury to anyone, the deputy shall not enter. The deputy will return the writ to court for further direction.
 5. If no one is present when the property is levied, the writ authorizing the levy must be posted in the most conspicuous place closest to where the property was seized. Copies of all documents will then be mailed to the defendant.

VI. Conservatorship

- A. A conservatorship is a legal determination by the court placing the interests of a vulnerable adult in the care and protection of another.
- B. Conservators are usually family members or close friends. If there is no one close to the conservatee who is able to act in his or her behalf, a professional conservator or the Public Guardian may be designated.
- C. Any adult who lacks the capacity or is unable to take care of his or her own needs for shelter, food, or medical care, or is unable to manage personal finances, and is subject to undue influence may be in need of the protection of a conservatorship.
- D. The court may grant to the conservator some or all of the following powers; to contract for the guardianship or conservatorship and to perform outstanding contracts and thereby bind the estate, to operate at the risk of the estate a business, farm, or enterprise constituting an asset of the estate, grant and take options, sell at public or private sale real or personal

property of the estate, create by grant or otherwise easements and servitudes, borrow money and give security for the repayment thereof, purchase real or personal property, alter, improve, and repair or raze, replace, and rebuild property of the estate, let or lease property of the estate for any purpose (including exploration for and removal of gas, oil, and other minerals and natural resources) and for any period, including a term commencing at a future time, lend money on adequate security, exchange property of the estate, sell property of the estate on credit if any unpaid portion of the selling price is adequately secured, commence and maintain an action for partition, exercise stock rights and stock options, participate in and become subject to and to consent to the provisions of a voting trust and of a reorganization, consolidation, merger, dissolution, liquidation, or other modification or adjustment affecting estate property, pay, collect, compromise, arbitrate, or otherwise adjust claims, debts, or demands upon the guardianship or conservatorship, employ attorneys, accountants, investment counsel, agents, depositaries, and employees and to pay the expense.

- E. A conservatee does not lose all rights or all voice in important decisions affecting his or her way of life. All conservatees have the right to be treated with understanding and respect, the right to have their wishes considered, and the right to be well cared for. Therefore, it is important when deputies are called to deal with this type of situation that before any action is taken the deputy reviews the appropriate court order.

VII. Disputes with Businesses

- A. Defrauding Innkeepers, Etc. (Pen. Code, §537) Felony or Misdemeanor
 - 1. Penal Code section 537 makes it a crime to intentionally not pay any type of "innkeeper" (hotel, restaurant, motel, campground, ski area, marina, marine facility, etc.) for services rendered, or to otherwise defraud him out of any credit, food, fuel or accommodations.
 - 2. If the value of the services, credit, food, fuel or accommodations is \$950 or less, it is a misdemeanor; if the value is over \$950, it is a felony.
- B. Settling Disputes
 - 1. Frequently an officer will receive a call of a business dispute, petty theft, or disturbance that turns out to be an argument over payment for goods or services.

2. For example, this kind of dispute often arises between a cab driver and his fare, a service station attendant and a customer, or a restaurant employee and a patron, but it can involve any business-related enterprise.
3. Typically, one party is refusing to pay all or part of a bill for goods or services rendered or, conversely, one party is claiming to have made payment for goods or services not rendered or not rendered as promised.
4. Frequently, one or both parties want the other party arrested (usually for theft) and/or want the officer to force payment or rendering of goods, as the case may be.
5. When you are called to this type of business dispute, you must first determine whether the refusal or inability to pay amounts to a "civil matter" only, or also to a violation of criminal statutes, such as theft, defrauding an innkeeper, consumer fraud, etc.
6. Note: Remember, you have significantly less discretion when a felony has been committed - however technical - than you do with a misdemeanor.
7. If no crime can be established, you should:
 - a. Keep the peace;
 - b. Advise the complaining party or parties;
 - c. Attempt to have the parties informally resolve the dispute.
8. Do not take sides; do not use - or allow to be used - your position as a peace officer to compel payments or similar action by any party; and do not use the threat of arrest or other police action to compel civil action by either party.
9. If the parties cannot or will not informally resolve their dispute, you should assist them to exchange identifying information and advise them to contact their attorneys, file a small claims suit, etc.
10. Prior to leaving, you should assure yourself that the dispute is sufficiently settled to preclude further confrontation between the parties.

COURT ORDERS

I. Restraining Orders

A. Domestic Violence Act

1. CPC 273.6 – Any willful and knowing violation of a court order
 - a. Molesting, attacking, striking, threatening, sexually assaulting, battering, harassing or disturbing the peace of the other party, or other named family and household members.
 - b. Excluding one party from the family dwelling or from the dwelling of the other.
2. The Act was designed to prevent the recurrence of violent acts by a spouse or household member against another spouse or other family member. The provisions of the act allow for the physical separation of the parties for a period of time sufficient to enable the parties to seek resolution of the causes of the violence.
3. The local law enforcement agencies are responsible for the enforcement of the order.
 - a. The deputy should call the Records Bureau with the plaintiff's full name to obtain recorded information in the "stay away" section.
 - b. Order does not need to be filed with Department Support Services Division to be considered valid.
 - c. Defendant must have been served with copy of orders.
 - d. Defendant must be specifically mentioned.
 - e. Must be a knowing and willful violation.

B. Harassment Orders

1. CPC166 – Criminal contempt of court
 - a. CPC 166.4 – Criminal contempt by willful disobedience of any process or order lawfully issued by any court
 - b. CPC 166.5 – Criminal contempt by resistance willfully offered by any person to the lawful order or process of any court
2. Harassment is a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, or harasses the person and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress; and must actually cause substantial emotional distress to a plaintiff – CPC 527.6(b).
3. The harassment section is deemed not to apply to any action covered by the Domestic Violence Act.
4. Enforcement is handled in the same manner as in a domestic situation. The best policy is that we should only act as a neutral party to keep the peace and prevent any crime from occurring because of the confrontation. If a crime has occurred, the appropriate action should be taken.

CROWD CONTROL

I. Crowd Control

- A. Proper control of a crowd is indispensable in preventing a crowd from becoming a mob.
- B. Crowd Defined: A crowd is a large number of persons collected into a close body without order.
 - 1. Not all crowds require active intervention by law enforcement.
 - a. It is important to be able to recognize the type of crowd that may easily evolve into an uncontrollable mob if appropriate action is not taken.
 - b. It is equally important to know when not to intervene as it is to know when to exercise police authority.
- C. Characteristics
 - 1. The outstanding characteristic is an awareness of law and order resulting from the individual member's ingrained respect for the law.
 - 2. A crowd is unorganized, without a leader, hesitant, and ruled by emotion.
- D. General principles
 - 1. Gather full information as to the nature and character of the crowd and all pertinent information concerning the event.
 - 2. Have a definite plan of action for all eventualities and fully brief all deputies as to their duties or responsibilities.
 - 3. Have deputies in position before the arrival of the crowd if possible.
 - 4. Establish a communication system between all units using a radio channel other than your Primary Yellow channel.

5. Establish definite boundaries for the crowd. Remember, it is easier to contain than to push back a crowd.
6. Isolate and quickly remove hysterical and aggressive people. Work in teams, not as individual deputies.
7. Break up and disperse the crowd before it becomes hysterical and/or aggressive.

E. The individual deputy

1. Each deputy must at all times keep the crowd under observation.
2. He/she must handle all situations in a friendly but firm manner.
3. A neat appearance is essential, not only for the immediate psychological deterrent effect it will have on the members of a crowd, but for the lasting impression it will leave of the caliber of the entire department.
4. During parades, salute the colors and respect religious symbols.

F. Types of crowds

1. Athletic event
 - a. The crowd viewing such an event is usually a friendly crowd and thus requires only minimum policing.
 - b. Drinking of alcoholic beverages is usually the greatest problem at such events. When there is a violation, weigh all factors, such as the danger of precipitating a major disturbance, before making an arrest. If an arrest is necessary, request the presence and assistance of additional deputies. Act quickly and remove the offender from the location.
2. Parades
 - a. The persons viewing the parade constitute the crowd. It is usually a friendly type of crowd that requires only minimum policing. Safety of spectators requires the following Department action.

1. Do not allow people to stray from behind defined boundaries.
 2. Prevent movement into the street, as other spectators will follow those who successfully press forward.
 3. In the event rope is used, prevent surging against the rope.
 4. Keep intersections clear; have people view the parade from the curb.
 5. Try to have the children sit on the curb since parents who are standing behind them will resist being pushed forward.
- b. The deputy should face the crowd when the national colors pass. When facing the crowd, he can observe and anticipate any problems that may arise. His back to the crowds reduces effectiveness and makes the deputy another spectator.
3. Fires
- a. The purpose of deputies at the scene of a fire is to assist and make the firefighter's job easier. The deputy should assist in traffic control and movement of emergency vehicles. Driving over hose lines must be prevented and is a vehicle code violation. You should look for suspicious persons at the scene. Crowd control should be used. Hysterical people present at the scene must be isolated. The crowd must be kept from unsafe places. The deputy should be alert for looters.
4. Traffic accidents
- a. Establish traffic control at an appropriate distance on either side of the accident. In the county's unincorporated area, the scene should be preserved for the California Highway Patrol, but continue traffic control until their arrival.

II. Mob Control

A. Mob defined: A mob is a crowd whose members, under the stimulus of intense excitement or agitation, lose their sense of reason and respect for law and follow leaders in lawless acts.

B. Characteristics

1. They have organization, leadership, a common motive, and are ruled by emotion.

C. Formation of a mob

1. Preconditioning: A series of irritating events or a rack of vicious rumors create a climate of tension.
2. Climactic event: It may be an accident or an organized expression of sympathy or resentment, although it may be no more dramatic than many that preceded it. The incident tends to attract attention and is usually exciting. It causes a crowd to gather at the scene. The gathering of a crowd automatically causes more onlookers to gather. The crowd loses its self-control, and critical self-consciousness. Brutalized emotions arise and the mob moves to vent its rage on some object chosen for violence.

D. Mob Tactics

1. The tactics employed by mobs indicate the caliber of their leaders. Mobs led by professional agitators will be well organized, well equipped and extremely dangerous. The basic tactics of such a mob is to out flank and envelop. The well-organized mob may appear to disperse so as to cause law enforcement units to break up and withdraw. Once that has been accomplished, the mob reforms and proceeds toward its objective.
2. The resourceful mob leader will utilize various diversionary tactics, such as disorder, destroying property, setting fires, feigning an attack on some other objective, so as to divert the attention of law enforcement officers and possibly to divide or weaken the force blocking the path to the actual objective.
3. The mob will also attempt to bait the police into premature

action or individual contact so as to weaken the law enforcement unit and gain the respect of the mob for its discipline and efficiency.

4. The rioters may carry American flags and sing the national anthem so as to discredit law enforcement personnel arraying against them.
5. The mob may employ a cheering section to sign and chant their rhythmic pattern accentuated by the use of drums, as this increases the level of excitement.

III. Crowd Dispersal

A. Law enforcement tactics

1. Upon arrival at the scene, locate and identify the leaders.
2. Before force is used, every effort must be made to induce the leaders to disperse the mob.
3. The deputy in charge must never bluff, threaten to do things he is unable to do, or attempt to accomplish an objective without sufficient force.
4. The force should not be split into a number of small individuals trying to quell minor diversionary disorders.
5. An escape route must be provided for the mob before dispersal.
6. The Department Commander may choose to activate a Mobile Field Force response.
7. The Department Commander may choose to implement the Incident Command System (ICS) as mandated by the Standardized Emergency Management System (SEMS) when managing crowds and acts of civil disobedience.
8. Field response level uses the following five primary ICS functions:
 - a. Command
 - b. Operations

- c. Planning/Intelligence
 - d. Logistics
 - e. Finance/Administration
9. When dealing with crowds and civil disobedience situations, law enforcement must be a disciplined and well organized control force. The decision to use force and the force options that may be applied in response to those incidents range from law enforcement presence to deadly force. Deputies should use only that force that is objectively reasonable under the totality of the circumstance.

B. Dispersal order

1. Dispersal orders are not given until control forces are in position to support crowd movement.
2. Penal Code section 407 requires that an assembly be “boisterous and tumultuous” to be interpreted as conduct that poses as clear and present danger of imminent violence.
3. Dispersal orders must be given in a manner reasonably believed to be heard and understood by the intended audience.
 - a. Loud speech
 - b. Amplified sound (patrol unit, helicopter or handheld bullhorn).
 - c. May be given in English and in other languages that are appropriate for the audience
 - d. Dispersal orders should be given at least twice or as many times as deemed appropriate.

- C. Depending on the type of crowd or mob, the dispersal order should be given at this time, consisting of the following:

I am (Name and rank), with the Orange County Sheriff’s Department. I hereby declare this to be an unlawful assembly and, in the name of the people of the State of California,

command all those assembled at (give specific location,) to immediately disperse, which means to break up this assembly. If you do not do so, you may be arrested or subject to other police action. Other police action may include the use of less lethal munitions, which could cause significant risk of serious injury to those who remain. Section 409 of the Penal Code prohibits remaining present at an unlawful assembly. If you remain in this area, which was just described, regardless of your purpose in remaining, you will be in violation of Section 409. The following routes of dispersal are available: (give the most convenient route(s) of dispersal.) You have (a reasonable amount of time) to disperse.

D. If the crowd or mob fails to disperse, the deputies should form in the appropriate formation and begin dispersing the members. The intent of a dispersal order is to permanently disperse a crowd, not to merely relocate the problem.

E. Mass arrests

1. Mass arrests are dynamic situations, and any process must be flexible enough to handle challenges confronting the field force.
2. Arrest teams should be composed of two or more deputies per team depending on circumstances. These teams should be provided with the appropriate equipment (flex cuffs, protective gear, etc.)
3. Should the event result in mass arrests, a written report must be submitted detailing the incident. This report can be augmented with photographs or video recordings.
4. Refer to Jail Operations Policy 1810 Group Arrest/Field booking Teams for more information.

IV. Less Lethal Usage

A. OC Spray is authorized for general field operations (uncooperative individual behavior). OC Spray shall not be used for crowd dispersal or on passive resisters.

B. Deputies certified in the use of Electronic Control Weapons Device (Taser) are authorized to deploy the weapons in general field operations (on uncooperative individual whose behavior meets the criteria for use). Electronic Control Weapons Devices shall not be used for crowd dispersal or on passive resisters.

C. The use of CS gas is authorized by OCSD SWAT teams only. The Incident

Commander shall get approval from an Assistant Sheriff prior to deployment of CS gas in a crowd control environment. However, if exigent circumstances exist, the Mobile Field Force leader (Lt. or Sgt.) can make the decision to deploy CS gas if needed.

- D. Only those personnel currently certified will be allowed to deploy less lethal munitions in a crowd control situation. Personnel will only deploy the weapons they have been trained to utilize.
- E. Less lethal usage of impact munitions shall be target specific only. Less lethal munitions will be fired at a specific/identifiable target for purpose of selectively and temporarily incapacitating an individual(s) or to cause the individual to stop aggressive/combatative actions. Impact munitions shall not be used for crowd dispersal or on passive resisters.

V. Passive Arrest Teams

- A. A Passive Arrest Team is a squad size element of Sheriff's personnel who assemble to overcome passive resistant techniques used by some demonstrators/protesters.
- B. When dealing with passive resisters deputies should only use that force which is objectively reasonable to overcome resistance, prevent escape and effect arrest (CPC 835a). Some examples of force when dealing with a passive resister would include:
 - 1. Mere Presence
 - 2. Verbal Commands
 - 3. Controlling Force (Deputies are not limited to the following)
 - a. Rear wrist lock
 - b. Twist wrist lock
 - c. Pressure points

Recommended pressure points include:



THE FOLLOWING CONTROLLING FORCE OPTIONS ARE NOT AUTHORIZED FOR PASSIVE RESISTERS:

1. Carotid Control Technique
 2. Pepper spray
 3. Taser
- C. Prior to any arrest, the following admonishment must be given once to each suspect: “This area has been declared an unlawful assembly and you are now under arrest. Do you understand? Will you comply with the officers directions? If you don’t comply with the officer’s directions, you may be injured and additional charges may be filed against you. Do you understand? Will you comply now?”

This admonishment may be given in English and in other languages that are appropriate for the suspect.

VI. Use of Force Policy

The use of force policy does not change in a crowd control environment. Refer to Policy and Procedure regarding use of force for further details.

VII. Post-Action report

Someone shall be assigned to complete a post action report by the Incident Commander. This report should document the incident in detail.

Additional Information can be found in:

Training Bulletin “Mobile Field Force 11-14”

Department Manual “Mobile Field Force 323”

Persons with Disabilities

In accordance with the Americans with Disabilities Act (and revised ADA Regulations), the Orange County Sheriff's Department is required to 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.

This section 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.

I. Factors to Consider

A. 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:

1. Deputies 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, deputies should ask the individual to communicate back or otherwise demonstrate their understanding.
2. The nature of the disability (e.g., deafness or blindness vs. hard of hearing or low vision).
3. The nature of the law enforcement contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact).
4. 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.

II. Initial and Immediate Considerations

- A. Recognizing that various law-enforcement encounters may be potentially volatile and/or emotionally-charged, employees should remain alert to the possibility of communication problems.
- B. Deputies 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.

- C. In a non-emergency situation, when a deputy knows, or believes an individual may require assistance to effectively communicate, the deputy shall identify the individual's choice of supporting aid or service.
- D. The individual's preferred communication method must be honored unless another effective method of communication exists under the circumstances.
- E. Factors to consider when determining whether an alternative method is effective include:
 - 1. The methods of communication usually used by the individual
 - 2. The nature, length and complexity of the communication involved
 - 3. The context of the communication
- F. In emergency situations involving an imminent threat to the safety or welfare of any person, deputies may use whatever supporting 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 deputy should inquire as to the individual's preference and give primary consideration to that preference.
- G. If an individual who is deaf, hard of hearing or has impaired speech must be handcuffed while in the custody of the Orange County Sheriff's 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. However, prior to entering the jail facility, all suspects must be handcuffed to the rear of the body.

III. Types of Assistance Available

- A. Deputies will not refuse to assist an individual with disabilities who is requesting assistance.
- B. The Department will not charge anyone to receive supporting aids, nor shall they require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance.
- C. The Department will make every reasonable effort to provide equal access and timely assistance to individuals who are disabled through a variety of services.
- D. A person who is disabled may choose to accept department-provided supporting aids or services or they may choose to provide their own.

IV. Qualified Interpreters

- A. 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 speech-reading (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.
- B. ECB will maintain a list of sign language and oral interpreting services that are available (on-call 24 hours per day) and willing to provide qualified interpreters as needed. ECB will update this list annually.
- C. No individual who is disabled shall be required to provide his/her own interpreter. TTYs (text telephones) are to be made available to individuals who are deaf or hard of hearing.
- D. Family and Friends
 - 1. While family or friends may offer to assist with interpretation, deputies 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).
 - 2. Children shall not be relied upon to interpret or facilitate communication except in an emergency involving an imminent threat to the safety or welfare of an individual or the public where there is no qualified interpreter reasonably available.
 - 3. In accordance with 28 CFR 35.160, adults accompanying an individual with a disability shall not be relied upon to interpret or facilitate communication except (1) in an emergency involving an imminent threat to the safety or welfare of an individual or the public where there is no qualified interpreter available; or (2) where the individual with a disability specifically requests that the accompanying adult interpret or facilitate communication, the accompanying adult agrees to provide such assistance and reliance on that adult for such assistance is appropriate under the circumstances.

V. Field Enforcement

- A. 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.
- B. The Department recognizes that it would be virtually impossible to provide immediate access to complete communication services to every member of this department. Deputies 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.
- C. Although not every situation can be addressed, 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.

VI. Field Resources

- A. Examples of methods that may be sufficient for interactions, 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:
 - 1. Hand gestures or visual aids with an individual who is deaf, hard of hearing or has impaired speech.
 - 2. Exchange of written notes or communications.
 - 3. Verbal communication with an individual who can speech read by facing the individual and speaking slowly and clearly.
 - 4. Use of computer, word processing, personal communication device or similar device to exchange texts or note.
 - 5. Slowly and clearly speaking or reading simple terms to individuals who have a visual or mental impairment.

VII. Custodial Interrogations

- A. 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.

- B. 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 and indicate in writing that these warnings also apply to anything he/she may write.
- C. In order to ensure that communications during custodial investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible.

VIII. Arrests and Bookings

- A. If an individual with speech or hearing disabilities is arrested, the arresting deputy 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.
- B. 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.
- C. If an individual with hearing or speech difficulties is taken into custody and entitled to make a telephone call (e.g. TTY), but cannot make that call due to his/her disability, then it is the duty of the deputies to make the telephone call for that person. The individual's right to communicate with his/her family or attorney or interpreter cannot be denied due to disability.
- D. Individuals who require and possess personally owned communication aids (e.g., hearing aids, cochlear processors) should be permitted to retain them while in custody, granted they do not pose a security risk as determined by the Watch Commander or his/her designee.
- E. 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. If arrangements cannot be made, County Animal Control may be contacted to pick up and board the animal at the owner's expense.
- F. Arrestees who require and possess personally owned, specialty medical devices, such as insulin pumps, prosthetic devices and other specific medical devices pertinent to the individual's health should be permitted to make arrangements to have those items brought to the visiting reception guard

station at the intake release center. If approved by CHS medical and security staff, those items will be issued to the individual.

- G. Individuals who use assistive devices like crutches, braces or even manual wheelchairs might be safely transported in a patrol car. However, other individuals who use manual or power wheelchairs might require alternative methods of transportation including lift equipped vans. Obtaining the following information ahead of time may assist you:
1. The method of transportation he/she normally uses.
 2. The method in which he/she uses in transferring in and out of vehicles.

IX. Service Animals

Beginning on March 15, 2011, a service animal under Titles II and III of the ADA means any dog that is individually 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. Other species of animals, whether wild or domestic, trained or untrained, are not service animals. Generally, entities must permit service animals to accompany people with disabilities in all areas where members of the public are allowed to go.

- A. Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include:
1. Guiding people who are blind.
 2. Alerting people who are deaf.
 3. Pulling a wheelchair.
 4. Alerting and protecting a person who is having a seizure.
 5. Reminding a person with mental illness to take prescribed medications.
 6. Calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties.
- B. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.
- C. Under the ADA, service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.
- D. When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions:

- Is the dog a service animal required because of a disability?
- What work or task has the dog been trained to perform?

Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.

- E. A person with a disability cannot be asked to remove his service animal from the premises unless: (1) the dog is out of control and the handler does not take effective action to control it or (2) the dog is not housebroken. When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or services without the animal's presence.
- F. Establishments that sell or prepare food must allow service animals in public areas even if state or local health codes prohibit animals on the premises.
- G. People with disabilities who use service animals cannot be isolated from other patrons, treated less favorably than other patrons, or charged fees that are not charged to other patrons without animals. In addition, if a business requires a deposit or fee to be paid by patrons with pets, it must waive the charge for service animals.
- H. If a business such as a hotel normally charges guests for damage that they cause, a customer with a disability may also be charged for damage caused by himself or his service animal.

In addition to the provisions about service dogs, revised ADA regulations have a new, separate provision about miniature horses as an alternative to dogs. A public entity shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability (Miniature horses generally range in height from 24 inches to 34 inches measured to the shoulders and generally weigh between 70 and 100 pounds.) The regulations set out four assessment factors to assist entities in determining whether miniature horses can be accommodated in their facility. The assessment factors are (1) whether the miniature horse is housebroken; (2) whether the miniature horse is under the owner's control; (3) whether the facility can accommodate the miniature horse's type, size, and weight; and (4) whether the miniature horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility.

The permission of using a trained miniature horse allows for flexibility in situations where using a horse would not be appropriate, and the final ADA regulation does not include miniature horses in the definition of "service animal".

DEATHS

- I. Initial response
 - A. Formulate a plan in your mind.
 1. Communicate your plan to other units.
 2. Coordinate your approach with the other units.
 - B. Prepare yourself mentally.
 1. Control your emotions.
 2. Be ready for what you are about to see.
 3. Anticipate the chaos and confusion at the scene; you can minimize it if you have a plan.
- II. Arrival at the scene
 - A. Approach
 1. Approach the scene carefully.
 - a. Observe any vehicle or persons leaving the scene.
 - b. Approach with caution as the suspect may still be at the scene.
 - c. Do not park your vehicle in front of the residence or inside the crime scene, thus preventing the alteration of the crime scene by your vehicle.
 - B. Objectives
 1. Search for suspects and victims under exigent circumstances in order to avoid disturbing evidence unless absolutely necessary, and search only in areas where a person could hide.
 - a. While searching:

1. Note conditions of crime scene (lights on, doors open, etc.).
 2. Watch for physical evidence in plain sight.
 3. Record observations in notebook.
 4. Be alert for fragile evidence.
 - a. Fingerprints (on doors, light switch, door frames, etc.)
 - b. Foot prints (sidewalks, flower beds, floors)
 - c. Blood smears, projectiles, shell casings, etc.
 - d. Bullet holes
 5. Victim(s) position(s) and description(s)
 - a. Clothing
 - b. Wound characteristics
 - c. Physical appearance
 6. Pay attention where you and others go. Don't alter or destroy evidence at the crime scene.
2. Evaluate the scene.
- a. Is it a possible homicide?
 - b. Summon and direct assistance.
 1. Care for the victim if still alive, or the remotest possibility exists that the victim is alive. Render first aid and obtain medical assistance by calling paramedics and an ambulance. (Don't allow paramedics or ambulance attendants to alter crime scene and advise them of potential evidence in scene). Have a deputy record the names of the

paramedics and ambulance attendants and accompany the victim to the hospital.

c. Signs of death

1. Cessation of breathing
2. Cessation of pulse
3. Loss of muscle tone in eye balls
4. Loss of body heat
5. A pale color to skin
6. Disappearance of color in fingernails
7. Post mortem lividity
 - a. Caused when blood pressure ceases
 - b. Will always occur except where there is a large loss of blood
8. Rigor mortis
9. Obviously dead (decapitation, decomposed, putrefaction, etc)

- C. Investigate all deaths as homicides until positively proven otherwise. Homicides could possibly be disguised as suicides or natural deaths.
- D. Protect the scene. Do not move the body or alter anything at the scene. DO NOT TOUCH OR UNLOAD ANY WEAPONS.
- E. Try to find out what happened. Interview the informant and witnesses at the scene. If during your initial questioning, you believe a possible homicide has occurred and the suspect is still on scene, after you have enough justification to detain, make an attempt to establish a rapport with the suspect (Casual conversation not related to the case), and DO NOT read the suspect their Miranda rights.
- F. If the victim is dying but still conscious, try to get a dying declaration from the victim (a dying declaration may be verbal, by gesture, or in writing).

1. Elements of dying declaration
 - a. Victim must die.
 - b. Victim must give up all hope of living.
 - c. Statements must be of facts concerning the victim's death.
 - d. Try to have a witness observe, if possible.

G. Do not remove any items from person of deceased.

1. Government Code Section 27491.3. It shall be unlawful for any person to search for or remove any papers, monies, valuable property or weapon constituting the estate of the deceased from the person of the deceased or from the premises prior to the arrival of the coroner, or without his permission.

III. The "Mincey" search problem

A. Seldom is it immediately known if a "Mincey" search problem exists.

1. Does the suspect live there?
2. Does the victim live alone?
3. Let the homicide investigator decide.
4. Assume you will need a search warrant.

B. First deputy must remain on scene.

1. Can be one of the first who enter under exigent circumstances (legal entry without search warrant).
2. Let others secure crime scene perimeter and locate witnesses.
3. He will be the affiant on the search warrant due to observations made upon legal entry.
4. Communicate using pac set, if necessary.
5. Be prepared to verbalize everything you see.

6. Stay inside the scene, (not on the porch or driveway).
7. Control your actions and impatience.
 - a. Don't wander about the scene after the initial search.
 - b. Don't use the bathroom or the telephone in the scene.
 - c. Avoid contaminating the scene or altering it.
8. The Deputy inside the scene is the eyes and ears of the investigator getting the search warrant.

IV. Notification

If victim is deceased, request a patrol sergeant and the following additional persons:

A. Traffic Accident

1. Accident investigators from the Major Accident Reconstruction Team (M.A.R.T.)
2. Coroner

B. Homicides

1. Investigation Division/Homicide Detail
2. OCCL
3. Coroner

C. Suicides

1. Investigation Division/Homicide Detail
2. Identification Bureau
3. Coroner

D. Natural causes of death

1. Coroner

E. Questionable deaths

1. Investigation Division/Homicide Detail
2. Identification Bureau
3. Crime Lab
4. Coroner

F. Notification to the Coroner's Office should be made by telephone, if possible.

V. Crime scene control

A. Set up substantial perimeter using barrier.

1. Need room to work and confer out of hearing of witnesses and press.
2. Barrier can be tape, rope, cones, cars, whatever is available.
 - a. Essential to have deputies to maintain it.
3. Make a perimeter all-encompassing of areas where evidence may be found.
4. Might necessitate blocking the entire street.
5. If press asks for a statement, refer them to media relations. Make no statements yourself.

B. Crime scene log.

Witness List

1. Record everyone found in scene upon arrival, including deputies.
 - a. Time found, name, purpose, time removed.
2. Record everyone who enters the scene.
 - a. Time, name, purpose, time left.

- C. Evacuate everyone from scene, except “first Deputy”.
1. Keep witnesses accessible to investigators at scene.
 - a. Neighbor’s house.
 - b. Seated in patrol car.
 - c. Transport to headquarters or station.
 - d. Don’t leave them unattended.
 - e. Separate when feasible. Don’t let them talk to each other.
 - f. After initial search for suspects or additional victims, there is no need for assisting deputies or supervisors to remain inside scene.
 1. Too great a risk of contaminating the scene.
 2. “First deputy” can communicate observations to supervisor outside scene.

D. Who can enter scene.

Practically no one

1. Allow no one to enter prior to arrival of the homicide investigator or homicide sergeant.
 - a. Only exception is the Coroner’s investigator.
 1. Can make preliminary examination of the body without disturbing the scene.
 2. Advise him/her of path to use.
 3. “First deputy” should be present.
 - b. No other deputies, investigators, sergeants, etc.
 - c. Crime Lab and identification personnel must also wait.

2. Don't hesitate to confront those who attempt to remain in the crime scene or attempt to enter.
 - a. Sometimes it's more difficult with fellow deputies than supervisory deputies.

VI. Reports

It will be the responsibility of the handling deputy to make the following reports:

- A. Death resulting from traffic accident
 1. Traffic accident report
 2. Casualty report
- B. Death resulting from suicide
 1. Casualty report
- C. Death resulting from homicide
 1. Casualty report
- D. Questionable deaths
 1. Casualty report
- E. Natural causes
 1. Casualty report
 - a. Where the Fire Department calls Patrol to take charge of the decedent pending the arrival of a deputy coroner.

VII. Notification of next of kin

- A. This is basically the responsibility of the Coroner's office; however, the handling deputy should discuss this with the deputy coroner and reach an agreement as to who will make the notification.
 1. Exceptions

- a. Homicides and questionable death notifications will be made by the Homicide Detail.
- b. Handling deputy can make notification of natural and traffic accident deaths.

2. Refer all question to Coroner's office

- a. Record date and time of notification and persons notified.

- B. Making the notification.

1. Notification of next of kin should be made in person.
2. Use tact and good judgment when notifying relatives. The shock of being notified of the death of a loved one can cause the relative to go into shock or possibly have a heart attack or other problems. Therefore, the deputy should use sound judgment and sincerity.

VIII. Sudden Unexpected Infant Death (SUID)

The sudden death of an apparently healthy infant under one year of age, which remains unexplained after a complete post mortem investigation including an autopsy, examination of the death scene, and a review of the case history.

A. Indications

1. A SUID infant is usually between 1-6 months old. Seventy-five percent of SUID deaths occur between the ages of 2-4 months.
2. Death usually occurs during a sleep period, either at night or during daytime nap.
3. Infant appeared healthy when last seen before death.
4. In general, the infant shows no visible signs of trauma or injury.
 - a. A frothy or blood tinged mucous or vomit may be present around the nose and mouth due to escape of fluids from the lungs and relaxing of throat after death has occurred.
 - b. Lividity may be present in form of discolored blotches.

- c. Rigor mortis occurs quickly – about 3 hours. Simple marks or skin conditions (diaper rash) will look more severe as body cools.

- d. Normal for body to move bowels or bladder at death. Does not indicate neglect or abuse.

B. Deputy's attitude and approach

- 1. Acknowledge the possibility of SUID being the cause of death.
- 2. Communicate SUID information to survivors.
 - a. 24 hour victim/family support phone number – 1 (800) 369-SIDS
- 3. Take charge and explain what is happening during investigation.
- 4. Be thorough and maintain a non-accusatory approach during investigation.

C. Investigation

- 1. Crime scene protocol still applies, but approach should be non-accusatory and non-judgmental.

DISASTERS/TERRORIST EVENTS

I. Natural Disasters

Law enforcement activities during a natural disaster are likely to last several days or more. It may involve the evacuation of hundreds of persons and the protection of property they leave behind.

A. Command Post

1. During site location selection, consideration should be given to the possibility that the Command Post may become part of the incident.

a. Mobile Command Post

1. Utilize the small Command Post for a smaller event, and Samantha 1 or Samantha 2 for larger events.
 2. If the Command Post location is moved, the new site must be communicated to all personnel.
2. Command Post area large enough to handle parking and assembly of responding personnel. Take into consideration size and maneuverability limitations of Mobile Command Posts and type of disaster.

B. Tactical considerations

1. CPC 409.5 – Authority to close area during disaster.
 - a. Duly authorized press representatives allowed entry.
2. Perimeter Control
 - a. Outer perimeter may be quite large.
 1. Barriers such as hills, freeways, drainage channels, etc., aid effective perimeter control and lessen the need to deploy personnel.

b. San Onofre Nuclear Generating Station "SONGS" Response.

1. See South County maps provided to patrol personnel by cities that would be affected for control/evacuation routes, etc.
3. Provide ingress and egress routes for personnel and equipment.
4. Provide evacuation routes for civilian personnel.
5. Duty personnel relief.
 - a. Twelve hour shifts / food / personal needs
6. Routine patrol of affected area.

C. Other agencies

1. California Highway Patrol.
 - a. Traffic and perimeter control.
2. Fire Department and Paramedics.
3. American Red Cross.
 - a. Provides staff evacuation centers.
4. Health Department.
 - a. First aid stations.
5. Local churches.
 - a. Assist in housing evacuated persons.

II. Aircraft Crashes

The primary responsibility of the Sheriff's Department at an air crash site is traffic/crowd control and the protection of the crash site until the National Transportation and Safety Board, FAA or military assumes control. We will also assist in emergency measures to rescue and care for injured persons. We will

work closely with Orange County Crash, Fire Rescue (CFR) to coordinate efforts. If the crash occurs on the John Wayne Airport, the first units on the scene will be Department Airport Detail officers and the Airport deputy. The Airport Detail deputy will take charge of the scene until relieved by the Airport Detail sergeant or a field sergeant. Responding deputies should utilize the Airport Detail deputy's special knowledge and expertise in airport layout and functions to quickly control the scene and secure the perimeters. Responding field deputies will not drive on the air operations area without escort unless they are thoroughly familiar with procedures for doing so.

A. Immediate considerations

1. Evaluate the situation.
2. Establish perimeters.
 - a. Outer traffic perimeter
 1. No unauthorized vehicles inside
 2. Provides primary and secondary routes of ingress and egress for emergency vehicles
 - b. Inner Perimeter
 1. Around crash site and debris
 2. Fire department
 3. Ambulances
 4. Area hospitals notified

B. Command Post

1. Proximity to crash site
 - a. Near site, but not where it would interfere with rescue operations.
2. Space.
 - a. Should be adequate to handle auxiliary activities.

1. News media area
 2. Field hospital and morgue
 - b. Staging area for responding personnel
- C. Support
 1. Request Department media relations officer.
 - a. Establish media staging area.
 1. Establish press perimeter.
 2. Reserves and Explorers
 3. Coroner
 4. Airline personnel
 - a. If commercial airline involved, they may provide additional private security.
 5. Identification or authorized personnel
 - a. Consider armbands, pins, etc., to identify non-uniformed authorized personnel.
 6. National Transportation and Safety Board
 - a. The responsible investigative agency for all civil crashes
 - b. Investigative team responds from Washington, D.C.; may take 24-hours or more.
 7. FAA
 8. American Red Cross
 9. Field booking team
 - a. Civilians may respond in the hundreds. Arrests may be necessary to protect the scene.

III. Natural Gas, Electric Problems or Civil Liability

A. Upon arrival

1. Visual inspection of the scene
 - a. Advise Orange County Fire
2. Render first aid, if necessary

B. Natural Gas

1. If leak is outside, there is a minimum chance of danger as the gas will dissipate into the air.
 - a. However, keep people and vehicles out of the area until repairs are made.
 - b. Do not allow smoking or an open flame near the leak.
 - c. Never allow anyone to stand in front of a break or rupture that has been plugged with a piece of wood. Pressure could expel the plug at a great velocity.
 - d. If the gas is burning and there is no danger to nearby structures/combustible material, no attempt should be made to extinguish the flame. Orange County Fire and the Gas Company personnel will handle the problem.
2. Keep all people away from potential explosion area.
 - a. Large areas should not be evacuated unless requested by personnel from the Gas Company or fire Department. Deputies should use discretion concerning evacuation prior to arrival of gas and fire personnel.
3. The following safety rules shall be followed when entering a structure filled with gas.
 - a. Never turn your flashlight on or off inside the structure; this could cause a spark. Instead, turn the device on prior to entering and leave it on until after you have exited.

- b. Never turn light switches on or off.
- c. Never plug in or unplug an electrical appliance.
- d. Never smoke or light matches/lighter.
- e. Never stay inside longer than necessary.
- f. Only enter the structure to affect a rescue or evacuation.

C. Electrical problems

1. All wires which are down shall be considered as live wires until such time as the lineman advises you they are safe.
2. The public should be kept at a safe distance.
3. Remember wires often jump when they are charged with electricity.
4. Never take action unless you are confident of what you are doing.

D. Civil liability

1. Deputies shall show particular concern where an incident occurs whereby the County may face civil litigation. This would be when death or injury and/or property damage occurs involving:
 - a. County employees
 - b. County buildings
 - c. County property
 - d. County vehicles
 - e. County equipment
2. Any such casualties/damage shall be reported to the deputy's supervisor and the Department Commander. All such incidents will also be reported to County Risk Management by the supervisor. Serious matters that occur after normal weekday

work hours shall be reported to off-duty Risk management personnel by contacting Control One.

3. In view of pending litigation that often occurs in these matters, deputies will determine that a thorough investigation is conducted and thus, documented. To ensure this, other resources, such as the use of the Investigation Division, will be considered.

IV. Chemical Spills

- A. Chemical spills may be comprised of many hazardous materials, such as oil, toxic chemicals, radioactive materials, explosive materials and biological materials, including sewage on land and water.
- B. Responsibilities of deputies at the scene:
 1. Secure the area.
 2. Make notification of necessary responders.
 3. Coordinate access and egress. Establish temporary control zones (hot, warm and cold).
 4. Maintain crowd control/implement force protection if needed.
 5. Initiate vehicle control pending assistance by California Highway Patrol (except contract cities, which are Sheriff's responsibility).
 6. Deputies may be required to escort storage vehicles to County dump sites and provide additional security, if needed.
- C. Ensure that Control One is notified.
 1. Control makes mandatory notifications to affected agencies.
 2. Control will notify adjacent jurisdictions that may become affected.
- D. If explosive chemicals are suspected in the spill, notify the Hazardous Devices Squad.
 1. Some chemicals become explosive when mixed with others.

2. Fire Department will assist with spills.
3. Crime Lab can only be of limited assistance.

V. Hazardous Waste Discharge Reporting

A. Background

1. The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) created certain provisions of the Government Code and Health and Safety Code which require peace officers to report illegal discharges or threatened illegal discharges of hazardous wastes to the County Health Officer and the Board of Supervisors within 72 hours. Failure to report such illegal discharge or threatened illegal discharge can result in a felony conviction for such peace officer. Punishment for conviction can be three (3) years in prison, \$25,000 fine, and forfeiture of employment.
2. All hazardous materials (i.e., gasoline), once discharged, are regarded as hazardous waste.

B. Law and Implementation

1. Health and Safety Code Section 25180.7
 - a. Any designated government employee who obtains information in the course of his official duties revealing the illegal discharge or threatened illegal discharge of a hazardous waste within the geographical area of his jurisdiction and who knows that such a discharge or threatened discharge is likely to cause substantial injury to the public health or safety must, within 72 hours, disclose such information to the local Board of Supervisors and to the local health officer. No disclosure of information is required under this subdivision when otherwise prohibited by law, or when law enforcement personnel have determined that such disclosure would adversely affect an ongoing criminal investigation, or when the information is already general public knowledge within the locality affected by the discharge or threatened discharge.
2. The County Health Officer has designated Health Care Agency/Environmental Health to receive all reports of

hazardous waste discharges or threatened discharge. HCA/Environmental Health will ensure notification of the Board of Supervisors.

C. Procedure to Ensure Compliance

1. Deputies must notify the Department Commander by telephone immediately upon receiving information of hazardous waste discharge or threatened/potential hazardous waste discharge.
 - a. The Department Commander will contact Control One who will make the appropriate notifications.
2. Be prepared to provide the following information:
 - a. Location – including address and cross streets
 - b. Description of cause of incident
 - c. Responsible parties (i.e., property owner, truck driver/owner), their addresses and telephone numbers.
 - d. Identification of discharge or threatened discharge waste (chemical name, common name, physical state, volume, etc.)
 - e. Environment affected (i.e., roadway, sewer, storm drain, river, ocean/bay, residential/commercial/open area, public/private property)
 - f. Number of persons injured, if any
3. In incidents where there is a release or potential immediate release, request fire department responds to the scene.
4. Reports required in all instances
 - a. Draw a case number for Assist Outside Agency HCA/Environmental Health, or for the appropriate crime.
 - b. Copies to: HCA/Environmental Health and Board of Supervisors
 - c. Include the name of the person you notified by telephone.

5. Notify your immediate supervisor or, in their absence, the Department Commander as soon as possible.
6. Notify the Divisional Investigation unit if a suspect is identified or apprehended.

VI. Terrorist Events

A. Personal Protective Equipment

1. Personal Protective Equipment (PPE) is to be used for the protection of personnel in Weapons of Mass Destruction (WMD) incidents. This equipment includes but is not limited to the MSA Millennium Full Face Air Purifying Respirator (Gas Mask) with a Filter Canister and the Tri-Con Response Pak. The Response Pak includes a KAPPLER level "C" full body chemical resistant suit, over boots, and chemical protective gloves with liners.
2. Before the PPE can be issued and used, all designated personnel must be fit tested, medically screened, and trained on its use. Personnel will be fit tested and trained by the Orange County Sheriff's Department Training Division while attending the Emergency Response to Terrorism Incidents class.

B. Issuing PPE

1. All Department personnel of the rank of Lieutenant and below will be trained and issued the PPE for the individual member to maintain. The training will consist of successful attendance and completion of the Emergency Response to Terrorism Incidents class conducted by the Orange County Sheriff's Department Training Division. All on duty personnel will have their issued PPE with them, or readily available for potential call out.

C. When to use the PPE

1. The PPE is to be used in a WMD incident. It is used to protect the user in the perimeter area only (Warm Zone). This equipment is not intended to be used in the contaminated zone (Hot Zone). The user should put on their PPE in a "clean area" (Cold Zone) i.e., Command Post or other assembly area usually up wind, uphill, and upstream from the incident location. The user should utilize the (two person) approach when putting on

their PPE. This insures that all of the protective measures are in place and all opening are taped closed.

2. When the user has been directed to put on their PPE the following action must be taken:
 - a. Remove eyeglasses or contact lenses.
 1. Glasses cannot be worn with the full-face respirators. They will not allow for a proper seal.
 2. Contacts cannot be worn in a suspected contaminated area, as they may trap small particles between the lens and eye. This could damage the eye.
 - b. Remove duty belt.
 1. The duty belt must be worn on the outside of the protective suit. This allows the deputy access to all safety equipment. Caution must be exercised to prevent tearing of the suit.
 - c. Remove sharp objects.
 1. Sharp objects must be removed to prevent puncturing or ripping of the suit (i.e., pens, knives, etc.). The badge and nametag should be removed and secured as well.
 - d. Remove wristwatch.
 1. The watch must be removed to allow a tight fit around the wrist of the suit. This is where the gloves meet the suit and where the suit could be compromised if it does not fit properly. The watch can be attached to the duty belt. This will allow the deputy to monitor the time.
 - e. Adjust hair.
 1. Deputies must insure that hairstyles and facial hair do not interfere with the fit/seal of the mask. It may be necessary for deputies with long

hair to pull it back and tie it in a manner so as not to interfere with the harness straps. Facial hair should be trimmed above the lower jaw line.

3. THE SEAL OF THE GAS MASK IS THE MOST IMPORTANT ISSUE AS IT PROTECTS YOUR RESPIRATORY SYSTEM.

D. How to use the PPE

1. The PPE is packaged in a manner that requires the deputy to perform minor assembly of the GAS MASK. The deputy must install the multi-agent filter to put the GAS MASK into operation. The deputy should visually inspect the filter packet to ensure the seal has not been broken. The deputy should also note the expiration date or shelf life date to ensure they have a useable filter.
 - a. If the deputy finds deficiencies, he/she should report them to their supervisor for replacement. Under no circumstances should a deputy place a GAS MASK into operation with an expired filter.
 1. The exception would be to use the expired filter for training purposes only. Training filters shall be marked accordingly.
 - b. The PPE suit is a one-piece KAPPLER brand chemical resistant suit. This suit is a one-time use suit and not designed to be decontaminated.
 - c. If the suit is opened and put into service and it is later determined no contamination was present the suit may be kept and used at a later time. The GAS MASK and filter should be placed into a re-sealable plastic bag and marked with the date and amount of time it was exposed in a normal environment.
 - d. If the suit and GAS MASK were exposed to contamination, the suit and filter must be discarded to the on scene authority with Haz-Mat disposal capabilities (usually the Fire Department). The GAS MASK can be decontaminated. A new filter and suit may be issued if a deputy is required to reenter the contaminated zone.

- e. The issue and disposal will be determined at the Division Commander's directive.

2. Putting on the Gas Mask

- a. Hold the head and chin straps on both sides of the Gas Mask, using thumb and forefinger, pull them to the sides.
- b. Put the Gas Mask on chin first.
- c. Pull both chin straps straight back until the Gas Mask tightens around your face.
- d. Make sure the Gas Mask is centered on your face.
- e. Make sure the harness is centered on the crown of your head.
- f. Make sure the straps are not twisted or covering your ears.

3. Clearing the Gas Mask

***YOU MUST CLEAR THE GAS MASK** to expel any contaminants that were trapped inside when you put it on. The way you clear the Gas Mask is as follows:

- a. First place your hand over the voice port and quickly exhale.
- b. Place your palm over the inlet port of the filters and breathe in. The GAS MASK should collapse against your face.
- c. If the GAS MASK does not collapse against your face, check the outer edges of the GAS MASK to ensure it is not folded under. Then adjust the straps as needed.
- d. Repeat the clearing procedure.

E. Wearing the KAPPLER Protective Suit

1. The KAPPLER suit is a one-piece, lightweight, chemical protective suit. The suit, with all of the components will fully

cover the wearer. This suit shall be used with the GAS MASK, and will protect the wearer from chemical contaminants. The suit shall not be used to fight fires or work in the contaminated area (hot zone). It is designed for perimeter use only (warm zone). The suit has very limited protection against radiological contamination. It will provide limited protection from radiological fall out.

- a. Putting the suit on should be accomplished in a secure area with the assistance of another person. This would allow both deputies to ensure no areas are exposed.
- b. The suit can and should be completely sealed using chem-tape or duct tape. The front zipper has an adhesive seal and can also be taped over once the zipper is pulled up. Special attention should be given to the area around the GAS MASK and the wrists. The suit is one piece so the yellow over boot shall be worn as an extra precaution. You may tape them where they meet the leg to help hold them in place.
- c. The gloves and glove liners must be worn to protect the hands and should also be taped where they meet the suit sleeves.
- d. The suit should be of sufficient size to allow the deputy freedom of movement to conduct law enforcement functions. Keep in mind that the deputy's abilities would be reduced markedly while wearing the personal protective gear.

F. Health and safety issues

1. Hydration

- a. The first health and safety issue that needs consideration is hydration. The on scene supervisor must monitor the personnel and ensure they are able to exit the contaminated area to replenish lost fluids.

2. Heat Exhaustion/Heat Stroke

- a. The second issue is the amount of time the deputy is in the equipment. The suit, when sealed, will not allow body heat

to escape; therefore, the dehydration process is accelerated. This could lead to a rapid onset of heat exhaustion/heat stroke.

- b. Heat exhaustion/heat stroke is caused by a rapid increase in the body's core temperature. It can be fatal. Deputies who are not properly hydrated prior to putting on the equipment may be more susceptible to heat exhaustion/heat stroke than others. This is a significant problem and can be amplified depending on the time of year (July vs. January).
- c. The on scene supervisor should make arrangements to rotate personnel for required hydration and rest periods.
- d. The use of shade and other types of shelter outside the contaminated zone should be designated.
- e. Other issues may come up depending on the situation and shall be addressed as needed.

G. Decontamination of personnel and equipment

1. Decontamination

- a. If decontamination is needed the deputy will be directed by trained decontamination personnel to move to the decontamination site. On scene decontamination personnel will direct the deputy in the procedure and assist them in the process.
- b. The KAPPER PPE suit, chemical protective gloves, over boots, and filter Canister cannot be decontaminated and will be disposed of at the established decontamination site.
- c. Other equipment such as the leather duty belt and leather pouches will have to be discarded, as they cannot be decontaminated.

H. Equipment maintenance

- 1. Other than cleaning the face piece of the GAS MASK all maintenance should be performed by trained personnel. Each

person issued a Response Pak should inspect it annually to ensure usability.

- a. The pack may be opened to allow the user to inspect the contents. The sealed filter must not be opened. The expiration date should be observed. If replacement filter is needed contact the program administrator at the Training Bureau.
- b. If any other components of the pack need to be replaced, the user should contact their supervisor.

I. Conclusion

1. It is important that each user follow the guidelines set forth in this policy. Advise your supervisor of any equipment malfunctions.
2. Any suggestions for training or equipment should be channeled to the WMD Training and Equipment Committee at the Terrorism Early Warning Group (O.C.I.A.C).

Almost any criminal act -from a purse-snatching to a terrorist bombing- involves some degree of preoperational surveillance. This is a common denominator, whether a threat is from common criminals, a terrorist group, or a lone offender. While criminals might case their victims for only a short time, a terrorist might conduct detailed surveillance of a target for several weeks or even months. Regardless of the length of time, the criminal or terrorist is exposed and vulnerable to detection during the preoperational surveillance phase.

Understanding the terrorist attack planning cycle can help law enforcement and others responsible for securing infrastructure assets recognize preoperational activities. Terrorist attack planning and preparation generally proceed through several stages, although the details, sequencing, and timing can vary greatly and change as operational circumstances evolve. The stages that are often observable –such as pre-attack surveillance, training, and rehearsals offer potential opportunities for law enforcement and security personnel to disrupt plots or deter attacks.

Possible indicators may include:



- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]

The mission of all Orange County Deputy Sheriff's is to disrupt and prevent terrorist attacks by:

- Remaining vigilant and watching for observable behaviors.
- Using field interrogation techniques to confirm or dispel reasonable suspicion.
- Documenting incidents through suspicious activity reports.
- Notifying a Sheriff's Department Terrorism Liaison Officer and the Orange County Intelligence Assessment Center of the incident without delay.

Multiple Shooter Terrorist Attacks

A terrorist tactic that uses a platoon or squad sized element to seize and hold a structure, stabilize the target area with interlocking fields of fire, and begins a prolonged hostage event. Examples of this tactic are:

- Beslan, North Osetia (Russia) – 2004, a platoon sized terror element seized and held a small school for three days wounding 700 and killing 338, including 172 children.
- Mumbai, India – 2008, a squad sized terror element utilizes shoot and move tactics throughout several locations in the city to disorient the Indian Police response. The attackers worked their way into separate locations, took hostages and made a last stand, killing 175 and wounding 308.
- Lahore, Pakistan – 2009, a platoon sized terror element conducts an assault on a Pakistani Police academy, killing 8 and wounding 95.

Orange County Intelligence Assessment Center (O.C.I.A.C)

- The Orange County Intelligence Assessment Center's mission is to provide an integrated, multi-disciplined, information and intelligence sharing network to collect, analyze, and disseminate information on all criminal risks and safety threats to law enforcement, fire, health, private sector and public sector stakeholders in a timely manner in order to protect the residents, visitors, and critical infrastructure of Orange County.

DISTURBANCE CALLS

I. Family Problems

A. Arrival at the scene

1. Use caution, both parties are usually extremely angry and will use the deputy to vent their anger.
2. Separate the parties and talk to both sides individually.
3. Take each situation on its own face value.
 - a. You may have had calls at the same location at other times; however, each situation is different.
4. Evaluate the complaint.
5. Talk to other available witnesses.
6. Determine if the problem is criminal or civil.
 - a. Advise the parties.
7. If criminal, determine if a felony or misdemeanor.
 - a. If an arrest must be made, do it correctly and proceed with caution. Sometimes when you arrest one of the parties, even if the other has made a citizen's arrest, the other party will turn on the deputy and assault him or her.
 - b. If it is a domestic violence situation, refer to the section which covers Domestic Violence.
8. Your job is to keep the peace and see that no laws are broken.
 - a. Personal property can be removed without a court order.
 - b. Real or community property cannot be removed without a court order.

- 1.) If one of the parties claims that the other is stealing their property, note it in your report and refer them to the District Attorney.
 - 2.) Do not make an arrest unless absolutely necessary.
9. Get the matter settled as quickly as possible.
 10. A deputy cannot remove a spouse on request of the other.
 - a. If possible, request that one of the parties depart for the evening to allow for a cooling-off period.
 11. If one is locked out, you cannot advise them to break in.
 12. If one spouse invites you in, but the other refuses, you may not enter unless exigency exists.
 13. If the wife leaves, do not transport her.
 14. Be alert for possible attack by either spouse or neighbors.
 15. Refer the parties to the appropriate agency to assist in handling their problems.

II. Loud Parties

- A. Sheriff's deputies frequently respond to disturbing party calls. They often involve a large number of juveniles, alcohol violations and loud music. The streets become congested with vehicles and people. If you follow the clues, you can always find the location of the party and the source of the disturbance without an address.
- B. The reason you were called there was to quiet the disturbance, not to arrest everyone present, and that should be your objective. You want to eliminate the disturbance using the minimum amount of manpower. In doing so, it may be most effective to show a lot of units for a short period of time.

The following are some techniques that have been effective in the past.

1. Be alert for parties early in the shift. Often times, parties are advertised the day before at school. Be alert for such information. You may want to make contact before the party

starts. Often times, parents are unaware their children are having a party.

2. Be visible in the area of a party. This visibility may be sufficient deterrence.
3. When answering a party complaint, it is not necessary to contact the informant. The responding deputy can witness the elements of a disturbance and the informant can always be used as a victim. The victim does not have to sign a complaint or make a citizen's arrest.
4. Once a complaint is received, attempt to make contact with a responsible person at the party and solicit their help in ending the party. You don't have to enter the residence to do this and the person is more likely to be receptive if they speak to you away from the others.
5. Give the host a reasonable amount of time to break up the party. Offer some suggestions (turn off the music, stop serving beverages) and advise everyone the party is over. In the meantime, you can work violations occurring outside the house, such as illegal parking, possession by a minor, PC 647f, etc.
6. If there are underage drinkers at the party (inside or outside), make every effort to contact the parents of the party givers either at the party or by telephone if they are not at home and you can get their telephone number. Bring to their attention that underage persons are drinking at their home and they could be held criminally or civilly liable for the actions or accident of these underage drinkers. Enlist their help in clearing the party if they are cooperative.
7. If a deputy is not satisfied his efforts will eliminate the problem, he may issue to the responsible person a "NOTICE – FIRST RESPONSE – DISTURBANCE IN RESIDENTIAL AREA DURING SLEEPING HOURS" form (reference OCCO 3-15).

Usually, that will take care of the majority of parties. Just because they appear to be cooperative and you leave doesn't mean they will not start the party again. It pays to have adjacent units patrol check if you get tied up and cannot check yourself.

C. OCCO 3-15

1. OCCO 3-15 provides a procedure for quelling disturbances in residential areas during normal sleeping hours by means less drastic than resorting to criminal process. It enables the Department to recover the excessive costs it incurs when repeated responses to the same disturbance are necessary to abate it. Although other disturbances can be included as defined, the ordinance was specifically aimed at large parties
2. Pursuant to the County Ordinance, if a deputy feels the disturbance he has responded to is likely to continue, and it falls under the guidelines of Section 3-15-3 through 3-15-6 of said ordinance (i.e., residential areas, 2200-0700 hours, nuisance as defined), a "NOTICE – FIRST RESPONSE – DISTURBANCE IN RESIDENTIAL AREA DURING SLEEPING HOURS" form will be completed. The deputy will have the responsible person sign the notice of violation, and will then sign it himself.
 - a. The original will be given to the responsible party. The remaining copies will be turned in with the deputy's regular paperwork at the end of the shift.
 - b. The issuance of a violation notice will be duly noted in the CAD system. Any subsequent responses will require a DR be drawn and a report written alleging a violation of OCCO 3-15-6.

D. Arrest

1. In aggravated cases, more stern enforcement action may be needed. Obtain information from party goers and document all necessary elements for whatever offense may be occurring (disturbing the peace, furnishing alcohol to minor, sales without license, contributing to minors, etc.).

If an arrest is going to be necessary, obtain sufficient help to control party goers; but remember your objective is to quiet the disturbance, not to arrest everyone.

2. If arrest of the person giving the party is necessary, the complaining victim can be telephoned by the deputy handling

the call. The deputy writing the report can get the necessary information without personal contact at the victim's home in the presence of the party participants.

- a. All that is needed is a victim who is willing to say in court that he was disturbed.
3. The report should describe:
 - a. The nature of the disturbance.
 - b. How far away it could be heard.
 - c. Prior warnings to the suspect.
 - d. Deputy's arrest of the suspect.
 4. No arrest should be made and no crime report taken, unless the deputy is convinced the noise is sufficient to constitute a crime.
- E. If the assigned deputy is unable to contact a parent at a party where underage persons have apparently been drinking either inside or outside the party, the same deputy must make follow-up contact with a parent on the deputy's next shift. It is the responsibility of the assigned deputy to ensure such contact is made as soon as possible to tell the parent(s) what has been going on in their absence. This contact must be logged. If no contact is made, the attempt must be logged and continued attempts made until the deputy is able to talk to one of the parents. Telephone contact is appropriate when personal contact is not possible.

DRIVING UNDER THE INFLUENCE
CVC 23136, 23140, 23154, 23152 AND 23153

- I. The DUI Report
 - A. Writing a good report, detailing the events and circumstances surrounding the arrest of a person for "driving under the influence" is a necessary and very important duty of the arresting deputy. A comprehensive report, including all elements of the crime, is very important in the preparation and presentation of the case in court. Each deputy should keep in mind that every case may result in a jury trial. Reports may be subjected to close examination by a judge, jury and both participating attorneys. Remember, these people will be trying to find fault with the report. The defense attorney will stress the idea that if the report is inadequate, probably the deputy's testimony will be inadequate as well.
 - B. Necessary documentation
 1. Initial Crime Report (cases occurring in Sheriff's jurisdiction including incidents that terminate outside of OCSD jurisdiction.)
 2. Follow-Up Report (substituted for Initial Crime Report in cases occurring outside Sheriff's jurisdiction.)
 3. Countywide DUI Form
 4. **DS 367** (DMV Officer Statement – Admin Per Se – Suspension/Revocation Order and Temporary Driver's License)
DS 367M (DMV Officer Statement – Admin Per Se – Under 21)
 5. CHP 180 (Stored or Impounded Vehicles)
 6. Petition – Juvenile Arrests (except citable offenses)
 7. Report Continuation Page if additional narrative is required

Age of Driver	BAC	Charge	PAS	Reports
Under 18 yrs.	.01% - .049%	CVC 23136	Required per CVC 13388(a)	Citation to Juvenile Court/DS 367M
Under 18 yrs.	.05% - .079%	CVC 23140	Required per CVC 13388(a)	Citation to Juvenile Court/DS 367M
Under 18 yrs.	.08% or more	CVC 23152(b)	Required per CVC 13388(a)	ICR/Report Continuation DS 367M/Application for Petition Countywide DUI Form
18 yrs – under 21	.01% - .049%	CVC 23136	Required per CVC 13388(a)	Citation to Court of jurisdiction/DS 367M
18 yrs – under 21	.05% - .079%	CVC 23140	Required per CVC 13388(a)	Citation to Court of jurisdiction/DS 367M
18 yrs – under 21	.08% or more	CVC 23152(b)	Required per CVC 13388(a)	ICR/Report Continuation DS 367M Countywide DUI Form
21 yrs and over	Under .08% .08% or over	CVC 23152(a) CVC 23152(b)	Optional Optional	ICR Report Continuation DS 367 Countywide DUI Form
Any driver on probation for previous DUI	.01% - .079%	CVC 23154(a)	Required per CVC 13389(a)	Citation to court of jurisdiction DS 367 or 367M

Note: Highlighted sections in the above grid are administrative only and are not bookable. Juveniles will be required to complete the Preliminary Alcohol Screening (PAS) test before being released to parents. Juveniles with a BAC of .05 or above, arrested for section CVC 23140, driving under the influence, are required to submit to the same chemical tests as adults.

II. Implied Consent Law

- A. The implied consent law, CVC 23612, declares that any person licensed to operate a motor vehicle has consented to a chemical test of his/her blood or breath (urine was dropped as of January 1, 2001) if arrested for driving under the influence of alcohol. CVC 13388 (a) requires all drivers under 21 years of age submit to PAS test when there is reasonable suspicion that an alcohol-related violation exists. CVC 13389(a) requires all drivers on probation for CVC 23152 or CVC 23153 to submit to a PAS or other chemical test to determine the presence of alcohol in his or her system. An additional chemical test for violations of CVC 23136 is not required and should only be completed if a PAS is not available.

CVC 23612 has three separate objectives:

1. To secure chemical tests for determining if a person was under the influence while driving a motor vehicle, and to allow the introduction of the results of such tests into evidence in criminal prosecution.
2. To provide an administrative penalty for those drivers under 21 years of age who are in violation of CVC 23136, Zero Percent Tolerance.
3. To provide an administrative penalty for those drivers who refuse to comply with the implied consent law.

B. Necessity for a Lawful Arrest or Detention

1. CVC 23612 becomes operative when the motorist is subject to lawful arrest for violation of CVC 23152, 23153, 23140 or detention for CVC 23136 and 23154.

C. Required Advisements/Admonishments

1. PAS Test Admonition

- a. The deputy is required to obtain consent from subject if he/she is 21 years of age or older before administering a PAS test. [CVC 23612 (i)] The deputy shall read the following admonition verbatim and obtain verbal acknowledgement before the test.

"I am requesting that you take a preliminary alcohol screening test to further assist me in determining whether you are under the influence of alcohol or drugs or a combination of alcohol and drugs. You may refuse to take this test, however, this is not an implied consent test and if arrested, you will be required to submit to a chemical test for the purpose of determining the actual alcohol and/or drug content of your blood."

2. Refusal to take PAS Test

- a. The PAS test, for drivers over the age of 21 suspected of a violation of CVC 23152 or 23153 is voluntary. If the subject declines to take the test it should be noted in the DUI Report. Declining to take the test may be used to show a consciousness of guilt.
- b. Drivers under the age of 21 suspected of violation of CVC 23152, 23153, 23140 or 23136 are required to submit to a PAS test. If the subject refuses to take a PAS test he/she should be read the admonition verbatim from the back of DMV form DS367M (Officer's Statement.) If the subject still refuses, it should be documented on the DS367M form. If the subject is arrested the information should be documented on a Follow-up Report.
- c. Any driver on probation for CVC 23152 or CVC 23153 is required to submit to a PAS test or other chemical test (CVC 13389(a)). If the subject refuses to take a PAS test/chemical test, he or she should be read the admonition verbatim from the back of the DMV form DS 367 or 367M (officer's statement), with the exception of section 4 which states: "Refusal or failure to complete a test may be used against you in court. Refusal or failure to complete a test will also result in a fine and imprisonment if this arrest results in a conviction of driving under the influence," which should be removed from the

admonition. If the subject still refuses, it should be documented in the notes on the deputy's citation.

3. Chemical Test After an Arrest

- a. CVC 23612 requires that a driver be informed of the following:
 1. The consequences of a failure to submit to and complete a chemical test.
 2. His/her choice of either a blood or breath test.
 3. His/her choice of tests, if he/she is unable to complete one test.
 4. He/she has no right to counsel for the purpose of the test.
- b. When giving the admonition, each deputy must make it clear to the motorist that unless he/she submits to and completes one of the two tests; his/her privilege to operate a motor vehicle will be suspended. To ensure the proper wording is used, the admonition should be read verbatim from the back of DS367-1 or DS367M (Officer's Statement.), with the exception of section 4 which states: "Refusal or failure to complete a test may be used against you in court. Refusal or failure to complete a test will also result in a fine and imprisonment if this arrest results in a conviction of driving under the influence," which should be removed from the admonition.
- c. After the advisement, your request should be similar to:
Because I believe you are impaired for purposes of driving, I am requesting you voluntarily consent to provide a blood or breath sample to be tested for the presence of impairing substances. Which would you prefer?
- d. If the subject refuses to provide a breath or blood sample, a McNeely Warrant must be obtained in order to withdraw blood as evidence.
- e. Keeping officer safety in mind, the advisement and request for a chemical test should be completed while the subject is not handcuffed or in the rear seat of a patrol vehicle.

1. It is necessary to complete the chemical tests refusal section on all DUI arrests where the suspect has not been given a chemical test. This includes cases where the suspect is combative. Deputies should make the attempt to explain this procedure. The fact that the suspect is combative is not sufficient evidence for DMV to revoke driving privileges. There must be some indication the deputy attempted to explain the procedure.
2. When the accused agrees to submit to one of the two tests, but merely declines to choose among the two tests, there is no refusal. Here, the deputy must then suggest one of the tests. A refusal would only occur if the accused declined the suggested test without a valid reason for the refusal.
3. The accused may request to have a medically qualified person of their own choice to administer a second blood test, however, the deputy is not required to advise the accused of this right. During the initial test, the accused has no right to have the test witnessed or performed by a personal physician. Making the test conditional on this request constitutes a refusal to submit to a chemical test. The accused should also be told that such tests are at their own expense.
4. In cases where a person is taken to a medical facility for treatment, it may not be feasible to administer a particular chemical test at that facility. The deputy shall advise the person the choice of one of the remaining tests that are available.
5. If a person is suspected of driving under the influence of drugs and/or a combination of alcohol and drugs and chooses a breath test, he/she may also be required to submit to a chemical (blood) test. If the person chooses a breath test, they should be allowed to complete the test. The arresting officer should then read the drug admonition to the person. Again, this should be read verbatim with the exception of section 4

which states: "Refusal or failure to complete a test may be used against you in court. Refusal or failure to complete a test will also result in a fine and imprisonment if this arrest results in a conviction of driving under the influence," which should be removed from the admonition. To invoke the second test, the officer must have reasonable cause to believe the accused was driving under the influence of drugs or a combination of drugs and/or alcohol. The deputy must articulate the basis for this belief in their report.

6. After the advisement, your request should be similar to: Because I believe you are under the influence of drugs or a combination of alcohol and drugs, I am requesting you voluntarily consent to provide a blood sample to be tested for the presence of impairing substances. Will you provide a sample?
 7. If the subject refuses to provide a blood sample, a McNeely Warrant must be obtained in order to withdraw blood as evidence.
- f. Trombetta Advisement must be given to anyone who submits to a breath test. The advisement must include the following:
1. "The breath testing equipment does not retain a sample for later analysis by you or anyone else."
 2. "If you want a sample retained, you may provide a blood or urine sample that will be retained at no cost to you."
 3. "If you do so, the blood or urine sample may be tested for alcohol or drug content by either party in a criminal prosecution."
 4. This advisement may be given before or after the test is completed. It is recommended that it be given after the breath test.

- g. Blood may be taken by force in any impaired driver investigation (DUI) when the person refuses to take a chemical test and a McNeely warrant has been obtained. If the person makes a timely and reasonable request to undergo a different and viable form of testing, such request shall be considered. Blood may only be taken by force after a McNeely warrant has been obtained and the following circumstances have been met: (See Policy 514)
1. The person must be in custody for DUI and a McNeely warrant has been obtained to draw the person's blood by force or exigent circumstances which justify not obtaining a search warrant.
 2. The person's alternative choice, if selected, is either unavailable or not a viable test for the nature of the suspected intoxication (e.g., breath is not a viable test for suspected drug influence).
 3. All forced blood extractions are to be conducted in a secure location out of the view of the public. The blood will be taken in a medically approved manner.
 4. It is the policy of the Orange County Sheriff's Department that no blood extractions will be taken forcibly from an arrestee at any jail facility.
 5. Only reasonable force may be used to restrain the arrestee.
- h. With a valid McNeely warrant and a supervisor present, blood may be forcibly extracted from a person who is physically uncooperative and has refused a chemical test. The amount of force used to accomplish the collection of this evidence will be controlled by that supervisor, keeping in mind the seriousness of the suspected offense and the factors used to determine the reasonableness of force in accordance with the Use of Force Policy. In misdemeanor cases, force will generally be limited to handcuffing or similar restraint methods during the withdrawal of blood.

- i. The amount of force and methods used to accomplish the blood sample draw shall be detailed in the related report.

III. Process to Obtain a McNeely Warrant

- A. Upon a refusal for a chemical test.
 1. Contact your supervisor advising you need a McNeely Warrant
 - B. The Field Sergeant will contact the Department Commander
 - C. The Department Commander will contact an authorized MART Sergeant or MART Deputy to complete the McNeely Warrant.
 - D. MART member will contact the requesting deputy via telephone.
 1. Have all the necessary information available prior to making a McNeely Request.
 - a. Name, DOB, DL Number, full physical description
 - b. Vehicle Description: year, make, model, license plate
 - c. Location of stop.
 - d. Nature of the call or reason for stop (ie: driving, TC, hit & run TC, etc)
 - e. Objective symptoms of intoxication
 2. Provide a FAX number where the completed McNeely warrant can be sent.
 3. Upon receiving the completed McNeely warrant, make a copy for the blood technician and include a copy in your initial crime report.
 4. Upon blood sample being obtained and request from technician (pink slip) is provided to deputy, make a copy and send it to the person who wrote the warrant via email / message.
- ***McNeely Warrants are for DUI ONLY! Not H&S 11550 refusals.
- E. Blood draw should be completed within 3 hours from the initial contact.

IV. Administrative Per Se

- A. Admin Per Se is an administrative process separate from any criminal prosecution and requires the DMV to suspend the driving privilege of a person operating a motor vehicle under the following conditions:
 1. The driver is over 21 years of age with a BAC of .08% or higher.
 2. The driver is under 21 years of age with a BAC of .01% or higher. (When serving a driver under 21 years of age with the "Order of

Suspension/Revocation" portion of the Admin Per Se form, CVC 22651(h)(2) allows the vehicle to be stored).

3. The driver refuses to take a chemical test if required by law.
4. The driver refuses to take a PAS test if required by law (Drivers under 21 years of age and drivers currently on probation for DUI are both required to submit to a PAS test).
5. If the driver is suspected of driving under the influence of drugs only, the Admin Per Se form should only be completed if the suspect refuses to submit to a chemical test.
6. Any driver on DUI probation for CVC 23152 or CVC 23153 with a BAC of .01 or greater.

B. Required Action

1. The arresting or detaining deputy will confiscate the person's California driver's license. Out-of-state licenses should not be confiscated, however, all applicable paperwork should still be completed as necessary and forwarded to the DMV.
2. The arresting or detaining deputy will complete all applicable sections of the Officer's Statement form (DS367-1 or DS367M), and serve the driver with their copy of the Administrative Per Se Order of Suspension. Also, supplemental form (DS367A) if needed.
3. The Admin Per Se law requires that all the above documents be submitted to the DMV within five (5) days. Due to this requirement, all DUI arrests will be priority reports, though the arrestee may be released upon citation. Reports must be submitted and approved by the appropriate patrol sergeant before going off duty with the exception of DUI arrests involving a traffic collision. All DUI arrests involving a traffic collision should be submitted with a Traffic Collision Report and approved by the Traffic Bureau.

C. Telephonic Hearing by DMV

1. Conference calls between the officer and DMV may be required based upon factors determined by the DMV hearing officer.
2. The Officer's Statement (DS367 and DS367M) is considered the actual officer's testimony. You can avoid being subpoenaed by ensuring the Officer's Statement is filled out completely and accurately. The Probable Cause section on each form is the most important portion of this form. If the PC section is missing or incomplete you will be required to testify and in some cases the driver's suspension will be set aside.
3. Subpoenas issued by DMV may require your attendance at the hearing office or you may be:
 - a. "Ordered to be available for a call by telephone: please provide this office with the telephone number at which you can be reached for the above hearing: _____."
 - b. Disobedience of this subpoena may be punished as contempt.
 - c. The conference call must be initiated by DMV and they must have a number to call you. DMV needs at least one (1) hour advance notice.

V. Additional Resources

- | | |
|----------------------------|--|
| 1. Training Bulletin 09-04 | Admin Per Se Laws |
| 2. Training Bulletin 11-16 | DUI Checkpoints and Sober Unlicensed Drivers |
| 3. Lexipol Policy 514 | Impaired Driving and Evidence Collection |
| 4. FTB Advisory #3 | Nonconsensual Blood Samples |
| 5. FTB Advisory #4 | New Laws reference DUI Arrests |

EVIDENCE

- I. Physical Evidence Defined
 - A. Any and all material objects or other things which are located in the course of an investigation which may aid in establishing the identity of a suspect and which can be offered to the court to prove the existence or non-existence of a fact.
 1. Training, experience, intuition, and imagination help in determining good physical evidence.
- II. Recognizing and Protecting the Crime Scene
 - A. When the victim or reporting party enters the crime scene, they usually are unaware a crime has occurred.
 1. They may alter or destroy the evidence prior to notifying the Sheriff's Department.
 - B. Arrival at the crime scene (Training Bulletin 12-08)
 1. Do not touch or move anything.
 2. Protect the scene (secure the perimeter and establish a crime scene).
 3. Check area to see if the suspect is still present.
 4. Identify the points of entry and exit without unnecessary delay.
 5. Note everything that is moved and by whom.
 6. Make a thorough crime scene search, both inside and outside the crime scene.
- III. Crime Scene Search
 - A. Look at the scene from two points of view:
 1. What did the suspect do at the crime scene?
 2. What the crime scene may have done to the suspect.

- a. Did they get paint, metal, etc., on them from the scene?
- b. Did they cut themselves while climbing through a broken window?

B. Basic search patterns

1. The successful key to searching is to use a method and follow this method once started.
2. Methods
 - a. Strip method: People get on a line and search in one direction.
 1. This is usually used where you have a large crime scene such as an open field, and you have a number of additional deputies.
 - b. Other methods for outdoors are the grid method, zone method, spiral method, and wheel method.
 - c. For the average-sized room indoors, the clockwise method is usually best. You search the entire room in a circular clockwise method.
 - d. Once you have made your search, take a second look.

IV. Other Areas Where Evidence is Found

- A. On the suspect or their environment
- B. On the victim

V. Collection, Identification and Preservation of Evidence

- A. The collection, identification, and preservation of evidence are usually the responsibility of a forensic specialist (ID) or the Crime Lab.
- B. In some instances, the patrol deputy will collect, identify, tag, and book the evidence.
 1. A minor crime where the presence of ID/Crime Lab is not necessary.

2. The evidence is such that it can be collected without ID's/Crime Lab's assistance.
 - a. An instrument used in the commission of the crime.
 - b. Do not handle or unload a firearm if the weapon needs to be examined for fingerprints, if the firing position of the weapon is critical to the case, or if the deputy cannot safely unload the firearm. If ID/Crime Lab is unavailable, the deputy will contact the Watch Commander who will then contact the Property/Evidence supervisor, who will respond to secure the firearm.

C. Collection

1. The deputy should note and indicate in his report:
 - a. The items collected: Indicate a full description of the item collected, including color, complete name, model and serial numbers, etc.
 - b. The date and time collected.
 - c. Location found: For example, right front pants pocket of suspect; living room floor located at southeast portion of the residence and give the address.
2. If the item is such that it may contain fingerprints or other evidence, use care not to contaminate it or destroy existing evidence on the object.
3. If the item is such that it may contain fentanyl or other suspected toxic material/narcotics the following should be done (For further details, refer to Field Operations Advisory 43 (Fentanyl) & 54 (Narcotics testing and collection):
 - a. Appropriate PPE should be worn to include (2) pairs of nitrile gloves, N95 mask, and eye protection.
 - b. DO NOT perform any field presumptive testing unless otherwise authorized (Narcotics detail).
 - c. Do NOT open a sealed container that contains an unknown substance.
 - d. Communicate with other first responders and emergency personnel when unknown or suspected toxic material is present.

- e. Field personnel should not attempt to collect evidence if there is:
 - i. Unidentified, loose substances suspected of containing fentanyl.
 - ii. Any quantity of loose or unpackaged substance(s) suspected or known to be narcotics.
 - iii. Any quantity of loose or unpackaged substance(s) that are not known and/or not identifiable, and
 - iv. Any quantity of loose or unpackaged pills containing or suspected of containing fentanyl.
 - v. Field Supervisors shall respond to these types of calls and notify the Narcotics Detail.
 - f. Do NOT transport fentanyl or suspected toxic material without first ensuring proper packaging.
 - g. Fentanyl and suspected toxic material/substances should be transported in trunks of patrol vehicles or in the furthest part of the vehicle compartment away from deputies.
4. Once you have collected the item, retain physical control over it until it is booked in the evidence locker. Property and evidence WILL be secured in an authorized Property/Evidence locker by the end of shift. (Placing items in an employee locker or in your personal vehicle for temporary storage is strictly prohibited). Under extenuating circumstances, a supervisor may authorize temporary storage in an authorized secure area (example: locked office safe, closet or file cabinet) if that area is only accessible by the deputy or the supervisor. This will maintain chain of custody.
- a. If fentanyl or suspected toxic material is collected, that evidence must be transported and booked as soon as practical into the evidence lockers at the Brad Gates Building only.

D. Identification

- 1. In order to get evidence admitted into court, it must be identified.
 - a. On most solid objects, mark them with your initials.

- b. If you have enough space, put the date, time and DR number.

E. Preservation

1. The item should be packaged in such a manner that it will not be damaged or altered during handling.
2. The evidence package must be sealed at the closure. A package is considered “properly sealed” only if its contents cannot readily escape, and only if entering the package results in obvious damage/alteration to the package or its seal.
3. A seal is best accomplished by taping the closure with “non-removable” clear adhesive tape provided at each evidence booking location, and marking the seal with the date and initials of the person collecting the item.
 - a. Paper bags can be sealed by folding the open end over, then taping the folded end to the body of the bag.
 - b. Plastic bags should be sealed like paper bags, but should also be secured with staples, as tape alone may be removed from the plastic. If a plastic bag is used, secure the bag within a larger paper bag for evidence storage. NOTE: When booking narcotics, the potential to “Lose” powders or crystalline material exists if the plastic bag is not sealed correctly. You will utilize a ziplock bag OR heat sealer that is located at the booking location.
 - c. Jars, cans, boxes, tubes, etc. can be sealed after closing by taping over the top and around the body. These storage containers should also be secured with a larger paper bag for evidence storage. Exception: large boxes that are dated and initialed by the person collecting the item(s) at the taped seals.

F. Evidence Packaging (see also Section 44, Tagging and Booking Property)

1. Evidence packaging may be a variety of containers (paper bags, envelopes, tubes, cans, jars, or boxes), but should be appropriate for the nature and size of the evidence. However, the outer evidence package should not be any smaller than a 6”x9” envelope. Money, drugs, weapons, and ammunition shall not be packaged together or with any other evidence. These items are each packaged separately. Large items that need to be processed for fingerprints, but cannot be packaged (e.g. a bicycle, etc.), should be wrapped in brown butcher paper and marked for fingerprint examination.

2. All narcotics evidence, with the exception of plant material, must be packaged in a ziplock or heat sealed plastic bag of appropriate size. All primary packaging (baggie, bindle, paper, ziplock) must be contained in at least one additional (sealed) plastic bag. The evidence is then sealed in an envelope.
 - a. All evidence suspected to contain fentanyl or suspected toxic material must be contained in at least two plastic bags.
 - b. All large item cases of 400 grams or more, including kilos, must be in plastic ziplock or heat sealed bags prior to placement in boxes or bags.
 - c. If fentanyl or a similar toxic substance is suspected, it must be documented on the evidence packaging whenever possible.
3. Never package fresh marijuana, plant material, perishable items, damp or blood stained clothes in plastic. These items will mold in plastic.
4. Do NOT book perishable food products into property unless the item is needed in a serious criminal investigation requiring bite mark examination or for DNA evidence. In those circumstances, the evidence can be collected and delivered directly to the Central Property/Evidence Office located at 320 N. Flower St. in Santa Ana and secured in the evidence freezer. After normal business hours (Monday through Friday, 0700-1700 hours), this type of evidence can be collected by ID or the Crime Lab to be secured in their freezer pending examination.
5. Securely attach evidence tag and bar code label after entering required case information into P.E.A.B.I.T.S. (Property/Evidence Automated Booking Information Tracking System) located at the nearest Property/Evidence temporary lockers. Exceptions would be if the system is down, or if items are seized pursuant to a search warrant. Under those circumstances, deputies or investigators will be allowed to use standard hard evidence tags to document and collect evidence.
6. Place packaged evidence into lockers, carefully, using caution not to damage it or other items in the locker. Temporary lockers and automated booking systems are located at the following facilities:
 - a. Central Property/Evidence Office (320 N Flower St., Santa Ana)
 - b. Stanton Station (11100 Cedar St., Stanton)

- c. John Wayne Airport (18601 Airport Way, Santa Ana)
 - d. Aliso Viejo Station (11 Journey, Aliso Viejo)
 - e. San Clemente Station (100 Av. Presidio, San Clemente)
 - f. Yorba Linda Station (20994 Yorba Linda Blvd, Yorba Linda)
 - g. OCTA Station (11790 Cardinal Circle, Garden Grove)
 - h. Saddleback Station (20202 Windrow, Lake Forest)
7. If a glass vial is used, secure it (tape is preferred) to object which sample was taken.
8. When currency is seized along with other evidence, the amount of currency and whether it is U.S. or foreign must be clearly marked on the evidence tag. The deputy conducting the inventory will book the currency separate from other items of evidence, and the outside of the envelope will contain the number of denominations and total amount of currency. Currency in the amount of up to \$2,500 may be placed in a temporary property/evidence locker.
9. When large amounts of currency (excess of \$2,500) or other valuables requiring exceptional security are collected, deputies will adhere to these procedures:
- a. The seizure should be inventoried immediately prior to booking and packaging with seals attached to detect tampering. The inventory should include the number of denominations, and total amount or value. A supervisor prior to sealing the envelope will verify the count of the money. Both the deputy and supervisor will date and initial the seals that are placed over the opening of the envelope.
 - b. The deputy will transport the verified and sealed envelope to the Central Property/Evidence Office, and give it to the Property/Evidence supervisor who will place the currency into the safe. If it is after hours, the Watch Commander will notify the Property/Evidence supervisor, who will respond to secure the currency.
10. See Training Bulletin 9-23 regarding DNA Evidence Submission.

EXPLORER PROGRAM

I. Explorer Ride-along

- A. The explorer is riding as an observer only and will comply with staff's directions immediately. The explorer is there to learn. After you feel the explorer is ready, he/she may operate as a (limited basis) civilian partner.
- B. The explorer may be instructed in the use of all related equipment, except firearms, less lethal and less than lethal devices, or any other weapon. He/she can and will maintain the log, complete some report forms, use the radio and Mobile Data Computer, and further assist you by directing traffic. The explorer can assist you with any assignment, as long as it is appropriate for a youth and does not place the explorer in jeopardy.
- C. Explorers who are under the age of 18 years are not permitted to enter the interior of a jail facility and must wait in the patrol unit, while the deputy books prisoner(s), or conducts any business inside the jail facility.
- D. Explorers who are under the age of 18 years are not authorized to ride-along between 2200 and 0530 hours. Explorers who are 18 years or older are not authorized to ride-along between 0200 and 0530 hours.
- E. The explorer is not to drive a patrol unit while the unit is in service in the field. Only explorers with the rank of lieutenant and above, have been an explorer for 3 years, are 19 years or older and have been approved by the explorer coordinator, can drive county vehicles.
- F. Before the explorer is authorized to ride-along in a patrol unit, he/she must have completed the explorer academy and have passed the radio code and ride-along tests.
- G. Explorers must wear approved body armor to participate in a ride-along.
- H. The explorer will provide you with a brief "explorer ride-along evaluation." Please take the time to complete this form, as it is a valuable tool in the explorer performance reviews.
- I. Explorers can only participate in two ride-alongs per month and can only ride with the same patrol deputy once per month.

- J. All explorer ride-alongs will be coordinated through the explorer's division advisor or the post coordinator and the patrol sergeant where the ride-along is taking place. Prior to accepting an explorer ride-along, deputies should ensure such authorizations have been obtained.
- K. Explorers, who are related to a department member working patrol, may participate on a ride-along with this relative, twice per year. These ride-alongs must be approved by the explorer coordinator and the department member's immediate supervisor.
- L. Deputies should remember that explorers are on ride-alongs to learn about law enforcement and be familiarized with this career. Deputies should be mindful of their demeanor, behavior and professionalism as this might have a lasting effect on the explorer's perception of law enforcement.
- M. Fraternization between the deputy (Or any Department Employee) and the explorer, on or off duty, regardless of the Explorers age, is prohibited.
- N. If an explorer acts inappropriately in any manner, the deputy must notify the explorer's advisor or the explorer coordinator.

II. Explorer Conduct

- A. A Sheriff Explorer shall not act or behave privately or officially in such a manner as to bring discredit upon himself/herself or the Department. Members shall not willfully violate any federal statute, state law, or local ordinance.
- B. Every Sheriff Explorer shall be familiar with and conform to the policy and procedure of this Department, as stipulated in the official Department Manual for Law Enforcement Explorers.
- C. Sheriff Explorers shall keep their uniforms or any Sheriff Explorer insignia out of plain sight when traveling to or from an event/meeting or at any other time, unless at an Explorer function.
- D. Sheriff Explorers, who violate any rules, regulations, or policies of the Department or the explorer post program, shall be subject to disciplinary action or termination from the Explorer Program.

- E. Off-Duty Sheriff's Explorers who have any contact in the field with any law enforcement officer are to contact his/her division advisor or the explorer coordinator, as soon as possible after the contact.

- F. Should a deputy sheriff have official contact with an off-duty explorer in the field, whether negative or not, the deputy should contact the explorer's division advisor or the explorer coordinator. The explorer will know who their division advisor is and shall relay this information to the deputy upon request.

EXPLOSIVE DEVICES AND BOMBS

I. Bomb Threats

A. Arrival at the scene

1. Do not unnecessarily transmit on your police radio upon arrival at the scene unless needed for life safety.
2. Contact the calling party and ascertain if a threat was made and the manner in which the threat was conveyed (i.e., via telephone, letter, etc.).
 - a. Note the exact words used by the person making the threat and, if possible, the time for explosion, location of the device, etc.
 - b. Ascertain if a suspicious object has been located. If so, isolate the immediate area and request the Bomb Squad via the Department Commander.
3. Evacuation of building
 - a. The responsibility of deciding whether or not to evacuate the building is that of the person in charge of the building.
4. Searching a commercial building or school
 - a. Most large companies and schools should have a preplanned bomb threat procedure. Ascertain if they do and if it is in effect. If not, obtain volunteer employees to make the search.
 - b. Persons who are familiar with the building are more likely to know what items are suspicious.
 - c. Advise people not to touch and move away from suspicious items.
 - d. Have occupants take their personal belongings with them (e.g. purses, backpack, keys and medications)

- e. Assign specific search areas covering the entire building, including [REDACTED]. Obtain assistance in assigning search areas to ensure all areas are checked.
 - f. The Bomb Squad can be contacted to assist with searches, using explosive detection canines as needed.
 - g. Consider contacting the Bomb Squad at your earliest convenience to make them aware of the threat. The Bomb Squad may be familiar with addition threats to that location, similar locations, sectors and/or suspects, based on the numerous bomb threats they assist with each year.
5. Location of any suspicious items
- a. If a suspicious item is located, leave it alone.
 - 1. [REDACTED]
 - b. Isolate the area around the suspicious item and immediately discontinue the search.
 - 1. Additional searches will be coordinated by the Bomb Squad.
6. Conclusion of the search
- a. If you have not located a suspicious item and feel a thorough search has been made, the search may be concluded.
 - b. If the building has been evacuated, the decision to reoccupy is the responsibility of the person in charge of the building or school principal.
 - c. [REDACTED]
7. A crime report must be completed for the bomb threat: P.C.


148.1d.

- a. A copy is to be sent to the Bomb Squad.
- b. The investigator with jurisdiction over the area the incident occurred (e.g. city or unincorporated area) will be tasked with investigating the incident.

8. Bomb Squad assistance

- a. If you have any questions regarding proper handling of bomb threats or need assistance, contact the Bomb Squad.

II. Explosions and/or Bombing Incidents (Post-Blasts)

- A. The Bomb Squad has prepared guidelines to assist public safety personnel responding to explosions and/or bombing incidents. They are designed as a basic synopsis in conjunction with a more detailed training program on "Safe Response to Explosive Incidents."
- B. Under no circumstances should these guidelines be interpreted as compromising the safety of the first responders or the general public. When confronted with an incident involving explosives, SAFETY shall always be the primary consideration.
- C. When an explosion has occurred there are a lot of considerations. As in other catastrophic incidents, a rapid response will preclude, to a degree, further injuries, contamination of evidence, and damage. Whether the explosion was the result of an accident or criminal act, the following areas should be addressed:
 1. First aid and evacuation of the injured person(s), must be addressed immediately.
 2.  DO NOT touch any suspicious items.
 3. Notifications must be made right away to dispatch, the Bomb Squad, your supervisor, additional officers, fire department, investigators and crime scene investigators.
 4. The area within the established perimeter should be considered

a crime scene, until officially determined to be otherwise. No one should enter this area unless they have a specific responsibility to perform, including the press.

5. Immediate steps should be taken to preserve the scene for evidence. Barricades, crime scene tape or other methods should establish the scene perimeter. This area should be at least several hundred feet. A good rule of thumb is to find the furthest piece of debris from the point of explosion and move the perimeter out again, half that distance. Remember, you can always reduce the size of the perimeter, you cannot necessarily enlarge it.
6. Arrest any suspects, if applicable.
7. Interview witnesses. Detain, separate, question, and gather all pertinent information (e.g., CDL).
8. Document all your observations and activities during the incident.
9. Brief the investigator handling the scene (e.g. Bomb Squad, Homicide, CID, J.T.T.F., etc).
10. Be aware of the crowd. [REDACTED] Anyone acting suspicious should be detained for questioning.

III. Found Explosive Devices and/or Suspicious Devices

- A. The Bomb Squad has prepared guidelines to assist public safety personnel responding to found explosives and/or suspicious devices. They are designed as a basic synopsis in conjunction with a more detailed training program on "Safe Response to Explosive Incidents."
- B. Under no circumstances should these guidelines be interpreted as compromising the safety of the first responders or the general public. When confronted with an incident involving explosives, SAFETY shall always be the primary consideration.
 1. No item of an explosive nature or suspected device should be considered safe regardless of its size or packaging.
 2. It is important to relay as much information to the Department

Commander as possible without touching the device and while maintaining a safe distance. Were any threats made regarding the device? Is there any reason the intended victim believes the item is an explosive device? What is the size, shape, color, etc., of the device?

3. Never touch, move, or transport a suspected device.
4. DO NOT TRANSMIT on any equipment that produces radio frequencies within 50 feet of the suspected device, unless a matter of life safety.
5. Evacuate the area surrounding the device to [REDACTED], while remaining under cover. Barricade the area with cones, crime scene tape, vehicles, personnel, etc. If there are questions concerning the size and location of the evacuation, the Bomb Squad can be contacted prior to arrival to assist.
6. [REDACTED]
7. Found explosives or suspicious devices should only be handled by the Bomb Squad. When in doubt, call for assistance from the Bomb Squad.
8. Arrest any suspects, if applicable.
9. Interview witnesses, detain, separate, question, and gather all pertinent information, such as CDL.
10. Document all of your observations. Activities during the incident should be included in handling deputy's initial crime report.
11. Brief the investigator handling the scene (e.g. Bomb Squad, Homicide, CID, J.T.T.F., etc).
12. Be aware of the crowd. [REDACTED]
[REDACTED] Anyone acting suspicious should be detained for questioning and pertinent information gathered.

IV. Laws Pertaining to Explosives

- A. 16460 PC: Defines a destructive device.
- B. 18710(a) PC: Possession of destructive device (felony).
- C. 18725(a) PC: Carrying a destructive device on a vessel, aircraft, car or other vehicle that transports passengers for hire (felony).
- D. 18725(b) PC: Placing a destructive device on any such vessel, aircraft, car, etc., (felony).
- E. 18725(b) PC: Placing any explosive or destructive device in any baggage which is later checked with any common carrier (felony).
- F. 18715(a)(1) PC: Possession in or near any public place, such as theaters, schools, colleges, etc. (felony).
- G. 18740 PC: Destructive or explosive devices; possession, exploding, igniting, or attempting same (felony).
- H. 12305 H&S: Possession of an explosive substance without permit (felony).
- I. 18720 PC: Possession of any substance, material or combination thereof, with intent to make any destructive device or explosive (felony).
- J. 31602 VC: Prohibits the owner of a vehicle from transporting or permitting use of his vehicle to transport an explosive without the possession of a valid license for the transportation of explosives (misdemeanor).
- K. 148.1 PC: False report of an explosive or facsimile bomb (felony).
- L. 452 PC: Fire bomb (felony).

Note: Blowing up mailboxes falls under P.C. 18740 and is a felony. It is NOT an act of vandalism. As with any scene where an explosion has occurred, the Bomb Squad should be called.

Note: All bottle bombs (e.g. acid, dry ice or those using an explosive powder) are destructive/explosive devices and the Bomb Squad should be called.

V. Reports

- A. In all instances involving bomb threats, hoaxes (facsimiles), destructive devices or explosives, the patrol deputy assigned to the incident will request a DR and prepare the Initial Crime Report.
- B. While members of the Bomb Squad have a primary responsibility to render safe real or suspected devices, they will prepare a Follow-Up Report to the patrol deputy's initial report.
- C. Patrol deputies are encouraged to consult with the Bomb Squad members at the scene as to the appropriate codes and sections to be used for their report. When in doubt, call the Bomb Squad.
- D. A copy of all initial crime reports should be sent to the Bomb Squad.

VI. Additional Resources

- A. Training Bulletin 10-09 Suspicious Postal Packages
- B. Training Bulletin 13-04 Bomb Squad Responses

FIRE SCENE

- I. Procedures at the Scene
 - A. Summon aid. Notify the dispatcher in a clear, audible voice and perform the following:
 1. Give the address or the nearest intersection of the fire. Provide a thorough report on conditions (i.e. is everyone out, how many buildings are on fire)
 2. Request Fire personnel.
 3. Request back-up assistance (e.g. for traffic control and crowd control issues).
 4. Do not become impatient and act alone. Fire Department response time is measured in minutes.
 - B. Alert occupants and nearby residents. Attract the attention of occupants and nearby residents. Activate the emergency lights and flash the spotlight into windows, blow the horn, siren, utilize the patrol unit's P.A. system, ring doorbells, knock loudly on doors to arouse the occupants.
 - C. Facilitate response of fire-fighting apparatus. Be prepared to assist the responding fire department, and make yourself available to direct the firefighters to the proper location. Park your vehicle at the curb and away from the fire scene or fire hydrant. Keep roadways clear for fire equipment. Back-up units should allow at least 100 feet clearance between them and the nearest fire apparatus for the removal of hoses, ladders, or the movement of the truck itself, if necessary.
 - D. Evacuation should be last in the chain of activities at the scene of the fire. Do not allow the situation to control you. If you can hear fire apparatus responding, you may be of greater assistance by remaining outside the building and assisting the fire department by directing their search (especially if you have observed trapped people not in immediate danger). Firefighters are equipped with life support equipment designed for entering burning buildings. They have the means to reach people trapped in upper floors without entering the building.

1. In some incidents the arrival of fire-fighting apparatus might be delayed due to hazardous driving conditions, traffic congestion, or the unavailability of apparatus near the scene because of other fires. In these cases, there is no other recourse for deputies at the scene but to evacuate persons unable to escape due to age, infirmities, injuries, or incapacitation resulting from the heavy smoke.
2. Attempt to locate anyone who has fled the building. Obtain as much information as possible about who may still be inside and their approximate location. Remember, the more information you can obtain, the better your chances will be to affect a rescue.
3. When entering the building, beware of "flashback." This is an explosion type reaction which occurs when a door or window is opened, feeding a surge of oxygen to the fire. Watch for the appearance of a "breathing building" (one which puffs out smoke and seems to suck the smoke back in, or for the appearance of quickly swirling smoke). These are favorable conditions for flashbacks. Do not attempt to enter the building when these conditions are present.

E. Entry

1. If you make the decision to enter the building, follow these simple procedures:
 - a. Depending on the size of the building, all entrances to stairwells should be covered by deputies working in pairs. Notify dispatcher of this decision and keep radios turned up on high volume. Take your flashlight and plan your search as to which deputy will enter the building and who will cover the various parts of the building.
 - b. Keep low or crawl on the floor. The best air available will be near the floor. Breathing through a wet cloth has no effect on the toxic gases that may be present.
 - c. Never use an elevator, use the stairs. If the fire is burning near the elevator shaft, the elevator will automatically stop at that floor and open its doors. The elevator shaft also makes an excellent chimney, sucking heat, smoke, and flames toward the top of the building.

F. Search

1. It is important for the searching deputies to move quickly through the building and to be as thorough as possible. Trapped or frightened tenants

may hide from the fire and, at the same time, be hiding from you. When conducting a search, follow these basic procedures:

- a. Feel the door before entering a room. If it is hot, do not open.
- b. Search one room at a time. Close the door when you finish.
- c. During your search, check those areas in which people are likely to be hiding from the fire: Behind doors, under windows, under beds, under mattresses, in closets, behind or under furniture, in bathrooms, shower stalls and bathtubs. Make sure to call out in a loud voice.
- d. Try to mark a white X with chalk, crayon, etc., on the doors of the rooms you have searched. (White X is also used by the fire department to indicate areas that have been searched).
- e. Do not become disoriented. Note changes in direction. If necessary, count paces or discuss directions with your search partner prior to the search. When entering a room or area, stay close to the wall as you search. If you remain in contact with the wall as you search you will make your back to the door in which you entered. Remember, visibility can change rapidly.
- f. Know and use alternate methods of exit to the stairs. Consider adjoining buildings, fire escapes, as well as outside stairways.
- g. Observe closely your search partner for indications of carbon monoxide poisoning: Cherry-red complexion, dizziness and instability. Do not hesitate to exit the building if you notice these symptoms.

G. Trapped

1. Do not panic. Keep the occupants calm if you are trapped in the upper floors, and follow these steps:
 - a. Find a room farthest from the source of the flames and isolate yourself by closing the door behind you. A closed door will normally keep fire out of a room for approximately 30 minutes. If you do not panic, it affords you a considerable margin of safety. Notify dispatch of your situation.
 - b. Once secured in the room, open a window and signal for help.

- c. If breathing becomes difficult because of the smoke, stay as close to the floor as possible. (Smoke inhalation accounts for more victims than the fire). Under these circumstances, hang a sheet or blanket out of the window to attract attention.
 2. Building searches are extremely dangerous, even for experts. Evaluate your situation carefully. Don't enter unless you have to. If you do begin a search, cease your search when the fire department arrives and report your progress to a firefighter. Above all, remember firefighters are specifically equipped and trained to deal with fires and the occupants of burning buildings. Attempt rescues only under extraordinary conditions. Your assistance is generally more beneficial if you can accurately direct the fire department to the location it is needed and follow procedures to facilitate the work of the firefighting equipment responding to the emergency.
- H. MSA Millennium Full Face Air Purifying Respirator (Gas Mask)

1. The respirator is limited in application and should **NOT** be used in the following circumstances:

- a. Not for WMD or Hazardous Waste events.
 - b. Not for use in structure fires – a self-contained breathing apparatus (SCBA) is required.
 - c. Not for use as protection against carbon monoxide or urethane products such as paints, epoxies, or glue
 - d. Personnel must be aware of the following limitations and cautions as improper use can result in injury or death:

Not for use in atmospheres containing less than 19.5% oxygen (such as structure fires or confined spaces). MSA Millennium Respirator/gas mask does not supply oxygen and should be used in ventilated areas. Do not use in areas that are flammable or explosive.

For further information on the Gas Mask capabilities refer to:
Training Bulletin, MSA Millennium Full Face Air Purifying Respirator (Gas Mask)
14-02

CPR/AED & FIRST AID

I. Introduction

- A. Public Safety personnel are considered first responders in a medical crisis. The medical aid situation may arise from a criminal act or it may be the sole purpose of a call for service.
- B. Gross negligence notwithstanding, first responders may enjoy some benefits of existing Good Samaritan laws. This applies when an officer is not on duty.
- C. This document is not intended to be a CPR/AED or first aid manual. Rather, it is intended to be used as a reminder of things learned and to foster a greater awareness of one's personal safety while rendering aid.

II. Goals

- A. The goal in our response to a medical aid situation is to keep the patient alive until advanced care is available.
- B. This goal may be achieved as simply as talking with a person who is in pain or as difficult as performing C.P.R. In either of those circumstances, and all others in between, continue efforts until someone more qualified (i.e., paramedics) assumes care.

III. Officer Safety – Short Term and Long Term

- A. No matter the nature of a medical aid, whether it is from a criminal act, accident, or simply the victim's own physical condition, officer safety is paramount.
- B. Officer safety in the short term considers the scene of the medical aid. The officer should be aware of any threats to his/her safety at the scene. Those threats can arise from a suspect or bystander. They may also arise from the surroundings, such as a gas leak or downed power lines or vehicle traffic. The deputy should consider their own safety first so they can remain part of the solution, not part of the problem.
- C. Officer safety in the long term considers implications from the deputy's actions or exposures during the event. These possibilities can have devastating effects on the deputy and his/her family and loved ones.

- D. Personnel should use Universal Precautions so as not to expose themselves to pathogens from a patient's skin, bodily fluids, excreta, or respiratory system, among other things. Deputies should also be mindful that these pathogens can be transported on their clothes and person and are encouraged not to take them back to their patrol vehicles, locker rooms, personal vehicles, or home.
 - E. In a hospital, Universal Precautions include a protective gown, gloves, booties, mask, and face shield. While this is not practical in the field, every effort should be made to create and use protective barriers. Use of all available devices is encouraged.
 - F. Other actions that may cause injury to the deputy involve poor body mechanics. Examples of this are back injuries suffered when trying to move a patient or equipment. Deputies must be mindful of body mechanics when performing such tasks.
- IV. First Aid and C.P.R. Guidelines
- A. Always be mindful of the priorities of the ABC's: conducting a primary survey of all patients, which includes: Airway, Breathing, and Circulation.
 - B. Medical emergencies may vary, however some or all have the potential to remember that any medical aid situation can deteriorate and result in to respiratory and/or cardiac arrest. This can be from bleeding, shock, overdose, allergic reaction, or many other conditions.
 - C. Using principles from CPR/AED, First Aid training and refresher classes, attempt to keep the patient stable pending arrival of paramedics.
 - D. If a patient deteriorates, and cardiac arrest occurs, begin standard C.P.R. maneuvers including opening and maintaining an airway, assessing for ventilations and giving artificial respirations as needed, assessing for circulation and giving compressions as needed. Use a C.P.R. mask with a one-way valve.
 - E. If personnel have been trained on the A.E.D. (Automated External Defibrillator), and there is one available, deploy the device as instructed.
- V. Employee Exposure to Pathogens
- A. If you are exposed, or think you may have been exposed, document the situation and report it to your supervisor. Supervisors should be familiar with

the forms and packet titled "QUICK DIRECTIONS FOR EMPLOYEE INJURY/ILLNESS PROCESS." It is imperative that baseline samples be collected as quickly as possible after the exposure.

- B. These exposures are treated as Worker's Compensation injuries. They should also be cross-reported to the County Health Department.

VI. Post Incident Reviews and Emotional Stress

- A. Realize that not all outcomes will be successful.
- B. Whether the outcome is successful or not, any incident involving human suffering will take an emotional toll on the responder(s). This may not manifest itself immediately. Each event may just be a small part that wears at the emotions of those involved; maybe over a short time period, maybe over a career.
- C. Do not be afraid or embarrassed to seek any type of help or counseling if having difficulty. This can be through a peer, supervisor, clergy, Trauma Intervention Program, or Employee Assistance Program. Again, do not let the emotional stresses turn you into part of the problem.

VII. Additional Resources

Training Bulletin 01-08	Skin Cancer
Training Bulletin 04-04	Automated External Defibrillators (AED's)
Training Bulletin 07-02	Hepatitis and HIV
Training Bulletin 10-10	Ambu Res-Cue Mask

IDENTIFICATION BUREAU SERVICES

- I. Services provided by the ID Bureau at a Crime Scene
 - A. Record scene and evidence.
 - B. Recognize, preserve, and collect physical evidence.
 - C. Develop information through an interpretation of physical evidence.
- II. Evaluating the Use of Identification at a Crime Scene
 - A. Homicides, assaults, sexual assaults - Identification is always called.
 - B. Burglary, other cases:
 1. Is physical evidence present, should Identification be called:
 - a. YES - I can see evidence (fingerprints, shoe prints, tire tracks, tool marks, biological fluids).
 - b. YES - I can predict its presence through reconstruction of the scene (louvered window panes stacked up, safe door open).
 - c. NO - Suspect made no or negligible contact with scene.
 - a. No forced entry.
 - b. Removed what was touched.
 - c. Nothing was left behind.
 - d. Extensive alteration of crime scene after crime was committed.
 - e. I can collect evidence (i.e. screwdriver, hat, etc.)
 2. Outdoor scenes or vehicles cannot be processed in damp weather.
 - C. No response by ID Bureau:
 1. Petty thefts

2. Vehicle Burglaries with no sign of forced entry and/or no loss.

III. Where to Look for Evidence:

- A. Point of entry/exit.
- B. Areas of disturbance.
- C. Any areas near the scene.

IV. Develop Information from Victim or Suspect:

- A. What did the suspect touch, move, or alter.
- B. Can victim identify anything foreign (left by suspect).

V. Evaluating Evidence

- A. Did the suspect only touch an item, such as a jewelry box, which can be collected and submitted for fingerprint process (Call I.D)?
- B. Can a 459 vehicle be processed at the scene or taken to a tow yard?
- C. Can the scene be secured?
- D. Extensive vehicle searches (i.e. body fluids, blood, bullets etc.) are best done in the controlled environment of the Orange County Crime Lab (OCCL) vehicle examination area.

VI. Information Needed Prior to Calling Identification. Leave voice mail (0000-0600hrs) for routine calls or notify Department Commander for an immediate response.

- A. Case number.
- B. Type of call.
- C. Deputy's name and area working.
- D. Victim's name, address, and phone number.
- E. Method of entry or specific items of interest (i.e: full vehicle description).
- F. Suspect in custody – Yes or No

1. Safety aspect for Identification staff, especially with domestic violence cases.

2. If yes, provide name and date of birth (to expedite latent comparisons).

G. Other safety concerns when applicable (i.e: dislike for law enforcement).

VII. Notifying Identification

A. Identification finds out what has happened from an experienced deputy.

B. Identification can assign appropriately skilled personnel the necessary resources.

C. Realistic estimate of arrival time is determined.

D. Identification supervisor is available to assist when needed.

VIII. Victim Photography

A. Call the Identification Bureau prior to sending the victim in for injury photographs at the Orange County Crime Lab (Brad Gates Building).

1. Allows time to have the studio set up properly and assign a photographer.

2. Provides a safe and confidential location for the victim.

3. Injury photographs are taken in a controlled environment with studio lighting.

IX. Safety

A. ID Bureau are professional staff and do not carry handguns.

B. Report potential unsafe conditions when calling Identification.

C. In some cases, a deputy may need to respond to provide safety such as in domestic violence or suspect at large cases.

- X. The Cal-ID Bureau
 - A. The Cal-ID Bureau maintains the AFIS (Automated Fingerprint Identification System). Booking records and fingerprints are sent electronically from all law enforcement agency arrests in the County to AFIS. AFIS automatically searches the fingerprints, compares them to prior arrests, and forwards the prints, arrest and identifying information to the California DOJ.
 - B. Cal-ID can also search other databases such as the FBI, to try and identify subjects that were not identified in the Orange County or State databases.
 - C. AFIS is also used by latent print examiners throughout the County to search latent prints from crime scenes against arrestee fingerprints maintained in the AFIS.
 - D. Cal-ID Bureau is staffed 24 hours a day, 7 days a week. For assistance, contact Cal-ID.

IMMIGRATION

I. Background Information

- A. "There is no general affirmative legal duty in the sense of a legally enforceable obligation on peace officers in California to report to the Immigration and Customs Enforcement (ICE) knowledge they might have about persons who entered the United States by violating Title 8, U.S. Code Section 1325, but such peace officers may report that knowledge if they choose to do so unless it was learned in a process made confidential by law." Conclusion of Attorney General Opinion No. 83-902 of July 24, 1984.
- B. Summary of Title 8, U.S. Code Section 1325 and following:
 - 1. Illegal entry into the United States is a misdemeanor on first offense. Entry is not a continuing offense (see PC 836.1).
 - 2. Illegal presence in the United States makes a foreign national subject to civil deportation proceedings. Illegal presence alone is not cause for arrest or criminal detention by State peace officers. ICE has jurisdiction to arrest or detain in these instances.

II. Enforcement Policy

- A. In those cases where deputies encounter suspected smuggling of undocumented residents, a felony under Title 18, Section 1324 United States Code, deputies may detain suspects and material witnesses until the timely arrival of ICE officers. Contact the North Narcotics Detail (VICE) for assistance.
- B. In those cases where deputies suspect undocumented resident activity, e.g., dwellings where suspected undocumented residents are living or businesses where undocumented residents are working, proper enforcement action is an Assist Outside Agency report to ICE.
 - 1. Arrest or detention of suspected undocumented residents solely for violation of immigration laws is not appropriate enforcement action.
 - 2. Citizen complaints of non-criminal undocumented resident presence are properly referred to ICE and such referral documented by an Assist Outside Agency report.

- C. In unique situations where the safety of the undocumented resident and/or the community demands deviation from these procedures, the appropriate disposition will be left to the field supervisor acting in close consultation with the Department Commander.
- D. ICE will not be contacted for the sole purpose of translation unless all other means have been exhausted and not without the approval of the field supervisor.

III. Consular Notification

- A. Penal Code Section, 834c requires California Law Enforcement whenever a foreign national is detained, arrested, or held in custody for more than two hours to:
 - 1. Inform the foreign national of the right to have the appropriate consular official notified without delay and of the consular official's right to have access to the foreign national.
 - 2. Notify the appropriate consular officer without delay if the foreign national requests notification.
 - 3. Notify the appropriate consular officer without delay when the foreign national is a citizen of one of the 56 countries listed in Penal Code Section 834c(d). This notification is mandatory.
 - 4. Permit the foreign national to have communication, correspondence, and visitation with the consular officer of the foreign national's country.
 - 5. Refer to Training Bulletin 07-05 for further details.
- B. Law Enforcement agencies may call the State Department Operations Center for any questions or clarification regarding consular notification.

IV. Conclusion

In its continuing effort to provide for the safety of all persons within its jurisdiction, the Orange County Sheriff's Department subscribes to the Law Enforcement Code of Ethics, which states in summary:

Our 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 persons to liberty, equality and justice.

JUVENILE PROCEDURES/AMBER ALERT

- I. Disposition
 - A. In determining the disposition of a minor taken into custody under W&I 300, 601, or 602, the deputy should take action which least restricts the minor's freedom of movement provided such action is compatible with the best interests of the minor and the community.
 - B. In both 601 and 602 cases, and where feasible, the minor should be released to his parents, responsible relative, guardian, or released on a citation. Many 602 offenses, PC 245, 261, etc., do not allow this type of alternative, and in most cases, the minor will be taken directly to Juvenile Hall. In all cases where the alternative appears to be taking the minor to Juvenile Hall, the deputy must contact the Intake Officer prior to transporting the juvenile to Juvenile Hall. The Intake Officer will ask a series of questions to determine the juvenile's eligibility for admittance.
 - C. Emancipated minors (Family Code §7050) shall be considered as being an adult for the purposes W&I 300 and 601 sections. They are, however, still subject to W&I 602 relating to law violations.
- II. W&I 300 (Definition)

Any minor who comes within any of the following descriptions is within the jurisdiction of the juvenile court which may adjudge that person to be a dependent child of the court:

- a. The child has suffered, or there is a substantial risk that the minor will suffer, serious physical harm inflicted non-accidentally upon the minor by the minor's parent or guardian. For the purposes of this subdivision, a court may find there is a substantial risk of serious future injury based on the manner in which a less serious injury was inflicted, a history of repeated inflictions of injuries on the minor or the minor's siblings, or a combination of these and other actions by the parent or guardian which indicate the child is at risk of serious physical harm. For purposes of this subdivision, "serious physical harm" does not include reasonable and age appropriate spanking to the buttocks where there is no evidence of serious physical injury.

- b. The child has or there is substantial risk that the minor will suffer serious physical harm as a result of inadequate supervision by the parent or guardian. This includes protection of the minor from the conduct of any custodian with whom the minor has been left. The willful or negligent failure of the parent or guardian to provide the minor with adequate food, clothing, shelter, or medical treatment or by the inability of the parent or guardian to provide regular care to the minor due to the parent's or guardian's mental illness, developmental disability, or substance abuse. The lack of emergency shelter for the family is not included.
- c. The child is suffering serious emotional damage or is likely to do so, evidenced by severe anxiety, depression, withdrawal or aggressive behavior toward self or others, as the result of the conduct of the parent or guardian or who has no parent or guardian capable of providing appropriate care.
- d. The child has been sexually abused, or there is a substantial risk that the minor will be sexually abused (as defined in PC 11165.1) or that the parent or guardian has failed to adequately protect the minor from a known danger of sexual abuse.
- e. The child is under age 5 and has suffered severe physical abuse by a parent, or by any person known by the parent, or by any person known by the parent, if the parent knew or reasonably should have known the person was abusing the child. "Severe physical abuse" means any of the following: Any single act of abuse which causes physical trauma of sufficient severity that, if left untreated, would cause permanent physical disfigurement or disability, or death; any single act of sexual abuse which causes significant bleeding, deep bruising, or significant external or internal swelling; or more than one act of physical abuse, each of which causes bleeding, deep bruising, significant external or internal swelling, bone fracture, or unconsciousness; or the willful, prolonged failure to provide adequate food.

- f. The child's parent or guardian has been convicted of causing the death of another child through abuse or neglect.
 - g. The child has been left without any provision for support; physical custody of the child has been voluntarily surrendered pursuant to Section 1255.7 of the Health and Safety Code and the child has not been reclaimed within the 14-day period specified in subdivision (e) of that section; the child's parent has been incarcerated or institutionalized and cannot arrange for the care of the minor, or a relative or other adult custodian with whom the child resides is unwilling or unable to provide care or support for the child, the whereabouts of the parent is unknown, and reasonable efforts to locate the parent have been unsuccessful.
 - h. Minor section (not related to our function).
 - i. The child has been subjected to acts of cruelty by the parent or guardian or by a member of his or her household, or the parent or guardian has failed to adequately protect the child from an act or acts of cruelty when the parent or guardian knew or reasonably should have known that the child was in danger of being subjected to an act or acts of cruelty.
 - j. The child's sibling has been abused or neglected as defined in subdivisions (a), (b), (d), (e), or (i), and there is substantial risk that the child will be abused or neglected, as defined in those subdivisions.
- III. W&I 305 Any peace officer may, without a warrant, take into temporary custody a minor:
- A. When the officer has reasonable cause for believing that the minor is a person described in Section 300, and, in addition, that the minor has an immediate need for medical care, or the minor is in immediate danger of physical or sexual abuse, or the physical environment or the fact that the child is left unattended poses an immediate threat to the child's health or safety. In cases in which the child is left unattended, the peace officer shall first attempt to contact the child's parent or guardian to determine if the parent or guardian is able to assume custody of the child. If the parent or guardian cannot be contacted, the peace officers shall notify a

social worker in the county welfare department to assume custody of the child.

- B. Who is in a hospital and release of the minor to a parent poses an immediate danger to the child's health or safety.
- C. Who is a dependent child of the juvenile court, or concerning whom an order has been made under Section 319, when the officer has reasonable cause for believing that the minor has violated an order of the juvenile court or has left any placement ordered by the juvenile court.
- D. Who is found in any street or public place suffering from any sickness or injury which requires care, medical treatment, hospitalization, or other remedial care.

IV. W&I 601 (Definition)

- A. **Incorrigible** Any person under the age of 18 years who persistently or habitually refuses to obey the reasonable and proper orders or directions of his parents, guardian, or custodian, or who is beyond the control of that person, or who is under the age of 18 years when he violated any ordinance of any city or county of this state establishing curfew based solely on age is within the jurisdiction of the juvenile court which may adjudge such person to be a ward of the court.
- B. **Truants** Deputies who have a reasonable cause to believe a minor is truant or absent may detain the minor and return them to their school, release him or her to a parent or guardian, or deliver them to the juvenile Probation Officer.

A Follow-up Report is required for each juvenile detained. Complete narrative of the detention and disposition is required. A copy must be forwarded to the school the minor is attending and must include the school's address.

Education Code 48264: Authority for peace officer to arrest, during school hours, any minor subject to full time compulsory education or compulsory continuation education found away from home and who is absent from school without valid excuse.

Education Code 48265: Disposition of arrestee. Requires officer to deliver forthwith arrested person to parent, guardian, or school from which minor is absent.

Education Code 45266: The arrest and disposition must be reported to the school district and the parents must be notified.

Education Code 48410 & 48260: Who is a truant? Compulsory full time school attendance is required for all children ages 6 to 16. Minimum of continuation education (regular part time) is required for all persons ages 16 to 18. If children 16 to 18 are attending school full time, they must be in school full time.

Advisement of rights during a detention is required in all cases (W&I 625).

V. W&I 602 (Definition)

Any person who is under the age of 18 years when he or she violates any law of this state or of the United States or any ordinance of any city or county of this state defining crime other than an ordinance establishing a curfew based solely on age, is within the jurisdiction of the juvenile court, which may adjudge such person to be a ward of the court.

(Note: This includes emancipated minors.)

VI. W&I 625 (Definition)

A peace officer may, without a warrant, take into temporary custody a minor:

- A. Who is under the age of 18 years when such officer has reasonable cause for believing that such minor is a person described in section 601 or 602, or,
- B. Who is a ward of the juvenile court, or concerning whom an order has been made under Section 636 or 702, when such officer has reasonable cause for believing that person has violated an order of the juvenile court or has escaped from any commitment ordered by the juvenile court, or,
- C. Who is under the age of 18 years and who is found in any street or public place suffering from any sickness or injury which requires care, medical treatment, hospitalization, or other remedial care.

In any case where a minor is taken into temporary custody on the grounds that there is reasonable cause of believing that such minor is a person described in Section 601 or 602, or that he has violated an order of the juvenile court or escaped from any commitment ordered by the juvenile court, the officer shall advise such minor that anything he says can be used against him and shall advise him of his constitutional rights,

including his right to remain silent, his right to have counsel present if he is unable to afford counsel.

Note: This advisement of constitutional rights is required for a detention or arrest of a minor. Miranda is a separate issue and applicable only if detention and interrogation occurs.

VII. Criminal Citations Issued in Lieu of Booking

- A. Juveniles cited for non-violent offenses (i.e. minor infractions, thefts, assaults, trespassing, vandalism, curfew, and H&S 11357(b)) the deputy needs to check the "To Be Notified" box. The reason no court appearance date is issued because the juvenile may be eligible for the PRYDE program.
- B. Diagram on Juvenile Procedures, page 27.27 of this section.
- C. Follow-up Report.

VIII. Detained in Juvenile Hall

- A. If the juvenile has been lodged in Juvenile Hall, a copy of the report, approved by a supervisor, must be faxed to Juvenile Hall with the Application for Petition within 24-hours of the time of booking. The report must be faxed by the end of shift for juveniles booked into Juvenile Hall for DUI.
- B. In every instance, when a juvenile is booked at Juvenile Hall, the petition will contain all of the elements of the crime, probable cause for arrest, and all pertinent information, such as parent's telephone number, victim's telephone number, and any other information that will aid Probation in making a determination as to the disposition of the juvenile.

IX. Juvenile Warrant Arrest

- A. Comply with provisions of CVC 40303.5, if applicable.
- B. DR number is required in all cases.
- C. If person is now 18 or older, Juvenile Hall must notify prior to booking at O.C. Jail.

X. Runaway

- A. When a minor is reported to be a runaway and not missing, a Missing Persons Report (titled Runaway) will be submitted without delay, and without regard to jurisdiction. The reporting deputy will immediately notify Teletype and enter the juvenile in the computer as a runaway.

If the runaway juvenile is under the age of 16, or at risk, the deputy must advise Teletype to notify the agency having:

- A. Jurisdiction over the missing child/runaway juvenile's residence, and;
- B. Jurisdiction where the juvenile was last seen.

If the runaway juvenile is under the age of 16, or is determined to be at risk, an area "be on the lookout" broadcast will be initiated within the patrol unit's jurisdiction.

A local yellow channel broadcast will be sufficient for runaway juveniles and missing children who are under the age of 16 and are not at risk.

A red channel broadcast is required for missing children and runaway juveniles who are determined to be at-risk.

The deputy taking the report shall make an assessment of the reasonable steps to locate the juvenile runaway.

The deputy should check the surrounding area in an attempt to locate the runaway. All persons and possible destinations checked by the deputy will be included in the report.

- B. When handling assignments, a runaway juvenile shall take priority over calls relating to crimes involving property.
- C. The person making a report of a runaway juvenile shall sign a form provided by the deputy taking the report authorizing the release of medical/dental records of the juvenile reported missing and authorizing the release of a recent photo.
- D. Orangewood Handling of Chronic Runaways

- 1. When a minor runs away from Orangewood and is declared to be a minor described as a chronic runaway, Orangewood staff

will complete and submit their missing person report form to the Sheriff's Department Support Services Division. A response from a deputy will not be necessary unless the minor is determined to be a "Critical Missing."

2. Critical Missing is any juvenile with a propensity to harm themselves or others, or who suffers from a mental or physical affliction, age concern, or who have displayed reasons for being considered "at risk." Under this category a deputy will respond to Orangewood and handle the report as an "at risk" runaway.
3. For chronic runaways, Orangewood staff will telephone ECB and obtain a Department DR number for record keeping purposes. Once Orangewood's staff has completed their form they will fax a copy to Teletype. The teletype operator will obtain an FCN number for the report and enter the information into the system. Orangewood's staff will then send their original report to Support Services' Statistics Section. Upon receiving the original missing person report from Orangewood the Sheriff's Department Support Services Division will process the form for distribution and filing in the normal manner.

XI. Curfew Violations

- A. Section 256 (5) of the Welfare and Institutions Code allows a police officer to cite curfew violators if there is a City or County Ordinance in effect prohibiting curfew violations.
- B. County Ordinance 3-6-3 makes it illegal for any minor to be outside between the hours of 11:00 PM and 06:00 AM. This ordinance is applicable seven days a week and the ordinance has been adopted by the contract cities. (Incorporated Cities may have their own municipal code.)

Exceptions to this County Ordinance are:

1. Minor is accompanied by the minor's parent or guardian, or by a responsible adult.
2. On an errand at the direction of the minor's parent, guardian, or responsible adult, without any detour or delay.
3. In a motor vehicle involved in interstate travel.

4. Engaged in employment activity, going to or from employment activity, without any detour or stop.
5. Involved in an emergency.
6. On the sidewalk abutting the minor's property.
7. Attending an official school, religious, or other recreational activity supervised by adults and sponsored by a public entity, a civic organization, or another similar entity or organization that takes responsibility of the minor.
8. Exercising 1st Amendment Rights protected by the U.S. Constitution.

C. Enforcing Curfew Violations

1. Enforcement of curfew violations can be a useful and effective tool for the field deputy. This is particularly true in areas where growing numbers of juveniles congregate late at night. The deputy is now able to cite and release the juveniles in the field.

Deputies do not have to make contact with the juveniles' parents prior to issuing the citation(s). Enforcement of curfew laws have shown to be highly effective in several areas where gang members and other juveniles are known to hang around the streets late at night.

D. Procedure for citing juveniles for curfew violation.

1. It is the Policy of the Orange County Sheriff's Department that action taken against a minor are those that are least restrictive to the minor's freedom. Citations for curfew should be used in cases where a problem exists and other methods for removing the juveniles have proved to be ineffective.
2. Follow the current Juvenile Citation Procedure.
3. DR NUMBER IS REQUIRED
4. The juvenile will be released in the field after the citation has been issued. No parent contact or notification is required when issuing this citation.

XII. Escape

- A. When any person under the custody of a Probation Officer in a County juvenile hall, or committed to a County juvenile home, ranch, camp, or forestry camp, escapes or attempts an escape, a report for W&I 871 will be submitted. An Initial Crime Report and a Juvenile Investigation Field Report will be submitted for each escapee. An NIC# through teletype and a GB# through Control One is required.

XIII. Amber Alert

A. Introduction

1. The America's Missing: Broadcast Emergency Response (AMBER Alert) is a tool used by law enforcement to help find children under the most serious life threatening conditions. The program is designed to facilitate the safe return of an abducted child by establishing an effective partnership between the community, the media, and law enforcement. An AMBER Alert is the recruitment of public assistance to locate an abducted child via a wide spread media alert. Utilizing the assistance of Southern California radio, television and press affiliates the public will be notified of the circumstances of a child's abduction and how they can assist law enforcement in the child's recovery.
2. The AMBER Alert (formerly a CARE Alert) is now a nationally recognized program. It is a rapid notification to the public utilizing all available technology during the most critical period after a child has been abducted. An AMBER alert may be expanded beyond the region on a state or national level.

B. Child Abduction Criteria

Definition of a Child Abduction:

A child 17 years old or younger, which has been unwillingly removed from their environment without permission from the child's legal guardian or a designated legal representative.

Criteria for Issuing an AMBER Alert:

- The child must be 17 years old or younger

- Officers must confirm that an abduction has taken place
- The child is at risk of serious injury or death
- There is sufficient descriptive information of child, captor, or captor's vehicle to issue an AMBER Alert.

When circumstances surrounding a child's disappearance are unknown, an alert may be implemented after sufficient time has elapsed and investigation has taken place, which eliminate other alternative explanations for the child's absence

When an event does not meet the criteria of an AMBER Alert, Investigators or the Patrol Watch Commander may still utilize services that the media may offer. This can be coordinate by the Press Information Officer (PIO).

C. Procedures

In the event of confirmed child abduction the following procedures shall be followed:

1. Notification – The field unit will immediately contact the Patrol Watch Commander and request an AMBER Alert. The Patrol Watch Commander will coordinate with Control One to implement an AMBER Alert.
2. Red Channel Broadcast - Upon being notified of a request for an AMBER Alert, Control One will immediately initiate a Red Channel broadcast advising of an "AMBER Alert -Child Abduction Alert". (A Code Alex may also be initiated when appropriate, or if requested by the agency Watch Commander)
3. Teletype – the Deputy will immediately contact Sheriff's Teletype and enter the child's name into the Missing Persons System (MPS). The name and description of the child and any vehicle information will be entered into the system and the AMBER Alert/Child Abduction category will be marked (category G). The MPS system interfaces and notifies the NCIC system.

Checking the AMBER flag activates the following tools:

- FBI's Strategic Information and Operations Center
- FBI's Crimes Against Children Unit

- National Center for Missing and Exploited Center
4. Emergency Alert System Activation - Control One will activate the Orange County Emergency Alert System (EAS) with the AMBER Alert information via fax/phone to the LP-1 station (KWVE).
 5. EAS - After Orange County EAS has been activated, Control One will fax the information to the CHP ENTAC and advise that we are requesting EAS notification for the following counties:
 - Imperial County
 - Los Angeles County
 - Riverside County
 - San Bernardino County
 - San Diego County
 - Ventura County
 - Statewide (if appropriate)
 - Other States (if appropriate)
 6. Changeable Message Signs - If suspect vehicle information exists the CHP ENTAC Center can also activate an electronic road sign "Child Abduction" Alert in Southern California.

If the passage of time necessitates an expansion of the regional alert, the CHP ENTAC can initiate larger scale EAS and EDIS alerts upon request, as well as expand the use of the Changeable Message Signs throughout California or other states.

7. Press Release - The requesting agency Watch Commander will provide Control One with the completed AMBER Alert fax. The fax should be sent to the several locations.
 - Law Enforcement Communication sites:
 - California Highway Patrol - Orange County
 - Los Angeles County Sheriff
 - Los Angeles Police Department
 - San Diego County Sheriff
 - San Diego Police Department
 - Riverside County Sheriff
 - San Bernardino Sheriff
 - Ventura County Sheriff
 - U.S. Border Patrol
 - U.S. Customs (ICE)

- U.S.M.C. Military Police for Camp Pendleton

The handling Law Enforcement Agency will prepare an initial press release that includes all of the available information. Control One will forward to the appropriate media outlets. The press release will include:

- The child's identity, age, and description.
- If known, the suspect's identity, age, and description.
- Pertinent vehicle description.
- Details, if known, regarding location of incident, direction of travel, potential destinations, etc.
- Identify a media liaison or Press Information Officer, and provide a telephone number for the media to call for additional information or updates.
- A telephone number for the public to call in with leads/information. (Refer to mutual aid information contained herein.)
- Picture if available (JPEG format preferred)

8. California Law Enforcement Telecommunications System - Control One will transmit an AMBER Alert message via the California Law Enforcement Telecommunications System (CLETS). This message will be automatically forwarded to the designated media agencies via the Office of Emergency Services (OES) Emergency Digital Information System for immediate public release.

9. County Wide Radio System – Control One will transmit the AMBER Alert information over the following radio systems:

- Sigalert System (Using Sigalert tones on ADMIN Channel)
- All Hospitals - ReddiNet & HEAR-A (Using 1444/13338 Codes)
- County Radio Systems:
 - DSP-DSP / Silver-1 COM / Silver-1 Animal Control /
 - Silver-1 Integrated Waste / Silver-1-2-3-5-6-7 PF&RD-P&DSD /
 - Probation Green-1 / Med-10 / OCTA
 - Operational Area Radio System (OA-1, OA-2, WEROC)
 - RACES Amateur Radio System

Cancellation of an AMBER Alert

Control One will fax, telephone and/or broadcast updates to all of the above referenced resources and media locations as additional information is received, or immediately upon locating the abducted or missing child.

Child Abduction Response Team

Upon notification of an AMBER Alert the ECB Bureau Commander or Patrol Watch Commander can activate the Child Abduction Response Team (CART) to respond to the event. CART is a multi-agency team that can respond and assist the requesting agency with mutual aid personnel and resources.

XIV. Missing Children

A. Policy

1. Missing children will be regarded with urgency. A missing child is considered as one of the following:
 - a. Any child 12 years old or under who is missing from parental custody or control under unexplained circumstances, or,
 - b. Any missing person under the age of 18 who is mentally handicapped.
2. It is the responsibility of the Patrol Division to direct the investigation of the matter.
3. A missing juvenile is any person not described in Section 1 or 2 above, age 13-17, whose absence from home, school, place of employment or other location is reported by another. A report will be taken on a Missing Persons Report form without delay whenever a person reports a missing juvenile, without regard to jurisdiction.
 - a. The deputy taking the report will obtain an NIC# from Teletype immediately. If the child is under 16 years of age or "at risk," this must be done within 4 hours.
 - b. If a vehicle is involved, the license number and description must be entered in SVS as "vehicle associated with a missing person."
 - c. The reporting deputy must, without delay, notify the law enforcement agency where the juvenile lives and the agency where the juvenile was last seen.

- d. A copy of the report will be directed to the above agencies, if applicable.

B. Procedures for Missing Children

1. Deputies receiving a missing child call normally will be given a description of the subject, including physical and clothing while en route to the scene.
 2. If the missing child is under the age of 16, or is determined to be at risk, an area "be on the lookout" broadcast will be initialed within the patrol unit's jurisdiction.
 - a) A local yellow channel broadcast will be made for missing children who are under the age of 16 and are not at risk.
 - b) A red channel broadcast is required for missing children who are determined to be at-risk.
- If the missing child is under the age of 16, or at risk, the deputy must advise Teletype to notify the agency having:
 - a) Jurisdiction over the missing child's residence, and;
 - b) Jurisdiction where the child was last seen.
1. The Watch Commander and patrol sergeant will immediately be advised of the matter.
 2. When handling assignments, a missing juvenile shall take priority over calls relating to crimes involving property.
 3. The person making a report of a missing juvenile shall sign a form provided by the deputy taking the report authorizing release of medical/dental records of the juvenile reported missing and authorizing the release of a recent photo.

C. Preliminary Search

1. The assigned deputy shall conduct a preliminary search of the general area, utilizing relatives and neighbors to assist when such persons are available, making certain that at least one adult family member remains at the scene. Obtain a current

picture of the child(ren) to assist search teams to recognize the subject(s).

2. If the missing child is under 12 years of age or considered "at risk", Investigation will be immediately notified as well as the field supervisor and Watch Commander.
 - a. "At risk" (formerly suspicious circumstances) includes, but is not limited to, circumstances where evidence or indications exist that the missing person (adult or child):
 1. Is the victim of a crime or foul play.
 2. Is in need of medical attention.
 3. Has no pattern of running away or disappearing.
 4. Is the victim of a parental abduction/kidnapping.
 5. Is mentally impaired.

These circumstances are only examples and are not intended to be an all-encompassing list. Law enforcement personnel may use discretion when determining the presence of risk based on the officers' experience, expertise, and the facts and circumstances of each case.

3. Areas of immediate concern are, but are not limited to:
 - a. House (when missing from home).
 - b. Neighbors' homes.
 - c. Friends' homes.
 - d. Nearby school(s).
 - e. Nearby park(s).
 - f. Nearby attractive nuisance(s).
4. If the child has not been located after the preliminary search has been completed, the deputy shall request the Field Patrol Sergeant to respond to the scene.

5. The sergeant shall maintain periodic communications with the Department Commander, keeping the latter apprised of the investigation.

D. Organized Search

1. The patrol sergeant or deputy in command of the search shall organize and direct additional deputies who respond to the scene for commencement of an organized search.
2. A deputy shall be designated to initiate a log and record various assignments of assisting deputies, including:
 - a. Times.
 - b. Areas assigned.
 - c. Disposition of assignments.
 - d. Resources requested and utilized.

E. Additional Resources

1. The Department Commander shall decide if and when additional resources shall be summoned for the search. As time passes, the search becomes more critical. There are numerous resources to consider, some of which are:
 - a. Additional patrol deputies.
 - b. Search and Rescue Unit deputies.
 - c. Explorer Scouts.
 - d. Investigators.
 - e. Off duty regular and reserve personnel.
 - f. Military.
 - g. Bloodhounds.
 - h. Aircraft.

- i. Assistance from outside agencies.

XV. Child Stealing/Violation of Custody Decree CPC 277, 278, and 278.5

- A. The crime report should include all the following, along with an attached Missing Person's Report for the abducted child.
 - 1. A detailed statement of interview with the complainant at his/her residence, with emphasis on the environment in which the child was living prior to the taking. Any attempts to locate the missing child(ren) should be noted.
 - 2. Any witness to the child's taking other than the complaining witness should be noted and interview of those individuals contained in the Missing Person's Report.
 - 3. Certified copies of all court orders pertaining to the care and proof of service of those orders, if available, at the time the report is taken.
 - 4. Photographs of the child(ren) and defendant, if possible.
 - 5. A complete personal history of both the defendant and complainant should be included in the missing persons report, if at all possible.
 - a. Any aliases used by defendant.
 - b. The defendant's occupation or trade.
 - c. The defendant's current or last known employer.
 - d. The defendant's social security number.
 - e. Any scars, tattoos, or other identifying marks.
 - f. The defendant's driver's license number, description of his vehicle, and license number of that vehicle, if available.
 - g. The defendant's arrest record, including a mug and rap sheet, if available.

- h. Child molest background of parties (charges, arrests, convictions).
- i. All names and addresses of known defendant's relatives.
- j. The social security number of the complaining witness.
- k. If the complaining witness is employed, full information on the employer, such as name of company, address, telephone, and type of work complaining witness does.
- l. A complete physical description of the complaining witness.
- m. List all the minor children by the defendant, including name and date of birth, and specify which of those children are affected by the complaint.
- n. A complete marital history on the defendant and the complaining witness, including the date of the marriage, place of the marriage, date and place of separation, date of divorce including interlocutory and final decree and place where filed.
- o. If an out of county divorce, determine if the divorce order was ever registered in Orange County.
- p. Since the date of the original divorce order, it should be determined if there have been any additional court orders concerning custody/visitation. If there have been additional court orders, the date and location where they were obtained should be listed.
- q. If there have been previous violations of the custody/visitation orders, the date of the violation place of violation, name of children involved and nature of the violation should be listed.
- r. Date of the last contact with the defendant by the complaining witness.
- s. The names, addresses, and telephone numbers of both the attorney of the complaining witness and the defendant, if available.

- t. If complaining witness has ever filed a contempt action against the defendant, it should be noted and the details of that action should be explained.
- u. If either party has filed non-support charges against the other, list dates and locations.

B. Taking child into protective custody CPC 279a

1. A peace officer investigating a report of a violation of CPC 277, 278, or 278.5 may take a minor child into protective custody if it reasonably appears to the officer that any person unlawfully will flee the jurisdictional territory with the minor child.
 - a. Even if in custody of natural parent.
 - b. Jurisdictional territory is where:
 1. The victimized person (parent or guardian) resides, or where the agency deprived of custody is located at the time of taking.
 2. The minor child was taken, detained, or concealed.
 3. The minor child is found.
2. Prior to taking the child into custody, the Department Commander and Field Patrol Sergeant shall be notified of the circumstances.
3. The child will be lodged at Orangewood Children's Home, 401 The City Drive South, Orange.
 - a. The title of the Follow-up Report will be: "W&I 300a for CPC 279".
 - b. When a juvenile has been lodged at Orangewood, a copy of the entire report, approved by a supervisor, must be left at Orangewood with the Application for Petition (dependent child). The concluding sentence of the report must state the name of the person to whom the report was given.

XVI. Child Abuse

A. General Information

1. For the purposes of this section:
 - a. "Child" means any person under the age of 18 years except as specified by code.
 - b. "Abuse" means the child is a victim of:
 1. CPC 261 (rape), CPC 264.1 (rape in concert), CPC 285 (incest), CPC 286 (sodomy), subsections (a) and (b) of CPC 288 (child molest/under 14 years of age), CPC 288a (oral copulation).
 2. CPC 289 (penetration of a genital or anal opening by a foreign object), and CPC 647.6 (child annoyance under 18 years of age).
 3. Neglect.
 4. Willful cruelty or unjustifiable punishment of a child.
 5. Abuse in out of home care (babysitters and nurseries).
 6. The infliction of mental suffering.
2. Prior to writing the initial crime report for sex crimes against children, consult the most current published edition for the California Penal Code. Several of these penal code sections contain specific age requirements for both victims and suspects.
 - a. CPC 11172e "Any person who fails to report as required by this article an instance of child abuse which he or she knows to exist or reasonably should know to exist is guilty of a misdemeanor and is punishable by confinement in the County Jail for a term not to exceed 6 months or by a fine of not more than \$1, 000 or by both".

1. All peace officers in the State of California are required, under this section, to report suspected child abuse.
 2. The responding patrol deputy will, as soon as possible, report the incident by telephone to the Orange County Child Abuse Registry (714) 834 5353, a 24 hour number. (CPC 11166a). The date, time, and name of the person notified are to be included in the written report.
 3. A priority report is to be written as soon as practical by the patrol deputy assigned and is to include a DOJ "Child Abuse Investigation Report" per CPC 11169. This form supplants the JIR in child abuse cases. If the incident is unfounded, a "Follow Up Report" is to be used; the "Child Abuse Investigation report" is not necessary. For other jurisdictions, fill out the "copies to" section for the appropriate agency, if applicable (CPC 11166g).
 4. If the informant is the Child Abuse Registry or Child Protective Services, telephone reporting to the Child Abuse Registry is not necessary, nor is the DOJ "Child Abuse Investigation Report" per CPC 11169.
- b. CPC 11167 requires that the identity of informants in child abuse cases remain confidential and may be released only by the informant's permission or court order. All requests for such reports and discovery orders will be referred to the Records Division.
- c. Reference material:
1. Penal code Section 11165 through 11174.
 2. "California Laws Relating to Minors".
- d. For clarification or advice on questionable cases, field deputies should contact their immediate supervisor before anyone else. The sergeant should then contact the Department Commander or Sex Crimes/Child Abuse Detail.

B. Caring for the Child

1. Ensure the safety of the child.
 - a. Take immediate custody.
 - b. Immediately notify the Field Patrol Sergeant or Department Commander.
 1. Occurring now.
 2. Not occurring now, but the suspect is an in house family member.
 3. In cases of severe injuries, notify the Sex Crimes/Child Abuse Detail Sergeant as soon as possible.
2. Medical Care
 - a. Should injuries require any medical attention regardless of severity, paramedics should be summoned.
 - b. If recent sexual activity, contact the Sex Crimes/Child Abuse sergeant through the Department Commander prior to any medical examination if the injuries are not major or life threatening.
3. Identification
 - a. Bring the child to Sheriff's Identification Bureau for photographs prior to medical examination, if possible.

C. Suspect Information

1. Obtain all available information on suspect.
 - a. Complete investigation helps a successful prosecution.
 - b. It is not always necessary to arrest suspect prior to a complete investigation.

D. Notify Sex Crimes/Family Violence Detail

1. Will be notified for guidance in assuring proper handling of preliminary investigation.
2. Will assess the incident and determine if it is criminal or civil.
3. Will conduct a delicate interview of the child.

A Child Abuse Services Team (CAST) located at Orangewood Children's Home may be utilized to conduct the interview(s). The Sex Crimes/Family Violence Detail will determine CAST involvement.

E. Child Abuse Report

1. Must be submitted in any case whether suspected or confirmed.
2. Refer to procedure on Child Abuse Report (CPC 11169 / Form SS8583).

F. When a juvenile has been lodged at Orangewood, a copy of the entire crime report, approved by a supervisor, must be left at Orangewood with the Application for Petition (dependent child). The concluding sentence on the report must state the name of the person to whom the report was given.

1. A peace officer investigating a report of a violation of CPC 277, 278, or 278.5 may take a child into protective custody if it reasonably appears to the officer that any person unlawfully will flee the jurisdictional territory with the minor child.
 - a. Even if in custody of natural parent.
 - b. Jurisdictional territory is where:
 1. The victimized person (parent or guardian) resides, or where the agency deprived of custody is located at the time of taking.
 2. The minor child was taken, detained, or concealed.
 3. The minor child is found.
2. Prior to taking the child into custody, the Department Commander and Field Patrol Sergeant shall be notified of the circumstances.

3. The child will be lodged at Orangewood Children's Home, 401 City Drive South, Orange.
 - a. The title of the Follow-up Report will be "W&I 300a for CPC 279".
 - b. When a juvenile has been lodged at Orangewood, a copy of the entire report, approved by a supervisor, must be left at Orangewood with the Application for Petition (dependent child). The concluding sentence of the report must state the name of the person to whom the report was given.

G. Off Duty Deputies

1. When an off duty deputy becomes aware of an actual or suspected child abuse/neglect situation, the following procedures will be implemented.
 - a. The deputy will, as soon as possible, call the Emergency Communications Bureau.
 1. A patrol deputy will be dispatched to investigate the matter if it is occurring in Sheriff's jurisdiction.
 2. A DR number will be issued for suspected child abuse or the appropriate crime, if occurring in Sheriff's jurisdiction.
 3. If in another jurisdiction, the appropriate agency will be notified as soon as possible by telephone.
 - b. The responding patrol deputy will, as soon as possible, report the incident by telephone to the Orange County Child Abuse Registry (714-834 5353, a 24 hour number) (CPC 11166f). The date, time, and name of the person notified will be included in the written report.
 - c. A priority report will be written as soon as practical by the patrol deputy assigned and will include a DOJ "Suspected Child Abuse Report, except when the report is unfounded. For other jurisdictions, fill out the "copies to" section for the appropriate agency (CPC 11166f).

XVII. JUVENILE MATRIX

The Juvenile Matrix is designed as a guideline in assisting patrol personnel in determining the proper juvenile procedures. Due to frequent changes in Juvenile Law, practices and procedures, this matrix is constantly being updated.

Therefore, when new updates are received and implemented, an update will be posted on OCSD Intranet's home page under Training Bulletins.

Personnel are encouraged to refer to the most current Juvenile Matrix in determining the proper course of action when dealing with juveniles in the field. This can be done by frequently checking the OCSD Intranet for the most current version of the Juvenile Matrix Training Bulletin.

For any questions regarding this matter, contact the Juvenile Services Bureau.

	DR Required	Citation ¹	Traffic Court w/ court date	Juvenile Court w/ day court date	"To Be Notified" checked on citation (no court or date assigned)	Initial Chm Report	Report Continuation	Juvenile Information Report (Follow Up Report Form)	Admin Per Se (under 21 years)	Release to guardian or school	Application for Petition	Juvenile Hall
Truancy Detention								•		• ²		

W&I 602/601 Violations on Citation (misdemeanors and infractions)

CVC - All infractions and misdemeanors not specifically listed below		•	•									
CPC all infractions and 640a as misdemeanor		•			• ³							
B&P all infractions, 25658.5, 25661		•	•									
H&S (infractions), Fish & Game (H&M), Harbors & Navigations (infractions), and local ordinances (all infractions)		•	•									
Zero Tolerance Laws, VC 23106, 23110		•		•					•			
CVC misdemeanors cited to Juvenile Traffic Court ⁴	•	•		•			•					
CVC misdemeanors cited to Probation ⁵	•	•			•		•				•	
CPC 488 or other theft sections	•	•			• ³	•	•				•	
CPC violations like 240/242.594, 602(m), 647(f), B&P 25658, H&S misdemeanors (except 10357(b))	•	•			• ³		•				• ⁶	
Municipal Codes, County Ordinances; B&P 25662(a), that are misdemeanors	•	•			• ³							
Curfew violations	•	•			• ³		•					
H&S 10357(b)	•	•			• ³		•					

W&I 602 Misdemeanor Violations by Report

H&S 10357(b)	•					•		•	•			
H&S 10357(b)	•					•				• ⁶	• ⁸	

Felonies

Release to parents/guardian	•							• ⁷	•	•		
In-custody to Juvenile Hall	•							• ⁷		•	• ⁸	

(1) The deputy must write the juvenile's school of attendance, status, parent information, and where he/she was born on the back of the citation (pink copy).
 (2) Juveniles detained for truancy must be returned to their school, parents, or to their juvenile probation officer (Ed. Code 48265).
 (3) Many violations identified as "To Be Notified" will initially be diverted if the the juvenile is eligible. Juvenile history can be checked through Central Juvenile Index (CJI) ELETE, Orange County Tab, Multiple Name Inquiry.
 (4) CVC misdemeanors cited to Juvenile Traffic Court (3411 The City Drive) include: VC 2500(a), VC 2200.5, VC 22215, VC 23222. Any violation including evidence would require a DR No.
 (5) CVC misdemeanors cited and filed via application to petition include VC 11601(a), VC 116012, VC 4162.5, VC 23103, or VC 23154(a) cited as a misdemeanor.
 (6) An Application for Petition is needed for egregious violations where bookin might be considered, juveniles already on probation, or if the deputy desires prosecution by the District Attorney's Office, otherwise these cases are initially considered for diversion.
 (7) Admin Per Se report required for CVC 23153 (a) & (b)
 (8) Reports for juveniles booked into Juvenile Hall must be submitted and a copy faxed to Probation within 24 hours of the arrest.

OCSD Revised 12.09.11.1

XVIII. Additional Resources

- | | |
|----------------------------|---------------------------|
| 1. Training Bulletin 06-08 | Megan's Law |
| 2. Training Bulletin 09-11 | Victim's Bill of Rights |
| 3. Training Bulletin 09-17 | DOJ Child Abuse Reporting |
| 4. Training Bulletin 11-06 | Victim Advisement for |
| Confidentiality | |

LABOR DISPUTES

- I. Deputy's Duties at Labor Dispute Locations
 - A. At a dispute location, the duties of a deputy are the same as in any other incident requiring police attention. Deputies shall maintain a fair and impartial attitude to both labor and management and avoid expressing personal opinion concerning the dispute.
 - B. It is law enforcement's responsibility to see that persons desiring to enter or leave a dispute location may do so without unreasonable delay. The decision to cross the picket line rests with the individual entering or leaving the premises. To assure the safety of all parties, deputies may be assigned to monitor personnel and vehicular traffic in and out of the dispute location.
 - C. Persons involved in a labor dispute have the right to demonstrate in a legal manner. The issues of the dispute should be of no concern to the deputies.
 - D. Deputies assigned to a dispute location should impartially document all incidents or charges in the situation and relay pertinent information to their supervisors. It is suggested that a chronological log be maintained during major dispute situations. Copies of all reports must be sent to the SAFE Division.
 - E. Deputies should not enter property under dispute, except for official business. To maintain impartiality, deputies should not park their vehicles on the property, use management's phones, nor fraternize with parties to the dispute.
 - F. At a dispute location, both labor and management may have food and beverage available for their personnel. Deputies shall not accept any gratuities from labor or management.
 - G. Deputies should not, under any circumstances, accept or retain any form of employment from labor or management involved in a dispute.
- II. Injunctions
 - A. An injunction is a Writ or Order of the Court, restraining a person, or group of persons, from doing a particular act (CCP 525).

- B. An injunction is a civil process.
- C. Injunctions may restrict any of the following:
 - 1. The number of persons on a picket line.
 - 2. The distance to be maintained between pickets.
 - 3. The distance from entrances this must be maintained by striking employees who are not on picket duty.
 - 4. Any other restrictions delineated by the issuing court.
- D. Violations of an injunction are treated as contempt of court. If either party desires legal recourse, such action must be filed in the court of issuance.
- E. Representatives of labor or management may call the deputies attention to violations of the injunction and insist that the injunction be enforced. It is not the duty of law enforcement to enforce an injunction. Exceptions would be if violations of the injunction also violate a provision of the law or the court order is directed to the Sheriff or Chief of Police by name, ordering the enforcement of the writ or order. In this instance, deputies shall ensure the order is signed by the issuing judge and has the seal of the court affixed. Deputies should then advise the violator of the intention to arrest for non-compliance with the order. Arrests should be made pursuant to 166(4) PC, if the violations continue.

III. Arrest Procedures

- A. Incidents of a minor nature should be brought to the attention of the union or management official who has supervision over the principal(s) involved. This procedure provides an opportunity for the involved parties to exercise self-discipline. Police action should be taken when this procedure fails.
 - 1. Minor violations involving two parties are generally best resolved by an informal hearing with the prosecuting authority.
 - 2. Labor and management often agree to withdraw all criminal and civil complaints upon settlement of a labor dispute. For this reason, private persons arrest procedures should be utilized.

- B. When felonies occur at the scene of a dispute, the crime should be investigated immediately and, if sufficient probable cause is established, the suspect(s) should be arrested.
- C. If a deputy anticipates an arrest, assistance should be requested. When possible, the request for assistance should be made prior to the deputy's attempt to take the offending person into custody.
- D. Once an arrest is accomplished, the person or persons arrested should be removed from the area immediately.
- E. Incidents of a major nature.
 - 1. Refer to Lexipol Policy 323 – Mobile Field Force

MENTAL ILLNESS

1. Definitions
 - A. Gravely Disabled - Unable to provide for basic personal needs for food, clothing, or shelter as a result of a mental illness or psychiatric condition.
 - B. LPS (Lanterman Petris Short) Conservatorship - A person designated by the court to care for property and affairs of mentally ill person.
 - C. Responsible Relative - Spouse, parent, adult child, or adult brother or sister, not including the person applying for the petition.
 - D. Mental Illness - W&I Code describes mentally ill as those persons who are of such a mental condition that they are a danger to themselves or the person or property of others, and in need of supervision, treatment, care or restraint.
2. Emergency Detention - W&I Section 5150
 1. When any person is a danger to others, or to himself, or gravely disabled, as a result of mental disorder, a peace officer, member of the attending staff, as defined by regulation, or an evaluation facility designated by the county, or other professional person designated by the county, may, upon reasonable cause, take or cause to be taken, the person into custody and place him in a facility designated by the county and approved by the State Department of Mental Health as a facility for 72 hour treatment and evaluation.
3. Recognizing when Behaviors may be due to a Mental Illness or a Physical Condition
 - A. Behavioral Excitement / Agitation
 1. Very noticeable to others (**sometimes to the point of dangerousness to self or others**).
 2. Loud, rapid voice, swearing, not making sense, not listening to reason, talking to someone who is not there.
 3. Individual may explain there are voices talking to them or messages being transmitted that are causing the individual's outbursts.

4. Bizarre behaviors that individual cannot explain.
5. Individual may share paranoid or grandiose delusions that are the reason for behavior.
6. Delusional belief in individuals who also have a real medical problem may sound extreme, but the belief may have some reality (e.g. “there are rays beaming into my head” – but it is really a migraine, or “there are bugs crawling under my skin” – but there is really an allergic reaction, etc.).

B. Behavioral Regression / Withdrawal

1. Less noticeable to others, or only to other that notice that change (sometimes to the point of **not taking care of self unless prompted or helped**).
2. Confused behaviors, with evidence of poor immediate memory or very forgetful.
3. Bizarre behaviors that individuals cannot explain.
4. Withdrawn, sad, physically not wanting to move or not moving much.
5. Extremely frightened or in state of panic that the individual cannot explain.

C. Physical Conditions that may cause Behavior Changes

1. Less noticeable conditions that can cause confusion, disorientation that lead to behavior changes are metabolic or internal conditions such as diabetes with low blood sugar, heart conditions with interrupted blood flow to the brain, fever with internal infections, confusion after an epileptic seizure, head injury with no wound, etc.
2. More noticeable conditions that can cause confusion, disorientation that lead to behavior changes are head injury a with wound, seizure in progress, stroke in progress, vision or hearing problems, pregnancy complications.

4. Mentally Ill Commitments

A. Emergency Commitments (W&I 5150)

1. Detention can only be justified when it is necessary to prevent injury to himself or others or the subject is so gravely disabled as to be a danger to themselves or others. In all W&I 5150 commitment cases, the detention must be supported by mental illness.
 - a. Attempts suicide (high risk factors or has a plan)
 - b. Information from subject's psychiatrist, family member or significant other.
 - c. Escapees from mental institutions.
 - d. Crimes of violence.
 - e. Other situations where the deputy has reasonable cause to believe the person is mentally ill and unable to be controlled.

5. Techniques for the Field Deputy

A. Handling Disturbed or Violent Persons

1. First, look the situation over upon arrival at the scene.
 - a. Take your time unless the person is immediately dangerous.
 - b. When possible, contact other persons to determine the situation.
 - c. Put everyone at ease; be casual but businesslike.
 - d. Obtain complete statements as to the actions of the person.
 - e. Evaluate the case and determine if the person is a police problem.
 1. If he is not, advise the people as to the non-emergency commitment procedure.
 - a) Mental illness symptoms only would not be justification for taking a person into custody.

Imagining he is some famous person, staring into space with a blank expression or stating fantastic opinions are insufficient justification for custody.

- b) The alcoholic: The current philosophy is that alcoholism is a disease and requires medical treatment, not a bad habit to be condemned. Direct the complaining party to contact the Department of Social Welfare, who will take the necessary steps to determine if commitment is appropriate.
2. If he is a police problem, formulate a plan of action.
 3. Request assistance before taking action if there is ever a vague possibility it may be needed.
 4. Visually check the immediate area for weapons.
 5. Position yourself so that you can maintain control of the person, should the need arise.
 - a) One deputy in front of the person.
 - b) The second deputy to the side, blocking escape or weapons.
 6. When you can talk to the disturbed person:
 - a) Use his name in the conversation.
 - b) Find out what is bothering him.
 - c) Tell him you are there to help him.
 - d) Give him time to quiet down.
 - e) Keep your voice low and actions calm, regardless of your feelings.
 - f) Talk to him as long as necessary.
 - g) Observe his actions and statements carefully.

2. Avoid excitement: Occasionally, a disturbed person gets into a situation where he attracts a great deal of attention.
 - a. Whenever possible, try to avoid the gathering of a crowd.
3. Do not abuse or threaten: Some peace officers think they can best control such situations by being tough, by threatening to use a gun, or by fast action.
 - a. Don't threaten him with hospital confinement or physical abuse. Their mental problem is usually such that they have no fear of pain.
 - b. Ignore his threats, profanity and insulting remarks.
 - c. Deputies should be careful in their choice of words:
 1. Avoid the use of words, such as "crazy", "nuts", "psycho", "squirrely", etc.
 2. It is acceptable to use the phrase "nervous condition".
4. Do not deceive: It is often tempting to deceive the disturbed person when taking him into custody.
 - a. Take the time to explain to him what you are going to do.
 1. If an answer cannot be avoided, tell him where he is being taken.
 2. A good answer might be, "We are taking you to where you will be helped".
 - b. The only time when subterfuge should be used is when real and immediate danger, either to you or to the person, is involved.
 - c. Lying to the disturbed person can delay his recovery in the mental hospital.

B. Handling the Attempt Suicide

1. People intent on destroying themselves may use any method to do so, including razor blades, guns, knives, drugs, poison, gas, carbon monoxide, etc.
2. Every suicide or attempt suicide should be handled as a potential homicide.
 - a. If you have any doubts as to the circumstances surrounding the incident, notify your field sergeant.
3. Your first responsibility at the scene of attempt suicide is to render first aid to the victim.
4. If possible, confiscate the agent involved, i.e., gun, knife, pills, poison, etc.
 - a. If poison, pills, or other substance has been taken internally, see that the remainder of the substance, if any and the container accompany the victim to the hospital in the ambulance.
 1. Try to determine the amount which has been taken.
 - b. If you smell gas coming from under a door, make entry as quickly as possible. Do not ring the bell, the spark may cause an explosion. Turn off the burners, remove the victim to fresh air and create cross ventilation in the residence.
5. When faced with a person threatening to commit suicide, the deputy should:
 - a. Use a sympathetic approach; an attempt suicide is a request for sympathy and help.
 - b. Attempt to divert his attention and interest to another subject.
 - c. Make sure you have sufficient assistance available.
 - d. Do not make any quick moves until the opportunity is presented to make the rescue.

f. Protocol

A. General Mental Health Admission Information:

1. Orange County Deputy Sheriff's should present adult mental health patients who are or may be 5150's into the mental health system **IN THE FOLLOWING ORDER:**
 - a. Contact CAT for response to the field. Hours are located in section B.
 - b. Additionally, deputies may take the mental health patient to six Orange County Health Care Clinics throughout the County. This is a separate service from the CAT Teams. Hours and locations of the clinics are located in Attachment "B".
 - c. If CAT is unavailable due to closure, contact ETS and advise ETS that law enforcement is transporting a patient to that location. The hours and address of ETS are located in Section D.
 - d. If ETS is unable to accept patient, ETS will assist the deputy and identify the nearest Designated Psychiatric Facility. Those facilities are identified in "Attachment A".

B. Centralized Assessment Teams (CAT):

1. Orange County Health Care Agency / Behavioral Health Services Centralized Assessment Team(s) (CAT) are available 24 hours, 7 days a week. The Countywide CAT phone number is 1-866-830-6011.
 - a. Deputies should use a CAT team anytime they need a clinical intervention that requires a mental health assessment. CAT personnel will respond to the deputy's location as long as the deputy remains at the location until it is safe for the CAT personnel to leave, with or without the patient.
 - b. CAT personnel may respond to the field, however, may not go into a medical facility with the exception of an Emergency Room in both designated and non-designated facilities. CAT personnel will not physically handle a combative patient and rely on the deputy or hospital security for this function.

- c. While it is preferred that the CAT team respond into the field, another option is for deputies to bring adult patients to the six OC/HCA clinics throughout the County. This is a service separate from the field based CAT Teams. A list of these clinics and the hours of operation are provided in "Attachment B".

C. Psychiatric Evaluation Team (PET Team)

1. College Hospital in Costa Mesa is a Designated Mental Health Facility. This hospital has a Psychiatric Evaluation Team (PET) called the Crisis Response Team (CRT) and it is available to 24 hours a day seven days a week. They are authorized and designated by the County to complete 5150 evaluations in emergency departments, police departments, and at College Hospital Costa Mesa. They can also complete evaluations on medical floors of contracted hospitals once authorized by the County. Their phone number is "800-773-8001."

D. Emergency Treatment Services "ETS"

1. ETS is the Orange County Health Care Agency's "Emergency Treatment Services" located at 1030 West Warner Avenue, Santa Ana, CA. 92707. The phone number is 714-834-6913/6900. ETS is open 24 hours a day, 7 days a week and will accept adult mental health patients absent any attendant medical, intoxicated condition(s) or those with medical insurance. For mental health patients with these conditions, please see the below sections.

E. Availability of Mental Health Facilities in Orange County Law Enforcement Jurisdictions.

1. It is the responsibility of ECB to obtain a current list of Designated Mental Health Facilities from the Orange County Health Care Agency Behavioral Health Sciences at 714-834-5026. A complete listing of all Designated Facilities in Orange County as of the date of the adoption of this protocol is available in "Attachment "A".

F. Categories of Detention and Placement.

1. When a deputy has contact with a person subject to detention under the provisions of W&I 5150, the deputy should normally follow the outlined procedure in Section VI. A. for placement of the person.

G. Non-Injury.

1. When the person subject to the detention under the provisions of W&I 5150 has no obvious signs of a medical condition requiring immediate medical care in addition to the mental health issue at hand, OR no obvious signs of alcohol and/or drug use that would prevent admittance into a mental health facility, deputies should normally follow the procedure outlined in Section VI. A. of this protocol and prepare a "W&I Section 5150 Hold" as appropriate.
 - a. In the event the deputy has questions as to whether the "hold" should be placed on the subject, the peace officer may call the Centralized Assessment Team (CAT) at (866) 830-6011.
 - b. If the CAT responds to the field or provides an evaluation in the clinic, the staff will conduct an assessment as to the possibility of a 5150 hold on the subject. If the decision is made by HCA/BHS staff to admit the subject as a 5150, the staff will make all arrangements as to transportation, emergency room and evaluation by a designated facility.
2. Non-Injury Admittance to Orange County ETS. ETS is not a medical facility, as it relates to physical ailments. As part of ETS's intake/triage procedure, ETS Staff will ask medical screening questions. The deputy should be ready to answer questions related to the detainee such as: age; overall medical appearance; drug/alcohol usage; whether or not the subject was seen by paramedics; any known medical problems; violence potential; and what events brought the person to the attention of law enforcement. Upon completion of the medical triage, the ETS staffer will accept or not accept the subject.

H. Injured:

1. When a deputy contacts a subject whom falls within the provisions of W&I 5150 and the subject has an obvious medical condition / injury, the deputy should contact their local fire department / paramedics and have them respond.
 - a. The patient, if not medically cleared in the field, should be transported to the closest local medical facility by the fire department and not by the deputy. The deputy should follow the ambulance to the medical facility and once medically

cleared, begin the procedure outlined in Section VI. A. to have the patient mentally evaluated and housed, if appropriate.

- I. Injury Admittance to Orange County ETS:
 1. If ETS refuses to accept the person due a medical condition the deputy should do the following:
 - a. Conduct an independent assessment to determine if emergency medical personnel should be summoned to the location. This assessment should include consideration of information received from ETS personnel, statements made by the person being held, the deputies' own observation of the person's condition and any additional information known to the deputy that would help him/her to determine whether response by emergency medical assistance is reasonably necessary.
 - b. Notify the Department Commander of the circumstances and the refusal of ETS to accept the person.
 - 1) The Department Commander should attempt to contact staff at ETS and make appropriate arrangements for transportation of the person to a medical facility for medical treatment or to another designated mental health facility for admittance for a 5150 hold.
 - 2) If the person being refused at ETS is transported to a designated facility, the deputy will advise the emergency room staff that a hold has already been placed on the person and request acceptance of the person as soon as possible for the orderly transfer of custody.
 - 3) Combative: Pursuant to section 1257 of the Health and Safety Code, if the subject is violent or potentially violent, the deputy will have the hospital staff notified prior to his/her arrival. It is the responsibility of a designated facility to have sufficient security personnel and equipment to handle the violent or uncooperative patient, absent the assistance of the deputy. The deputy will remain at the facility and assist the facility

security and/or medical staff in the initial restraint of the patient.

J. Transportation

1. Deputies will always handcuff the subject prior to transporting. Even if the subject appears calm at the scene, he may become violent while transporting.
2. Deputies should consider having the family or other responsible adult transport when it is apparent that police intervention is not necessary and community safety is not jeopardized (self-commitment only).

K. Identification

1. When taking custody of the booking, the deputy should obtain any documentation which will help the hospital determine financial responsibility.

L. Reports

1. Casualty Reports
 - a. Mental
2. Application for 72-Hour Detention for Evaluation and Treatment
 - a. Original shall be given to evaluation facility without corrections.
 - b. Duplicate will be Sheriff's Department copy.
 - c. **"Detainment Advisement" must be read to person detained (W&I 5157).**
 - *My name is:_____*
 - *I am a (Deputy) with the Orange County Sheriff's Department*
 - *You are not under criminal arrest, but I am taking you for examination by mental health professionals at (name of facility)*

- *(If taking them from their residences) “You may bring a few personal items with you which I will have to approve. You can make a phone call and/or leave a note to tell friends and/or family members where you have been taken. Do you need assistance turning off an appliance or water?”*
- i. Unless unconscious.
- ii. **Language Problems:** all means must be attempted to communicate with an individual who does not speak English. Written or oral communication must be given to the individual so he/she understands what is being said.

3. Personal Property Report (Casualty Report)

- a. All personal property will be left with a relative, guardian or conservator of the person who is being taken into custody for W&I 5150. The Casualty Report will include what personal property was removed from the person and who took possession of the personal property. If personal property cannot be left with one of the above (relative, guardian or conservator) the personal property will be booked as safe keeping.

M. Juveniles

Juveniles will be handled in the same manner as adults.

N. Confiscation and Disposition of firearms and deadly weapons

Welfare and Institutions Code 8102, section (a) “requires that any firearm or deadly weapon’ that is owned, possessed or under the control of any person detained or apprehended for examination of his or her mental condition, be confiscated and retained in custody of the law enforcement agency making the detention.”

Section (b) requires that, “upon confiscation of any firearm or other deadly weapon from a person...the peace officer or law enforcement agency shall notify the person of the procedure for the return of any firearm confiscated.”

To ensure compliance with W&I Code, Section 8102, deputies confiscating firearms or deadly weapons from 5150's shall follow the procedure listed below:

1. Complete a W&I 5150 form
 2. Complete a property receipt listing the firearm or deadly weapon seized. Check the 5150 box on the form.
 3. Give each detained person a copy, in writing, of section 8102 (a) through (g) which is printed on the reverse side of the revised "Property Receipt."
 4. The detaining deputy will personally notify the intake person of the accepting mental health facility the detainee had a firearm or deadly weapon confiscated.
 5. The deputy will write "W&I 5150" on the property tag of the firearm or weapon confiscated.
- O. For Gun Violence Restraining Order, reference Orange County Sheriff's Department Policy 345.
- P. Hospital Walk-aways
1. If reported or unreported walk-aways are found, they can be transported and returned to the hospital with only log item entry, except when:
 - a. The original 72-hour detainment has expired.
 - b. The person now requires medical treatment because of a self-inflicted injury.

Q. Additional Resources / Statutes

Welfare & Institution Code 5150.2
Welfare & Institution Code 5156

ATTACHMENT "A"**ORANGE COUNTY DESIGNATED MENTAL HEALTH FACILITIES**

ALL OF THESE FACILITIES ARE OPEN 24 HOURS A DAY 7 DAYS A WEEK:

COLLEGE HOSPITAL / COSTA MESA (Adult and Adolescent).

301 Victoria Street, Costa Mesa, CA. 92627
1-800-773-8001

LOS ALAMITOS MEDICAL CENTER (Adults and Geriatric)

3751 Katella Avenue
Los Alamitos, CA. 90720
562-598-1311

WESTERN MEDICAL CENTER SANTA ANA (Adults)

1001 North Tustin Ave., Santa Ana, CA. 92705
(714)953-3500

MISSION HOSPITAL LAGUNA BEACH (Adults)

Inpatient Psychiatric Program
31872 Pacific Coast Highway
Laguna Beach, CA. 92651
949-499-1311

ST. JOSEPH HOSPITAL (Adult)

Rush Center
1100 W. Stewart Drive
Orange, CA. 92668
714-633-9111

UCI MEDICAL CENTER (Adult, Geriatric, Adolescent)

Psychiatry Department / Route 88
UCI Medical Center
101 The City Drive South
Orange, CA. 92868
714-456-5801 / 5878
Police Contacts: Emergency Department Patient Care Coordinator
714-240-4403 or 714-4546-5705.

WESTERN MEDICAL CENTER ANAHEIM (Adult)

1025 S. Anaheim Blvd.
Anaheim, CA. 92805
714-563-2805

CHAPMAN MEDICAL CENTER (Geriatric)

2601 E. Chapman Ave.
Orange, CA. 92869
714-633-0011

ATTACHMENT "B"**ORANGE COUNTY HEALTH CARE AGENCY / BEHAVIORAL HEALTH SERVICES
OUTPATIENT CLINICS****HOURS OF OPERATION:
Monday – Thursday 0800-1800
Friday 0800-1700**Program for Assisted Community Treatment (PACT)FULLERTON: *LAW ENFORCEMENT ONLY*

211 W. Commonwealth Avenue
Fullerton, CA. 92832.
Tel. 714-447-7000
FAX: 714-447-7003

Anaheim Mental HealthANAHEIM: *ACCESS POINT*

2035 E. Ball Road, Suite 200
Anaheim, CA. 92805.
Tel. 714-517-6300
FAX: 714-517-6306

Behavioral Health ServicesSANTA ANA: *ACCESS POINT*

1200 N. Main Street, Suite 200
Santa Ana, CA. 92701. This location also has Pacific Asian Unit
Tel. 714-480-6767
FAX: 714-568-4362

Behavioral Health ServicesWESTMINSTER: *ACCESS POINT*

14140 Beach Blvd. Suite 223
Westminster, CA. 92683. This location also has Pacific Asian Unit
Tel. 714-896-7566
FAX: 714-896-7408

Costa Mesa Health Care AgencyCOSTA MESA: *LAW ENFORCEMENT ONLY*

3115 Redhill Ave. Costa Mesa, CA. 92626.
Tel. 714-850-8463
FAX: 714-850-8492

Royale Health Care Center

MISSION VIEJO: -*ACCESS POINT*

23228 Madero, Mission Viejo, CA. 92691.

Tel. 949-454-3940

FAX: 949-770-1953

**Orange County Chiefs of Police and Sheriff's Association
Adult Mental Health 5150 Admission Field Guide**

Adult 5150 <i>In Order:</i>	<u>Without</u> Medical Injury	<u>With</u> Medical Injury	Field Response
Option 1	CAT Teams (Countywide)* 1-866-830-6011 (24/7) <i>If CAT is delayed/unavailable, consider Options 2 and then 3 then take to a designated facility. If not medically cleared, take to any medical facility and once cleared, resume Options 1-4.</i>	Any medical facility	CAT will respond to field and to Medical ER's
Option 2	County Clinics (Countywide) Contact Watch Cmdr. for Phone # Hours Mon-Thu 0800-1800 Friday 0900-1700	Any medical facility	Yes
Option 3	College Hospital Costa Mesa 1-800-773-8001 (24/7).	Any medical facility	Yes. CHCM will respond to any Emergency Room or police department in the County
Option 4	Emergency Treatment Services 24/7 Ph# 714-834-6913 / 6900	Any medical facility	No

MIRANDA

- I. Use of the Miranda Card
 - A. The Miranda warning should never be given from memory. A Department issued Miranda card should always be used to read the advisements to suspects who are “in custody” before questioning.
 1. This minimizes chances of error.
 2. The defense may challenge your memory in court if Miranda warnings are not read **directly from your Department issued Miranda card.**
- II. General Guidelines
 - A. When a suspect is in custody and to be questioned, the suspect must receive the Miranda warnings prior to any questioning, regardless of who will ask the questions.
 - B. In major crimes where Investigations is responding, the suspect should not be Mirandized by the field deputy, **unless approved by Investigations.** The deputy should not ask the suspect any questions, but should note/record any spontaneous statements he/she makes.
 - C. Pursuant to Welfare & Institutions Code section 625: juveniles must always be advised of their rights when taken into custody, even if they will not be questioned.
 1. A minor who requests to see or speak with a parent or legal guardian may be invoking his right to an attorney if the totality of the circumstances suggests **that** he/**she** is invoking **their his** Miranda rights.
 2. A minor who makes his/**her** cooperation conditioned upon seeing or speaking with a parent or legal guardian requires **that** the interrogation **to** stop until the request is honored.

Example:

“I want to talk **to talk** to my father”. A court will consider the totality of the circumstances, such as the juvenile’s age, experience, education, background and intelligence. **They will also and** inquire whether he/**she** has the capacity to understand the warnings given **to them-him**. A court will

also consider if he/~~she~~ understands the nature of ~~their his~~ Fifth Amendment rights and the consequences of waiving those rights to determine whether the minor ~~is~~ is invoking ~~their his~~ Miranda rights.

Example:

~~"I want to talk to my mom before I say anything". The minor's request must be honored and questioning must stop until the request is fulfilled.~~
The minor's request to see a parent, probation officer, or other (Non-Attorney) adult is not, in itself, an invocation of rights. (Nelson (2012) 53 Cal.4th 367, 379-380, 385). You must consider the minor's age and maturity level in deciding whether a statement he makes is an invocation of rights. (Art T. (2015) 234 Cal.App.4th 335).

- D. If at any time, a suspect invokes ~~their~~ right to remain silent or the right to have an attorney present, the interrogation must cease immediately. A suspect can invoke Miranda's protections by ~~requesting~~ an attorney or by invoking ~~his their~~ right to remain silent. To invoke his/~~her~~ right to remain silent, a suspect must actually state that he/~~she~~ wishes to remain silent. ~~The specific details of invocation should be recorded in the deputy's report (i.e.- requesting an attorney or remaining silent. Use the exact words used by the suspect).~~
- E. "In custody" is defined as being under formal arrest or if a suspect would reasonably believe that he or she is not free to leave (i.e. using handcuffs or other restraints consistent with custody). The test is, would a reasonable person feel ~~that~~ they were under arrest or not free to leave.

III. The Miranda Warning Card

(Side One)
MIRANDA ADVISEMENT

- You have the right to remain silent. ("Do you understand?")
- Anything you say may be used against you in court. ("Do you understand that?")
- You have the right to an attorney before and during any questioning. ("Do you understand?")
- If you cannot afford an attorney, one will be appointed for you before questioning, if you wish. ("Do you understand that?")

Expressed Waiver: "Can we talk about what happened?"

The suspect may waive his/~~her~~ rights with an express waiver or an implied waiver. Express waivers are a direct demonstration of the suspect's waiver of his/~~her~~ rights. These may include the suspect telling the officers he/~~she~~ waives ~~their his~~ rights or signing a waiver form.

Implied waivers occur when the suspect's actions demonstrate that he/~~she~~ waives ~~their his~~ rights even if the suspect does not specifically reference a waiver. As long as there is evidence that the suspect understood ~~their his~~ rights and ~~that~~ the suspect is willing to answer questions, ~~their his~~ actions may be considered an implied waiver (even if ~~they he~~ never actually says ~~they he~~ waives ~~their his~~ rights to remain silent or to have an attorney present).

(Side Two-Spanish Version)

AVISO DE MIRANDA

- "Usted tiene el derecho ~~de de~~ no decir nada. Entiende?"
- "Lo que usted diga ahora se puede usar, en su contra en un tribunal. Entiende?"
- "Usted tiene el derecho a un abogado, antes y durante cualquier interrogatorio. Entiende?"
- "Si usted no tiene dinero para pagar por un abogado, uno le sera nombrado antes cualquier interrogatorio, si usted lo desea. Entiende?"

Expressed Waiver: "Desea hablar conmigo ahora?"

MISSING ADULTS

I. Definition

A. A missing Person is 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 § 14213).

- **Refer to Section 27 of this manual for procedures on missing children, missing juveniles and child abduction.**

B. The Orange County Sheriff's 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 the facts reveal otherwise. The Orange County Sheriff's 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 § 14205).

Department members must be aware of state mandates in missing person cases.

- C. The Orange County Sheriff's Department shall accept a report of a missing person regardless of where the person was last seen, where the person resides or any other question of jurisdiction (Penal Code § 14205).
- D. Any employee encountering a person who wishes to report a missing person or runaway shall render assistance without delay (Penal Code § 14205). This can be accomplished by accepting the report via telephone or in person and initiating the investigation. Those employees who do not take such reports or who are unable to render immediate assistance shall promptly dispatch or alert an employee who can take the report.

II. Initial Investigation

- A. Respond to a dispatched call for service as soon as practicable.
- B. Interview the reporting person. This can be accomplished via telephone or in person. When possible, collect and/or review the following:

- A. A photograph and a fingerprint card of a missing person, if available.
- B. Any documents that may assist in the investigation, including personal electronic devices (cell phones, computers, etc), x-rays, address books, social media website information and passwords, credit card information.
- C. The person making the report (If a member of the family or next of Kin) of a missing person shall sign the form authorizing the release of medical/dental records of the person reported missing. If the person missing is under 18 years of age, the signed form will also authorize the release of a recent photo.
- D. Assess the information to determine if the missing person is at risk, and to plan what reasonable steps to employ for locating the missing person.
- E. At Risk:
 - A. A victim of a crime or foul play
 - B. A person missing and in need of medical attention
 - C. A missing person with no pattern of running away or disappearing
 - D. A mentally impaired missing person
 - E. A missing person that may be armed and pose a community safety hazard

If the adult is missing under unusual circumstances or there is evidence of being "At Risk", the deputy shall contact his/her Field Patrol Sergeant or Department Commander and present the facts for a decision as to whether the case warrants a General Broadcast over OCSJ jurisdictional channels (Yellow) or county-wide channel (red broadcast). Note: MDC "all chats" are informal and are not to be utilized as a substitute for a General Broadcast.

- F. When electronic device information is requested through dispatch to locate the missing person (i.e. cell phone ping), the handling deputy shall request a DR/report number to document the necessity for accessing that information. At the conclusion of the call, a priority report will be generated and completed before the end of shift. Thereafter, steps must be taken to comply with California Electronic Communications Privacy Act (CalECPA, SB 178).

- F. Special Circumstances:
 - A. If the missing person was known to have received threats
 - B. If the person was known to be carrying unusually large sums of cash
 - C. If the person has a history of suicidal inclinations or drug abuse
 - D. The mysterious disappearance of a person who has a history of dependability and reliable habits
 - E. All aged and mentally incompetent missing persons
 - F. Any unusual or suspicious circumstances that persist
- G. Notify a supervisor immediately if there is evidence that a missing person is at risk or special circumstances exist. Supervisor notification must be acknowledged and reflected in the Missing Person Report.
- H. If the missing person is under 16 years of age, or there is evidence that the person is at risk, the department shall broadcast a “Be on the Look-out” bulletin without delay, within its jurisdiction (Penal Code § 14205).
- I. Contact Teletype:
 - A. Obtain a National Criminal Information Center (NCIC) number (also known as a “NIC” number) as well as a File Control Number (FCN)
 - B. When there is a known vehicle involved with the missing person, the license number must be entered into the Stolen Vehicle System (SVS) as a “vehicle associated with a missing person” and the File Control Number (FCN) is required to be recorded on the Missing Person’s Report
 - C. Initiate a direct Teletype to the Department of Justice (DOJ) Missing Person’s Unit. If the person reported missing is under 21 years of age, or there is evidence that the person is at risk. This notification (Teletype) shall be made within two hours after receipt of the report. (Penal Code § 14205)
- J. Contact the lead agency if the report relates to a previously made missing person report and another agency is actively investigating that report.
- K. Write the initial report using the OCSD’s “Missing Person Report Form”.

1. Description

- A. Name, Address, Sex, Color, Nationality, Occupation, Age, Height, Weight, Build, Complexion, Hair, Eyes, Facial Hair, Face, Scars, Marks, Tattoos and any distinguishing features that may aid in identifying the missing individual.
- B. Method of transportation with description.
- C. Document information in the narrative if the missing person may be possibly armed and pose a threat to himself or the community. This information should also be included in the General Broadcast as well as in the Teletype notifications.
- D. Advise the appropriate supervisor as soon as a missing person report is ready for review
- E. Supervisor notification must be acknowledged and reflected in the report
- L. For an "At Risk" missing person, the responding deputy must, without delay, notify the law enforcement agency in which the person lives and also the law enforcement agency where the person was last seen.
 - A. A copy of the report (copies to) must be directed to each of the agencies
- M. In every circumstance the deputy submitting a Missing Persons Report will fax an advanced copy to the Homicide Detail at 714-647-4519 prior to the end of the shift.

III. Notifications

Supervisory notifications must be made in a manner which provides confirmation that the supervisor has been informed, (face to face, telephone). Regardless of the method used, the supervisor must acknowledge the notification, and the notification must be documented in the Missing Person Report.

"MDC All Chat" is a useful tool for informal communications but does not meet the standards required for supervisory notification or General Broadcasts".

IV. Found or Returned Missing

When a person reported missing has been located, a Follow-Up Report will be completed as a priority report. The deputy will also mark the report copies to:

- A. DOJ Missing Person's Unit
- B. The law enforcement agency that completed the initial report
- C. The law enforcement agencies having jurisdiction over the missing person's residence and where the person was last seen

A. The deputy shall then contact Teletype and:

- a. Remove the subject/vehicle from the computer and include the NIC number and FCN in the report
- b. Initiate a cancellation notification on the Orange County only Teletype
- c. Initiate a direct teletype to the law enforcement agency that took the initial Missing Person's Report
- d. Initiate a direct teletype to the DOJ Missing Person's Unit

V. Available Resources (via the Department Commander)

- A. Air Support
- B. Harbor Patrol
- C. Canines
 - a. Bloodhounds
 - b. Search and Rescue
 - c. Neighborhood canvassing
 - d. Perimeters
- D. Public Information Officer

NARCOTICS

- I. Opiates, Central Nervous System Stimulants, and PCP Examinations
 - A. Persons under the influence (H&S 11550(a))
 1. The average patrol deputy is not an expert in the field of narcotics and should not attempt to make an evaluation as to whether or not a person is under the influence of a controlled substance.
 2. Deputies should contact Sheriff's Dispatch for the availability of a Drug Recognition Expert (DRE). Contact the Narcotics Detail for a qualified expert in drug evaluations and if available, they will respond and perform an examination of the suspect.
 - a. Conviction is based on testimony from an expert or officer experienced in conducting influence exams.
 - b. Patrol deputies are not considered an expert by the court unless they have received proper training in the area of influence examinations and evaluations.
 - B. Persons Under the Influence of any other drug not listed above
 1. CPC 647 (f).
 2. A Patrol Deputy can make an evaluation based on objective observations described within the Intoxication Report.
- II. Marijuana
 - A. Personal Use
 1. Possession and/or transportation of not more than 1 ounce of marijuana or 8 grams of concentrated cannabis by a person at least 21 years of age is permitted (H&S 11362.1).
 2. A person under the age of 18 in possession of not more than 1 ounce of marijuana or 4 grams of concentrated cannabis is in violation of H&S 11357(a)(1). If the amount possessed is more than 1 ounce of marijuana or 4 grams of concentrated cannabis the violation is H&S 11357(b)(1).

3. A person at least 18 years of age but under 21 years in possession of not more than 1 ounce of marijuana or 4 grams of concentrated cannabis is in violation of H&S 11357(a)(2).
4. A person at least 18 years of age, but under 21 years in possession of more than 1 ounce of marijuana or 4 grams of concentrated cannabis is in violation of H&S 11357(b)(2).
5. Possession of an open container of marijuana while driving, operating, or riding in the passenger seat of a motor vehicle is a violation of H&S 11362.3(4).
6. A person who smokes or ingests marijuana in a public place is in violation of H&S 11362.3(a)(1). Within 1,000 feet of a school, day care center, or youth center while children are present is in violation of H&S 11362.3(a)(3). Within a location smoking tobacco is prohibited is a violation of H&S 11362.3(a)(2).

B. Medical Marijuana

When a subject claims the marijuana is possessed for purposes outlined in H&S 11362.5(Medical Marijuana), as a qualified patient or primary caregiver they may possess no more than 8 ounces of dried cannabis per qualified patient.

C. Cultivation (H&S 11358)

1. Personal cultivation by a person at least 21 years of age of not more than 6 living plants, in a locked space, within the person's private residence, and not visible from a public place is legal, (H&S 11362.1(a)(3)).
2. Medical Marijuana cultivation of not more than 6 mature plants or 12 immature plants by a qualified patient or primary caregiver is legal, (H&S 11362.77(a)).
3. If a patrol deputy comes upon a cultivation violation where the suspect is growing more than the legal amount of marijuana based upon State law (six plants per residence), a narcotics Investigator should be contacted to determine what action should be taken.

III. Paraphernalia (H&S 11364(a))

- A. This section does not apply to marijuana paraphernalia.
 - 1. The deputy can take the instrument used to smoke the marijuana and book it into evidence to support the "possession of marijuana" violation. However, there is no violation for merely having or using a particular instrument to smoke marijuana.
 - a. Note section CPC 308(b) prohibiting possession by juveniles.

IV. Clandestine Laboratories

- A. The following information has been formulated for field deputies who may on occasion discover and/or investigate such incidents.
- B. Two major responsibilities facing the deputy:
 - 1. Physical safety of all persons to include neighbors, suspects and deputies.
 - 2. Criminal enforcement.
- C. Deputies may happen upon clandestine labs or be called to investigate these labs usually as a result of someone detecting the odor of chemicals utilized in the manufacturing of illicit drugs.
- D. Deputies should note any additional details readily evident including the smell of chemicals, discarded chemical containers, blacked out windows, rags stuffed in window cracks to prevent the escape of odors, chemist paraphernalia, visible flames from burners, and any other items related to the manufacturing of illicit drugs.
- E. Once a deputy believes an emergency condition exists, he/she shall make the following notifications and requests:
 - 1. A Field Patrol Sergeant respond to his/her location.
 - 2. Notify the Department Commander.
 - 3. Once the Field Patrol Sergeant and/or the Department Commander have been notified of the circumstances, request the following personnel and agency to respond to the location:

- a. Narcotics Investigator
 - b. Fire Department; truck and paramedics
- F. Deputies should consider requesting the Orange County Proactive Lab Investigative Task Force (PROACT) and/or the Orange County Clandestine Laboratory Emergency Action Network (OCCLEAN).
- G. When necessary assistance is present, the deputy in charge shall help develop and implement an operational plan to render the location safe. This plan shall normally include:
1. Sealing off the area.
 2. Evacuation of surrounding residences.
 3. Shutting off natural gas of nearby structures.
 4. Emergency entry into the structure only for the purposes of evacuating persons from the location.
 5. Effecting any necessary arrest(s).
 6. Post entry security as long as deemed necessary by the deputy in charge.
- H. Once the lab has been rendered safe, the Narcotics Investigator(s) may seek a search warrant.
- I. Safety considerations inside the clandestine laboratory
1. A trained member of PROACT and/or OCCLEAN will be responsible for shutting down the operations and the recognition of possible dangerous chemicals.
 2. Members of PROACT and OCCLEAN will be responsible for handling, collection, and disposal of chemicals and equipment from the location.
 3. Wash your hands well after leaving the clandestine laboratory. This will help prevent the contamination of any food you may later handle.

V. Additional Resources

1. Training Bulletin 10-13 Date Rape Drugs
2. Training Bulletin 12-02 Bath Salts/Spice
3. Training Bulletin 17-03 Fentanyl

PATROL VEHICLE ASSIGNMENT**I. Introduction**

- A. All patrol units are assigned to specific areas.
- B. Contract city units are to be used only in the assigned city.
- C. Pool units will be assigned to a reserve car pool and used as fleet replacements when necessary or where extra black and white units may be needed.
- D. Supervisors may authorize temporary changes in these provisions

II. Assignment

- A. Deputies will drive the assigned area unit.
- B. Deputies will inspect the unit at the beginning of each shift for:
 - 1. Any new damage- document on daily log and notify supervisor
 - 2. Tag vehicle if it is due for service or maintenance.
 - 3. Required equipment in trunk:
 - a. Crime Scene tape
 - b. First Aid kit – properly stocked
 - c. Flares
 - d. Emergency Blankets
 - e. Fire Extinguisher – properly charged
 - f. Officer Shooting Kit
 - 4. Lights, Siren, Public Address and Patrol Video Systems, and Mobile Data Terminals all working properly.
 - 5. Shotgun properly loaded and clean.
 - 6. Unit fuel, Voyager, and County Park cards.

III. End of shift

A. At the end of each shift, Deputies will:

1. Clean the interior of the unit.
2. Fuel the unit.
3. Unload, clear, and return shotgun to the designated armory.
4. CIRT Personnel
 - a. Unload, clear, and return the patrol rifle to the designated armory.
5. Turn in vehicle keys.

PROWLER CALLS

I. Prowling Defined

- A. PC 647(h) - Any person who loiters, prowls, or wanders upon the private property of another, at any time, without visible or lawful business with the owner or occupant there of, (as used in this subdivision, "loiter" means to delay or linger without a lawful purpose for being on the property and for the purpose of committing a crime as opportunity may be discovered) is guilty of disorderly conduct, a misdemeanor.

II. Types of Incidents Causing Someone to Report a Prowler

- A. Intoxicated persons who are lost.
- B. Burglar.
- C. Solicitors.
- D. Contractors or landscapers.
- E. Locked out residents or juveniles.
- F. Animals setting off motion detectors.
- G. Voyeurs commonly referred to as, "peeping Toms"- See CPC 647(i)

III. How to Respond to a Prowler Call

- A. Contact your back-up deputy and plan your arrival [REDACTED]
[REDACTED]
- B. Determine what side of the street the house is on before arriving. In most unincorporated areas, odd numbers are on the west side or north side of the street.
- C. Upon arrival, [REDACTED]
[REDACTED] Turn down your yellow and red channels on both the unit and Pac-set radios.
- D. Secure all loose equipment and keys and cover any reflective objects before exiting your unit.
- E. [REDACTED] Do not slam your door.

- F. Approach the residence using a safe route that offers cover and/or concealment (i.e., trees, shadows, vehicles, etc.)
- G. [REDACTED]
[REDACTED] It is a good idea to get a call history anytime before making contact.
- H. [REDACTED]
- I. Check for signs of an intruder. Look for signs of attempted entry. Locate footprints in the grass or mud. Look for property that is located conspicuously (Either property that was moved by a thief or tools used by the thief.)
- J. [REDACTED]

IV. Make contact with the informant and/or resident.

- A. Ask if they actually saw a prowler and get a description and direction of travel to broadcast to other responding units.
- B. Ask them who they suspect the prowler might be.
- C. Check for suspicious vehicles in the area. [REDACTED]
[REDACTED] Run the license plate.
- D. If there are people in the area, F.I. them.
- E. If there is evidence of a crime, get a case number and write the appropriate report.

V. Departure

- A. After completing the call, make a conspicuous exit.
- B. [REDACTED]

RADIO PROCEDURE/MOBILE DATA COMPUTERS

I. Voice

- A. Practicing proper day-to-day radio procedures will make emergency radio procedures automatic and reduce confusion.
- B. Pronounce words distinctly and slowly.
- C. Make your voice as emotionless as possible on the air regardless of the situation.
- D. Keep your mouth close to the microphone and speak rather softly.
- E. Never acknowledge receipt of a message until it has been properly received.
- F. Any transmission longer than 30 seconds should be broken up at 30 seconds intervals. This accomplishes the following;
 - 1. It allows the person copying to assure you that the message is being received and to ask for a repeat of any portion of the message that has been missed.
 - 2. It allows any other unit to transmit emergency traffic without a long delay.
- G. All radio transmissions shall be concerned with official department business and shall be professional and formal in manner.

II. Descriptions

- A. Descriptions of any person should include the following information:
 - 1. Name
 - 2. Sex
 - 3. Race
 - 4. Age
 - 5. Date of Birth

6. Height
 7. Weight
 8. Color of Hair
 9. Color of Eyes
 10. Complexion
 11. Physical imperfections that aid in identification, such as condition of teeth, etc.
 12. Description of clothing from head to toe. Example: hat, jacket, shirt, tie, trousers, shoes and socks.
 13. Any other pertinent information, such as fingerprint classification, alias, etc.
- B. Descriptions of any vehicle (i.e. stolen, wanted) should include the following information:
1. Time
 2. Area
 3. License No. and state
 4. Color
 5. Year
 6. Make
 7. Model - Body Type
 8. Vehicle Identification Number
 9. Any other information, which will aid in identification. (Body damage)

III. Records Check

- A. Stolen or wanted vehicles and/or property (10-29).

1. A check for stolen or wanted will be made on all car stops when a license is indicated by the field unit.
2. A check for stolen or wanted vehicle will be made on all assignments or observations indicating a vehicle license number.
3. A check for stolen or wanted vehicle will be made on a license or VIN at the request of a field unit.
4. The field unit will be advised in above instances, whether or not there is a want on the vehicle, if the information is unavailable or if there will be a delay.
5. In the event a vehicle is indicated as a stolen or wanted vehicle, the patrol unit will be advised immediately; of the want, and then confirm the plate and type of vehicle. [REDACTED]
[REDACTED]
[REDACTED] This will reduce the amount of radio traffic and get the necessary tactical information to the deputy by the most expeditious means. It will be the deputy's responsibility to assess his/her tactical situation and request additional units, if required.
6. It will be the responsibility of the field unit to notify the teletype section of the Support Services Division of the recovered vehicle(s).

B. Vehicle Registration (10-28)

1. A registration check may be run by any field unit on Purple Channel through Control One.
2. Deputies may request vehicle registration checks by telephone through teletype or by radio. On car stops and occupied vehicles, dispatch will automatically give the 10-28 information. Deputies can call the desk or run license plates on the radio if they cannot get on Purple Channel.

C. Receive Warrant Information (10-27)

1. Deputies may run warrant checks through Control One on Purple Channel. Control One notifies the deputy and the ECB dispatcher.

2. The ECB dispatcher will verify the warrant information and ensure it complies with department arrest policies.
3. Dispatcher advises patrol deputy by:
 - a. 10-32 (suspect wanted).
 - b. 10-32F (suspect wanted - armed and dangerous).
 - c. 10-30 Valid
 - d. 10-30 FTA/FTP on DL only, not bookable
4. Deputy advises if assistance is needed or if "Code 4".
5. Only necessary warrant information need be transmitted to the deputy by radio. The ECB dispatcher will confirm with the field unit that the warrant abstract information sent from Control One is correct. This information may include; name, DOB, physical description and charge. Additional information need be broadcast only if there is some question regarding suspect's identity or if the suspect claims the warrant has been served. If there are multiple warrants, information on only one need be broadcast

IV. Opposite Sex Transportation

- A. If prisoners, suspects or citizens are driven to a location the deputy will give the dispatcher the destination to be recorded on the Yellow Channel dispatch tape, or use the MDC to transmit the same information. These tapes are retained by ECB for two years
 1. When transporting a member of the opposite sex, when no deputy of the opposite sex is present, the deputy shall give the dispatcher the name, DOB, mileage to the tenth of the mile, point of departure, and destination. Dispatch will respond with the time. If an MDC is available, the "Left for Second" button will be used and the destination, the name and DOB, and the starting mileage to the tenth of the mile, will be typed into the three available boxes and then transmitted. The transmit time will be consistent with the time of departure.
 2. Upon arrival at the destination, the deputy will use the "arrived at second" button when they arrive and input the ending mileage to the tenth of a mile. The transmit time will be consistent with the

time of arrival. If the deputy does not have access to an MDC, the deputy will give the dispatcher the ending mileage to the tenth of the mile. Dispatch will respond with the time. It is imperative that the time and mileage be recorded on the Yellow Channel Dispatch Tape. Do not call the desk.

V. Initiating Broadcasts

- A. All requests for Red Channel broadcasts from field units should be given directly to Control One on Tan Call or by telephone. It is the responsibility of the deputy to contact Control One for cancellation of General Broadcasts when necessary.
- B. Stolen Vehicles - Entries into SVS pertaining to stolen vehicles will be given to the teletype operator by telephone.
 - 1. Verified or confirmed stolen vehicles may be released for broadcast when the requesting law enforcement agency's representative informs Control One that the stolen vehicle has been confirmed once the agency representative is on the scene.
- C. Missing Persons, Wanted Suspects and Vehicles
 - 1. When initiating General Broadcasts for missing persons, wanted suspects and vehicles, the following information shall be provided to Control One.
 - a. Offense and nearest cross streets.
 - b. Time of offense.
 - c. Name and/or description of suspects.
 - d. Vehicle license number and description.
 - e. Direction of travel.
 - f. DR Number.
 - g. Weapons used and/or loss.
 - h. Any additional information for identification of vehicle or persons.

VI. Emergency Traffic

- A. Deputies having emergency traffic shall advise the dispatcher by saying, "Unit _____, 10-33". Upon acknowledgement, state the nature of the emergency and what other resources are needed.
 - 1. "10-33" means the deputy has emergency traffic NOW. It does not mean the deputy wants others to stop broadcasting in case the deputy MAY have emergency traffic soon.
 - 2. Requests for emergency traffic only (10-33) frequency clearance must be requested by the field unit.
- B. Remain on the Yellow Channel unless advised by the dispatcher to go to another channel.
 - 1. If the event requires a frequency clearance, the field deputy may request a clearance on another channel, which will be designated by the ECB supervisor.

VII. Radio Frequencies

- A. Yellow Channels
 - 1. Yellow 1, 2, 3, and 4 are the primary frequencies for dispatching departmental units. It shall be monitored at all times by the ECB Dispatcher.
 - 2. Unless of an urgent nature, no transmissions will be made when the Red Frequency is in use. ECB Dispatchers will broadcast for units to copy Red Channel.
 - 3. During receipt of a transmission from a field unit in pursuit, or other emergency-type transmission, it shall be the duty of the dispatcher to request the unit to switch to Red Channel Frequency. The Department Commander, Field Patrol Sergeant, and ECB supervisor shall be advised as soon as possible of all such pursuits or emergency traffic.
- B. Red Channel
 - 1. This is a commonly shared county-wide frequency for emergency situations and county-wide broadcasts. It shall be monitored by

all mobile units and all stations. The volume will be maintained at a level to enable constant monitoring.

2. No transmissions will be made on other frequencies during a Red broadcast, unless of an urgent nature.

VIII. RADIO FLEETMAP

The radio fleetmap identifies the trunked talkgroups and non-trunked conventional channels utilized within the 800 MHz CCCS. Talkgroups and conventional channels shall be used as outlined.

The following talkgroups and conventional channels are programmed into Sheriff-Coroner radios. A zone number will always precede the talkgroup/channel name. All talkgroups and channels common to law, fire, lifeguard and public works radios have a zone number and letter preceding the name. These are found in zones 8 through 13. The phonetic identifier is always used when pronouncing the talkgroup or channel name. For example, channel "12A" is pronounced "twelve Alpha."

Zone 1 – this is one of several Sheriff-Coroner "agency specific zones" and contains various talkgroups and channels designated by the department.

Talkgroups and channels native to another Zone will be found in both locations. For example, purple is in Zone 1 and will appear in Zone 7, 14, and 15.

Each Yellow talkgroup and talkaround channel is agency specific and unique to the Sheriff-Coroner Department.

Yellow-1: Countywide cell SmartZone dispatch talkgroup. Used primarily by STA, VPK and North Operations Division. Other units assigned to this dispatch talkgroup include CMJ, CWJ, IRC, TLF, Administration, Communications and Sheriff Facility Operation.

Yellow-2: Countywide cell SmartZone dispatch talkgroup. Used primarily by LGH, LGN, LGW, Investigations, Southwest Unincorporated, and Special Investigations. Other units assigned to this dispatch talkgroup include Reserve Bureau, Professional Standards, Community Programs, Training Division, Forensic Science, Coroner Division, and CourtHouse.

Yellow-3: South Cell SmartNet dispatch talkgroup. Used primarily by LKF, MV, RSM, and Southeast Unincorporated, and Special Investigations. Other units assigned to this dispatch include JMF.

Yellow-4: South Cell SmartNet dispatch talkgroup. Used primarily by SCL, DPT, and SJC.

Yellow-5: Countywide cell SmartNet OCSD special purpose talkgroup.

Yellow-6: Sheriff's Harbor Patrol

Yellow-8: Countywide cell SmartNet OCSD special purpose talkgroup.

YTAC-C1 Countywide cell SmartNet OCSD tactical talkgroup.

YTAC-C2 Countywide cell SmartNet OCSD special purpose talkgroup. Restricted use – specific assignment coordinated by ECB.

YTAC-C3 Countywide cell SmartNet OCSD tactical talkgroup.

YTAC-N1 North cell SmartNet OCSD tactical talkgroup

YTAC-N2 North cell SmartNet OCSD special purpose talkgroup. Restricted use – specific assignment coordinated by ECB

YTAC-S1 South cell SmartNet OCSD tactical talkgroup.

YTAC-S2 South cell SmartNet OCSD special purpose talkgroup. Restricted use – specific assignment coordinated by ECB

Yellow-TA: OCSD talkaround Channel

Purple: Shared among all law enforcement departments and mobile radios providing any field unit's access to an operator at Control One for inquiry and retrieval of computerized data base file information.

RED: Shared among all law enforcement departments countywide for emergency coordination and information broadcasts.

ZONE 14 – This is one of several Sheriff-Coroner "agency specific zones" and contains various talkgroup and channel designated by the department. Talkgroups and channels native to another Zone will be found in both locations. For example, Purple is in Zone 14 and will also be in Zone 1, 7, 15.

CLEMARS-RP: Repeater channel

CLEMARS-TA: Talkaround Channel

The California Law Enforcement Mutual Air Radio System (CLEMARS) is provided and managed by State Office of Emergency Services. This is a common frequency available statewide for mutual aid communications among authorized Law Enforcement agencies. Orange County Law Enforcement radios contain two modes that may be selected, repeater or talkaround. The repeater mode is normally disabled until needed. Contact Control One to enable the CLEMARS repeater. Both CLEMARS channels appear in all law enforcement radios countywide.

IX. General Information

- A. Deputies will give their full and complete unit number when answering the radio. Example: 18312
- B. Radio a "Code 4" message the moment the situation is under control and assistance is no longer needed, or "Sufficient units, but not yet Code 4"
- C. Radio messages should be as brief as possible.
 - 1. All calls require informant contact unless otherwise directed at time of dispatch. Don't ask if informant wants contact.
 - 2. Call disposition information is required when clearing calls. When pulling a DR# advise the dispatcher if the title of the DR# is to be changed or noted in narrative if no appropriate title exists.
 - 3. Deputies will handle calls as assigned unless changed by the Department Commander or the Field Patrol Sergeant.
 - 4. Deputies will use radio code without "clarifying" English. The purpose of radio code is brevity to save air time.
 - 5. If additional information is available on in-progress or just-occurred calls, the dispatcher will broadcast the information as soon as possible. Don't ask for it.
 - 6. Dispatchers will provide grid numbers if they have them.
 - 7. Ask for a re-check with a tow company only after waiting 20 minutes from time of request. At the time of the request, specify

whether a regular, flatbed or any other special equipment will be needed.

8. When responding to crimes in progress or other emergency calls, deputies will give their location so others will know about how long and from what direction to expect their response.
 9. Units should use complete 5 digit unit identifiers when using the radio. This prevents the need for repeats of radio traffic.
 10. When you answer the radio, be prepared to write information.
- D. All calls will be dispatched immediately regardless if a unit is Code 7, report writing etc.
- E. [REDACTED]
[REDACTED] If you need a backup, ask for it.
- F. Get FCN and NIC information from teletype. Registration information is available through Control One.
- G. Be impersonal on the air. Your station is not licensed for person-to-person communication. Never address the person receiving your message by name or use the term "I" in referring to yourself. Humorous or sarcastic comments are never appropriate.
- H. Always know your location (street and cross street). If you need emergency assistance, it is imperative that dispatch and responding units know where you are.
- I. All communication regardless of nature shall be restricted to the minimum practical transmission time.
- J. Unit-to-Unit tactical communication when feasible shall be conducted on the appropriate talk-around channel. This will help in reducing the potential of radio busy signals on the trunked system.

Mobile Data Computer System

I. Statement of policy

It will be the policy of the Orange County Sheriff's Department to use the Mobile Data Computer (MDC) System to:

- A. Provide specific, timely, and accurate dispatch information to deputies in the field.
- B. Provide an efficient means of communication among patrol and dispatch personnel relating to calls for service and tactical situations.
- C. Provide extensive inquiry capability into local, state, and national databases.
- D. Utilize Geo-Validated Mapping and Automatic Vehicle Locator (AVL) technology in the vehicles and within Dispatch to assist in officer safety and the tactical deployment of units in the field.

II. Authorized use of equipment

- A. Deputies may use the MDC equipment only after they have successfully completed an authorized training course in its use.
- B. Personnel will be provided with a login identification (ID) for the MDC system. Personnel must maintain the confidentiality of their login IDs and passwords. Personnel shall not share their login IDs or passwords with others nor permit use of their login IDs or passwords to log others onto the MDC system.
- C. Deputies shall not log into any MDC with another person's login ID, except system administrators in the performance of their duties. (Ref DATA NETWORK POLICY)
- D. Due to the capabilities of the MDC system, Deputies will have access to lawfully protected information.
 - 1. No member of the Department shall disclose or knowingly permit the disclosure to a member of the public of any confidential information obtained through the MDC system.

2. No member of the Department shall disclose or knowingly permit the disclosure of any such information to any other person or entity unless such disclosure.
 - a. Is permitted by both law and Department policy and
 - b. Is necessary in the performance of official duties.
3. No member of the Department shall use the MDC system for personal or non-law enforcement purposes, and no member of the Department shall access confidential information for personal or non-law enforcement purposes.
4. No member of the department may use the MDC System unless he/she has executed and has on file with the department an "Employee/Volunteer Statement Form" regarding "Use of CLETS Criminal Justice Information, Department of Motor Vehicles Record Information and OCSD Local Systems Record Information." All use of the MDC System to obtain confidential information and all dissemination of confidential information obtained by use of the MDC System shall be governed by said "Employee/ Volunteer Statement Form."

III. Calls for Service-Procedures

- A. Dispatchers will remain responsible for determining the priority of a call for service.
- B. Dispatch shall broadcast all Priority 1 and Priority 2 calls via voice-radio. Such calls will normally be handled to conclusion per standard voice-radio call-procedures, including adding broadcasting comments and a disposition to the call. However, the deputy may request switching to MDC if and when the situation warrants, and may continue handling the call per section `C' below.
- C. Dispatch shall send all Priority 3 and 4 calls via the MDC System. Such calls shall be preceded by a brief radio broadcast and then handled silently throughout the call, including the addition of comments and disposition, and the clearing of the call by the deputy when concluded.
- D. If the deputy does not respond to the dispatched call via the MDC, the dispatcher should use voice-radio to obtain a verbal acknowledgement from the unit.

- E. On any priority call, should the tactical situation or other circumstances warrant, personnel should feel free to use voice-radio broadcasts. Dispatchers are then responsible for status of the deputy per standard procedures. Supervisors should monitor their personnel for compliance with the intent of this procedure.
- F. Likewise, field personnel should be aware that the MDC system offers an alternative tactical tool in the law enforcement arsenal to fulfill our mission. It is extremely difficult for civilians to monitor our activities on the MDC's, and MDC's can be remotely turned off at will. As such, if our response could be helped by silently dispatching a call or other information, such as if a police scanner is suspected, or a patrol vehicle is stolen, supervisors may approve dispatch and deputies handling such an event via the MDC alone.
- G. Deputies are not allowed to use their MDC to dispatch themselves to a pending call or an assigned call. Such requests should be made through dispatch, which retains the responsibility of unit assignments.

IV. Creating Calls

- A. It shall be at the discretion of the patrol deputies to create a call in the field using the MDC system, if the tactical situation and other circumstances allow.
- B. If the deputy chooses to create a call silently, then the call should be handled silently to conclusion per section III above.

V. Documenting Calls for Service

All field staff will use the Mobile Software to document their field activity during a shift of duty. The events and information in Mobile are the primary source for absolutely everything a deputy or other staff member does while on duty. It is the sole source for calculating statistics and consumed time for staffing analysis.

- A. All calls for service, whether self-initiated or dispatched, must contain the details of the event.
- B. Each call for service should contain the following information
 1. Comments: An entry as complete as any other report but written as a brief account of what happened at an event. In concert with the comments of other staff including the call taker, dispatcher, or other deputy on the call, the call comments should tell the reader what happened on the call for service. The

comments should not contain the Subjects or Vehicles information.

2. Subjects: Any person involved in the call for service needs to be individually accounted for in the Subjects screen. Minimally, the involvement of the person, their name, DOB, and race
 3. Vehicles: Any vehicles/vessels associated with the call, minimally including the vessel/plate and state
 4. Disposition: The results of the call. More than one disposition may be necessary to accurately account for the results of the call. For example, the results of a call may be a report was taken and a misdemeanor citation was issued. The dispositions in this case should include REPT and CITM
- C. All status changes (In Service, C-7, Report Writing) should be made via the MDC when the unit starts the activity, and cleared when the unit ends the activity
- D. Activities such as Court Attendance, Range Qualification, or vehicle maintenance that will take the unit out of service for an extended period of time, should be created as self-generated calls for service.
- E. Start and End of Shift
1. At the start of shift, the complete vehicle mileage, unit number, and radio call sign will be entered into the login screen.
 2. Sometime during the shift, the deputy will need to select and access the COPRS (County of Orange Paperless Reporting Solution) patrol daily activity review tab, and the beginning and end time of the day's shift will be entered. The patrol daily activity review screen is also where deputies can go to update comments, subjects, vehicles, dispositions, etc. for closed calls for service
 3. The Unit Notes screen will be used upon login to document Taser number, shotgun number, and any other equipment issued to the deputy for the shift.
 4. At the end of shift, the deputy will use the End of Tour button and input the complete ending vehicle mileage.
 5. Exceptions to End of Shift
 - a. In the event a unit needs to remain beyond their regular shift for report writing or any other administrative duties, the deputy will not use the End of Tour button, but the Log Off button for the MDC, and advise Dispatch their activity via the radio. NOTE: because Mobile is the sole source for calculating consumed time, extended shifts for non-operational functions like report writing must be accounted for via the mobile software.

VI. Use of Messaging –E-Mail and Chat

- A. The MDC system has message sending capabilities generally referred to as E-mail and Chat.
- B. E-mail and Chat shall be used only for department business and shall not be used for personal or non-law enforcement purposes.
- C. Department personnel shall maintain a professional tone in all messages transmitted via E-mail or Chat. There shall be no inappropriate communications made on these systems. Inappropriate communications include, but are not limited to, the following:
 1. Messages that contain discriminatory, harassing or derogatory language related to race, color, creed, national origin, ethnicity, ancestry, disability, medical condition, sex, age, sexual orientation, or pregnancy. (Ref COMMITMENT TO A PROFESSIONAL WORKPLACE policy)
 2. Remarks or jokes of a sexual nature, profanity, and jokes or off-color remarks relating to the use of force, citizen contacts, and/or dispositions of calls.
 3. Neither E-mail nor Chat is private.
 4. At any time and without notice, the Department may monitor, intercept and read any or all messages to ensure that departmental standards are followed. (Ref USE OF E-MAIL POLICY)
 5. Under certain conditions, e-mail and Chat messages maybe subject to disclosure to courts or members of the public, including members of the media.
 6. Supervisors are directed to monitor their subordinates' E-mail and Chat Logs to ensure compliance with the intent of this policy.

VII. Automatic Vehicle Locator (AVL) System

- A. The MDC system has the capability of using Automatic Vehicle Locator software (AVL), in conjunction with Global Positioning Satellites (GPS) and Geo-Validation software (GEO) to track the location of radio calls and patrol vehicles. This information is displayed on graphical maps located in Communications, on certain desktop systems, and in our MDC-equipped patrol cars.

- B. Such systems shall be used for the purposes of officer safety, training, and the tactical deployment of units.
- C. Supervisory units shall be included in the overall AVL system.
- D. The department shall maintain AVL records for a period of at least one year.
- E. The department may review AVL records at any time; however, AVL records will not be reviewed as the sole basis to initiate an administrative personnel action. During the course of any review of AVL records otherwise within this policy, any misconduct noted may be grounds for further action.
- F. AVL records may also be used in the investigation of deputy personnel misconduct and/or in criminal investigations.
- G. Under certain circumstances, AVL records maybe subject to disclosure to the courts or members of the public, including members of the media.

VIII. Use While Driving

- A. Deputies shall use caution in the operation of Mobile Data Computers while operating patrol vehicles. Deputies historically have been required to operate several kinds of equipment (such as microphones and emergency lights) while driving, and typically have written briefly on items such as notepads and read brief material such as hot sheets while in patrol vehicles. However, use of the MDC system while operating a patrol vehicle creates the potential for much greater risk because, among other things, a much greater volume of information is available through the MDC than has been available in the past to deputies operating patrol vehicles. The MDC makes available entire call narratives, call location histories, and extensive query returns on vehicles and persons.
- B. Deputies shall keep any reading or inputting of material into the MDC system at an absolute minimum while operating a vehicle. One button unit statusing and a quick glance at an address or suspect description are examples of activities that may be performed on the MDC system while a vehicle is in motion that are similar to activities that have been performed safely in the past.
- C. Deputies shall pull over and stop the vehicle before engaging in any reading or inputting that could create a danger if done while driving.

- D. The fact that a deputy was operating the MDC system when a collision occurred will not be treated by the department as a defense or mitigating factor in any disciplinary action that may arise from such collision.
- E. It is important to remember that the MDC is a tool to assist you in your duties. With this in mind, use the MDC with caution and only when safe.

IX. Non-Operational MDC's

- A. If a system is found to be non-operational after conducting standard troubleshooting procedures outlined in training, the deputy shall report this to their supervisor.
- B. If another MDC-equipped vehicle is available, the supervisor may re-assign the deputy, or the supervisor may assign the deputy to the original vehicle.
- C. The defective equipment shall be reported via standard vehicle maintenance procedures.

SEXUAL ASSAULT CASES

I. Arrival at Scene

A. Record time of arrival

1. Note weather conditions.
2. Note visibility (full moon, etc.).

B. Determine location and condition of victim.

C. Determine if suspect is still at the crime scene

D. Protect the crime scene

1. Preserve crime scene
2. Ensure that evidence is not destroyed or contaminated

II. Interview

Note: Majority of cases involve a female as the victim and a male as the suspect, thus the section is written accordingly

A. Interview victim and witnesses separately, temper your interview with the fact that the victim has probably just endured the most traumatic experience of her life, both physically and mentally. Your patience and sensitivity are of the utmost importance.

1. Identify the first witness to whom the victim complained.
2. If possible, sit down with the victim when conducting interview.
3. Explain to the victim why questions are asked.
4. Ask what happened; verify penetration.
5. Solicit victim's help in identifying suspect.
 - a. When did victim first see him?

-
- b. Seen in area before?
 - c. How long was he at the scene?
 - d. Any conversation? (Strange remarks, requests)
 - e. When did he leave?
 - f. Which way?
 - g. Was he alone?
 - h. Physical description?
 - i. Body or breath odor?
 - j. Physical oddities?
 - k. Clothing?
 - l. Car license description?
 - m. Carrying a weapon
 - n. Did victim leave any marks to help in identification?
6. Establish elements of the crime.
 - a. Nature of the assault; method, penetration, Etc.
 - b. Location.
 - c. Attempt to gain as much detail as possible regarding the actual assault and the suspect. Note; The victim's initial account and description will be least affected by witnesses, friends and/or family.
 7. Provide simple choices.
 - a. Does victim want someone called?
 - b. Does victim want this person to meet her at the hospital?
 - c. The victim must consent to the sexual assault exam.

8. Explain procedures that will follow. Contact the forensic Nurse Specialist [REDACTED]
9. It is ideal if the victim is driven to the hospital by a friend or family member.
 - a. Explain hospital procedures including necessity of evidence collecting treatment for lacerations, sexually transmitted diseases and pregnancy prevention. Explain necessity of not showering or changing clothes for evidentiary reasons.
 - b. Request, if possible, that victim bring change of clothing or arrange to have a family member bring clothes with them to the hospital.

III. Information

A. The Suspect

1. Ask the victim if there is any reason to believe that the offender is in the immediate vicinity. Explain that if the suspect has just left her or if she knows where he is, he could be arrested immediately, and that it would be helpful to the investigation because he may still have evidence of the crimes on his person. If the victim responds that he may be nearby, ask for her help in answering the usual questions:
 - a. Vehicle description.
 - b. Physical description, including clothes.
 - c. Direction of departure.
 - d. Phone numbers; cell, work and/or e-mail.
 - e. Obvious Injuries

B. The Victim

1. If the victim is nervous or uncooperative at the time, simply gather the basic elements of the offense(s). The investigator will complete an in-depth interview at a later time.

C. Responding to the Victim's emotional state

1. Be respectful, professional, and concerned with the victim's wellbeing.
2. Inquire immediately about the victim's medical needs, injuries, etc.
3. Provide the victim with the simple explanations of police needs and procedures and of hospital procedures. What and how much to explain will vary according to the specific circumstances.
4. Victim is to be notified of his/her rights pursuant to 293(a) (Confidentiality) and noted in the narrative of the report.

D. Call-Special Victims Detail during business hours or Department Commander after hours

1. They can assist initially over the phone regarding any questions the field deputy might have at the scene.
2. Care for the victim.
3. Preserve the crime scene.
4. Collect evidence and/or contact Sheriff's I.D. to respond.
5. Establish elements of the crime(s) and verify jurisdiction.

IV. Medical Needs**A. Be respectful, professional, and concerned with the victim's well-being.**

1. Inquire immediately about the victim's medical needs, injuries, etc.
2. Explain why victim needs to go to the hospital.

3. What victim should take to the hospital, including change of clothing.
 4. What evidentiary items are needed in an investigation.
 - B. Try to talk to the victim in a quiet setting. Minimize distractions and the victim's sense that she is being looked at by a lot of people.
- V. Medical Evidence
 - A. Know the procedures [REDACTED] so you can answer the victim's questions and provide an explanation of what will happen.
 - B. As mentioned prior, provide the victim with a brief explanation of the purpose of the trip to the hospital. Purposes include: Treatment of injuries, treatment of sexually transmitted diseases and pregnancy, and the collection of medical evidence.
 - C. Ask the victim about where the doctor should look for "evidence", including signs of force (lacerations, cuts, bruises, etc.); and tissues, fluids, or any other indications of bodily contact from the offender.
- VI. Completion of Exam
 - A. You will be given the evidence collected by the forensic nurse. Package all evidence separately to avoid cross-contamination. Deposit into Sheriff's Property evidence room.
 - B. Return the victim home or release to other family members present at the hospital room.
 - C. Attach a copy of the forensic exam report to your (priority) report when faxing it to or dropping it at Special Victims Detail.

RAILROAD EMERGENCIES

I. Introduction

Throughout Orange County there are many railroad right-of-ways, including commuter and freight lines. Occasionally, emergencies arise which effect the safe and efficient operations of these trains. It is essential that deputies learn to recognize and cope with such emergencies.

II. Safety

- A. Speeds of trains passing through cities vary considerably. Local freights may stop and start as they switch cars on industrial sidings, while non-stop freight trains may travel up to 60 mph. Scheduled passenger trains frequently travel at higher speeds (70-90 mph.)
- B. Deputies who do not know the speed of an approaching train should assume for safety's sake that it is traveling in excess of 70 mph.
- C. Whenever possible, face any approaching train to let the engineer know you are aware of his presence.
- D. Whenever possible, keep a minimum distance of 15 feet from the tracks when a train is approaching. Keep in mind there is a 35-foot "Danger Zone" on either side of the train track (from flying debris, loose and shifting loads and suction created by the train.)

III. How to Know When a Train Approaches

- A. The first deputy on the scene at a railroad hazard should immediately check the railroad's automatic three-color block signals IN BOTH DIRECTIONS. These signals indicate whether or not the track beyond them is occupied. As a train approaches, the signal will change from green to yellow. As the train nears, the signal changes to red, indicating the train's approach is imminent.
- B. If a block signal is yellow or red when first observed, there is no way of knowing if the train is approaching or departing until the signal changes color or the train appears. A yellow or red signal only indicates the track beyond is occupied, it cannot show direction. In such cases, a deputy must assume a train is approaching until the signal "clears."

- C. So long as a hazard exists on a railroad right-of-way, a constant watch should be maintained on block signals in order to protect any train, which might approach, as well as the safety of persons and property located in conflict to the right-of-way.
- D. It is recommended that all deputies familiarize themselves with the location of block signals for both directions of travel at all crossings within their areas, when possible.

IV. How to Stop a Train

- A. A train should be flagged (i.e., stopped) whenever its passage would pose a threat to life or property. Such threats include, but are not limited to, obstructions on the main line or damaged roadbed.
- B. The universal railroad stop signal is a lighted flare, swung slowly back and forth horizontally across the track. The locomotive engineer will acknowledge this signal with two whistle blasts, and will stop the train.
- C. If it is impossible to use a highway flare, a flashlight may be used at night, or a brightly colored object in the daytime. However, a flare should be used whenever possible, day or night.
- D. Many trains, because of their speed and tonnage, cannot be stopped safely for one mile. A deputy intending to flag a train must travel at least that distance away from the hazard before signaling the engineer.
- E. When the train has stopped, a deputy should immediately contact the engine crew and inform them of the hazard, otherwise, the train will proceed at reduced speed for one mile, then resume normal speed.
- F. A "washout" signal is an emergency signal for the train to make a full emergency stop. Such stops are not safe, as they endanger passengers, train crews, and train equipment. They should be given only in extreme emergencies where a deputy cannot possibly signal the train one mile from a hazard. The "washout" signal is given in the same manner as the normal stop signal, but the flare is swung quickly back and forth across the track.

V. After the Train Has Stopped

- A. A train should not be delayed longer than is absolutely necessary. A million dollar load of perishables, or hundreds of passengers may be depending upon the train's schedule. A halted train can block traffic on

several main highways crossing the track, creating congestion and traffic hazards.

- B. The train conductor is in charge of the train; his name should be recorded along with the train number. Where applicable, points of impact, position of bodies and stop positions should be marked and photographed as quickly as possible. The name of the locomotive engineer should be obtained, and the train allowed to proceed.
- C. The train conductor may leave a member of the train crew at the scene of any obstruction to assist in any investigation. He will coordinate all needs with the railroad until railroad police personnel arrive to coordinate directly with investigating deputies.

VI. Impending Collision

- A. When it is apparent that deputies are unable to halt an approaching train before it reaches an obstruction on the track, they should immediately vacate the area.
- B. Persons standing near the scene of an impending collision involving a train should run toward the train that is approaching, and angle away from the tracks. For example, if you are standing on the east side of the tracks and a train is southbound towards you, you should run north/east. This will help prevent injury from flying debris that will be thrown forward from the point of impact and from possible derailment.

VII. Who to Notify

- A. Notification of the appropriate railroad's chief dispatcher of any incident involving the operation of trains must be made immediately. The railroad dispatcher has direct landline contact with all railroad departments, and should be notified of B.O. ("bad order") signals, highway crossings, damage, etc.
- B. In an emergency, the chief dispatcher can tell if and when a train is due. However, it must be remembered that he has no way of stopping a train in an emergency (some locomotives have radios, but their range is limited and must not be depended upon in emergencies).
- C. Trains operating in Orange County are Santa Fe freight trains, Amtrak passenger trains, and Metrolink Commuter trains. Any accidents involving any of the trains should be investigated by the local jurisdiction police

agency. Railroad Police and Transit Police are available for information and assistance but primary jurisdiction rests with the local agency.

VIII. Enforcement

- A. Officer Safety: For years, railroad right-of-ways have been a safe haven for those who wish to hide from civilization and the law. It is very common to find parolees and probationers on the run, drug offenders, vandals and other dangerous criminals in these areas.
- B. There are various sections, in both the Vehicle and Penal Codes, that can be used for enforcement. The most commonly used sections are PC369(I) – Unauthorized Entry onto Railroad Property, and PC 555 – Trespassing on Posted Property. The D.A.'s office has suggested deputies use PC 555 whenever possible. The posting requirements are signs posted at intervals not more than 600 feet, along the right-of-way.
- C. There are numerous other sections that can be used for enforcement, ranging from infraction to felony (see Vehicle and Penal Codes), including a towing section for vehicles parked on a right-of-way within 7½ feet of the tracks (VC 22521.)

RELEASE FROM CUSTODY – CPC 647(f)

I. Policy

- A. It will be the policy of the Orange County Sheriff-Coroner Department to evaluate the appropriateness to release under CPC 849(b)(2), any arrests made by the department for CPC 647(f) (drunk in public/auto).

II. Procedure

- A. Because the violation of 647(f) is a misdemeanor, Penal Code section 853.6, relating to citing and releasing a misdemeanor arrest in the field applies. A subject being cited for 647(f) should be transported to jail only if one of the exceptions in Penal Code 853.6(i) applies.
 1. In most situations, the most appropriate reason for transporting a 647(f) arrestee to jail for booking is that the person arrested was so intoxicated that they could have been a danger to themselves or others. (See CPC 853.6(i)(1).) Write a brief synopsis in the space provided on the back of the Pre-Booking form, detailing the reason why the person was transported to the jail for booking and mark Box 1 on the form.
 2. If the deputy can locate a responsible party, who is willing to take responsibility for the subject, then the subject may be cited and released without being transported to jail for booking.
 3. Alternatively, pursuant to Penal Code section 849(b), a deputy may choose to release a 647(f) arrestee from custody without a citation as follows:
 - a. The subject was arrested for intoxication only, and no further proceedings are desirable, or
 - b. The subject was arrested only for being under the influence of a controlled substance or drug and the subject is delivered to a facility or hospital for treatment and no further proceedings are desirable.

- i. If the subject is released from custody without a citation as provided in subparagraphs 2. A. or b., then pursuant to CPC 849(c), the arrest shall be considered a detention only and documented as such.

REPORT FORMS**ALL REPORT FORMS WILL BE COMPLETED IN BLACK INK.**

- I. Application for 72-Hour Detention (DHCS 1801)
 - A. This form is to be completed by the detaining deputy and given to the hospital. A copy of the completed form should be obtained and submitted along with the deputy's report.

- II. Application for Emergency Protective Order (F0182-882)
 - A. May be used in domestic violence situations where no court order has been issued.

- III. Application for Petition (W&I 653 and W&I 329)
 - A. W&I 653 (F0502-4024.17)
 1. This form is to be used in the following circumstances:
 - a. Released per procedure on criminal citation.
 - b. When detained in Juvenile Hall.

 - B. W&I 329 (Blue Form)
 1. When a child is placed in Orangewood under any W&I 300 section.

 2. Child abuse cases.
 - a. In all criminal cases, the petition and Juvenile Investigation Report shall be a supplemental DR number of the original DR number listing the W&I 300 section.

- IV. Authorization to Release Medical/Dental Information (F0680-II2)
 - A. This form is used in conjunction with Missing Persons Reports.

 - B. Authorization may be for juvenile or adult missing persons.

V. Boat Report (F0680-249)

- A. The Boat Report form is used when a boat is reported stolen, either from the water or on land, or a boat is impounded, found, and/or recovered. The Boat Report replaces the Initial Crime Report for stolen boats.
- B. The report is designed to accommodate the entry of stolen / recovered boats into the ABS System. The CHP 180 Form is no longer compatible and should not be used.
- C. Report Form Structure is divided into sections, each requiring certain specific information. The accurate recording of this information will provide the essentials for the investigation statistical data.
- D. The sections and the information necessary for completion are as follows:
 - 1. Copies to - The names of persons and agencies needing copies, in addition to those in the normal distribution.
 - a. All reports generated in a contract city will include the name of the contract city in the "copies to" section of the report form.
 - 2. Case number.
 - 3. Type of Report - Use appropriate code description and title.
Example:
 - a. CPC 487 Stolen Boat
 - b. OCCO 2-2-63 Vessel Impound (in water)
 - c. CVC 2265I Vessel Impound (would apply to boats or trailers on land)
 - d. Found Boat
 - e. CPC 496 Receiving Stolen Property

VI. Casualty Report (F0680-I73.I)

- A. This form is used in reporting all deaths, medical aids, mentals, and any injury occurring in county areas or on County property.

VII. Certificate of Release (F0680-60)(CPC849b)

- A. This form is to be completed any time a person is being released due to the department not seeking a complaint.
- B. It must be used when a person is booked into jail, as a result of any error or when it is determined there is insufficient evidence to issue a complaint.
- C. It can also be used when a person is brought in for questioning, but not booked (not mandatory under such circumstances).

VIII. CHP Forms

- A. CHP 180-For towed vehicles refer to FOM Section 48.
- B. CHP 180 – Stolen or Embezzled Vehicle and Lost or Stolen License Plates or any vehicle, which includes cars, trucks, buses, trailers, mopeds, golf carts, motorcycles, cement mixers mounted on trailers that are licensed and registered, construction equipment such as earthmovers, caterpillars.
 - 1. Stolen Vehicles
 - a. FCN number required in all cases.
 - 2. Embezzled Vehicle
 - a. Vehicles taken from leasing or renting agencies must wait at least five days (CVC 10855), unless there is fraud in the contract. The agency owner should contact Auto Theft Detail directly and make an appointment for a report.
 - b. Field deputy should not get a FCN number on an embezzled vehicle.
 - c. Under CVC 10502, it states in part, that the vehicle can only be entered into the SVS system after having procured the issuance of a warrant for the arrest of the person charged with such embezzlement. Then and only then, can the vehicle legally be entered into the SVS system.

3. Lost or Stolen License Plate(s)

- a. FCN number is required for one or both plates.

4. Lost or Missing Vehicle Report

- a. When there is any doubt that the crime of auto theft has occurred. It could involve a husband and ex-wife both being the registered owner, a family fight where a family member takes the car, or an auto dealer loaning a customer the car.
- b. A FCN number is required.
- c. Advise the person to call Auto Theft Detail within 29 days to have the vehicle re-entered because SVS will purge information in 30 days.

C. CHP 555, Page 1 - Traffic Collision Report

- 1. This form is used within contract cities for the purpose of reporting traffic collisions.
- 2. The CHP 555 report is to be completed any time there is an injury, fatality, or property damage.
- 3. Fatalities, injuries, damage to city and county property, prosecutions and tow always must be submitted in an investigative narrative format. Refer to Collision Investigation Manual, Chapters 2, 4, and 5.

D. CHP 555.03 - Property Damage Only (PDO)

- 1. This report is a self-carbonized form that may be used for:
 - a. Counter Reports
 - b. Private Property collisions involving:
 - 1. One or two parties.
 - 2. No injuries.

3. No anticipated prosecutions.
2. The Property Damage Only (PDO) form may NOT be used for:
 - a. Hit and run collisions even with no follow-up information available.
 - b. Collisions that occurred on public roadway.
3. Procedure for use of this form:
 - a. A copy of the completed upper portion of the form will be given to each of the involved parties after the report is completed at the scene.
 - b. The remainder of the form will be completed by the deputy, along with a short summary and cause of the accident, in accordance with the Collision Investigation Manual, Chapters 2, 3, and 5.
 - c. Deputy Sheriffs and Community Service Officer shall submit the completed PDO report with their Daily Activity Log.
 - d. The Field Patrol Sergeant shall review and approve the report.
 - e. The Field Patrol Sergeant will then send the approved PDO report to the Traffic Bureau.
 - f. The Traffic Bureau will then input the report into RMS and forward it to the Support Services Division.

E. CHP 556 - Supplemental Narrative Report Form

1. This form is used primarily as a continuation report page or as a follow-up report for traffic collisions.
2. For proper use of the report, refer to the Collision Investigation Manual, Chapters 4 and 5.

IX. Daily Activity Report (Log)

This form has been removed from circulation. For further details regarding the deputy's documentation of field activity, refer to the Field Operations Manual, section 35 – Mobile Data Computers (MDC).

X. Daily Statistical Report

This form has been removed from circulation. For further details regarding the data collection, refer to the Field Operations Manual, section 35 – Mobile Data Computers (MDC).

XI. Emergency Protective Order (EPO-001)

- A. Telephonically approved court order for use in domestic violence situations at request of handling deputy.

XII. Evidence Tag (F0680-209.1)

- A. This "hard" Evidence Tag is to be used at any time that evidence is collected, but is only used for booking purposes when P.E.A.B.I.T.S. (the Property/Evidence Automated Booking Information Tracking System) is down or when items are seized pursuant a search warrant.

XIII. Follow-up Information Card (Mail-In) (F0680-226.2)

- A. This card is to be left with victims of crimes involving loss of property.

XIV. Field Interrogation Report (F0680-36.2)

- A. This form is used to record information concerning suspicious persons interviewed or vehicles observed in the field, even if they are arrested or cited.
- B. A Log item request from Dispatch is not required.

XV. Follow-Up Field Report (F0680-104.3)

- A. This report form is to be used to record supplemental information that adds to or corrects information already contained in a previous report.

- B. It is to be used in lieu of the Initial Crime Report when a reported offense is determined to be unfounded.
- C. It is to be used to report activities, which are non-criminal in nature and for which a specific report form is not provided.
- D. It is to be used in reporting any criminal or non-criminal activity when the incident occurs outside the jurisdiction of the Department, titled Assist Outside Agency / i.e., CVC 23152 (Misdemeanor Driving Under the Influence).
- E. It is not to be used as a continuation page regardless of the report heading.
 - 1. Box 6 on the report is not applicable.

XVI. Intoxication Report (F0680-73.2)

- A. This form is used in all arrests for intoxication other than DUI cases.
- B. It may also be used in other criminal cases where diminished capacity can be used as defense.
 - 1. Example - Burglary arrest when suspect states he believes the victim's residence to be his own.
- C. In 647/849b2 cases, the Intoxication Report is completed.

XVII. Initial Crime Report (F0680-71.1)

- A. When to Use the Initial Crime Report
 - 1. The Initial Crime Report serves a four-fold purpose. First, it is the beginning of any criminal investigation and provides the necessary essential information on which to base an investigation. Second, it provides the Department, CII, and FBI with vital statistical information on which to base determinations of trends in crime. Third, it supplies to CII any department, which maintains Modus Operandi files, the information necessary to build files on the methods of operation of habitual offenders. Without this information, a valuable investigative aid would be lost. Last, but not least, it furnishes the Department with a record of stolen properties and their corresponding monetary value.

2. The Initial Crime Report is used for the initial report of the investigation of any criminal offense committed within the jurisdiction of the Department, with the exception of those offenses for which another specific form is provided. The information contained in this report should place emphasis upon the items dealing with the modus operandi of the criminal, properties' descriptions and their value, full and complete names, addresses and phone numbers.

B. Report Exceptions

1. When reporting felonies or misdemeanors, a separate report is required for each violation, with the following exceptions:
 - a. Series of burglaries in a hotel or lodging house (not to include apartments, motels, or offices) apparently committed at the same approximate time and by the same suspect will require only one report.
 - b. Thefts from, and burglaries of, vehicles where more than one vehicle belonging to one victim is involved at the same time and place, only one report is necessary; or if both burglary and theft from vehicle are involved at the same time, both offenses are reported on one report.
 - c. In robbery, although several victims may be involved, if they were robbed at the same time and place by the same suspect(s), only one report is required.
 - d. In thefts, where the property of several victims is taken at the same time and place, or where a series of thefts have occurred from one victim over a period of time by the same suspect(s), only one report is required.
 - e. Crimes against the person generally will require a separate report for each victim, except that with each incident of indecent exposure, only one report will be required, regardless of the number of victims.
 - f. Where a lesser crime is included in a more serious felony, as an aggravated assault as part of a robbery, a theft committed during a burglary, etc., one report classified on the more serious offense is sufficient. If a vehicle or boat theft were committed during a burglary or robbery, they

will require appropriate forms, even though they were taken during the commission of the burglary or robbery.

C. Report Form Structure

The form is divided into 37 separate sections, each requiring certain specific information. The accurate recording of this information will provide the essentials for the investigation, statistical data and modus operandi reporting. The sections and the information necessary for completion are as follows:

1. Copies To - The names of persons and agencies needing copies, in addition to those in the normal distribution, are inserted here.
 - a. All reports generated in a contract city will include the name of the contract city in the "copies to" section of the report form.
2. Case Number - DR number is inserted in this section.
 - a. Citation Number - If a citation is issued to a suspect in lieu of booking, the citation number is recorded in this section.

Priority Box (No Number Designation) -Check the appropriate box. Priority reports include all cases where a suspect is in custody and booked into any custodial facility such as jail, juvenile hall, or a mental hospital. This includes cases where the suspect will be cited and released at the facility. Also included are serious assaults, rape, child molest, any deaths, property crimes involving major loss, any case requiring immediate follow-up by Investigation, casualty reports, missing persons, or CHP 180.

1. All priority reports must be completed before going off duty.
3. Offense - The appropriate code description and title of the violation is inserted here. Care must be taken that the offense is correctly written and that radio code is not used.
4. Date-Time Committed - The day of the week, the date, and time should be recorded as accurately as possible. In a situation where there is a time lapse, the entire period during which the

crime may have been committed should be recorded. For example: Between Saturday, January 5, 1982, 1000, and Tuesday, January 15, 1982, 1900.

5. Where Committed - The street number and name, the name of the city or area where the offense took place are recorded here. A San Juan Capistrano address might read 16804 Ortega Hwy., San Juan Capistrano. An address just outside San Juan Capistrano might read 30640 Ortega Hwy., San Juan Capistrano area. In unincorporated areas, such as Capistrano Beach, El Toro, South Laguna, etc., the district or community is used in conjunction with the area (such as El Toro area). Common park locations may be listed by name and nearest intersection. Example: Mile Square Park, Euclid and Warner, Fountain Valley.
6. Grid - For statistical purposes, the locations of incidents are to be recorded in this box by locating the map reference as indicated in the Thomas Bros. Map Book. The beat number is also recorded in this box.
7. Date-Time Reported - This box contains the day of the week, date, and time of day recorded by the desk officer on the Event Dispatch Form. It is written Friday, Jan. 18, 1981, 1500.
8. Informant - The last, first, and middle names of the informant are recorded in that sequence. If the informant has no middle name or initial, the box should read Brown, Robert (NMN).
9. Address-Phone - The street number, street name, city, community or area, and the telephone number of the informant should be recorded as 14701 Van Buren Street, Midway City area, 893-8300. Supply the area code if outside area code 714. The informant's business address, phone number, and work hours are recorded in the body of the report.
10. Victim-DOB - The last, first, and middle names of the victim are recorded in that sequence. The absence of a middle name or initial should be so noted. Record the victim's date of birth under the letters DOB.
11. Address-Phone - The street number, street name, city, community, area, and telephone number of the victim should be recorded as 14711 Adams St., Midway City area, (714) 893-4700.

12. Business Address-Phone - The address of the place where the victim is employed. It may be a school if the victim is a student. The phone number should be one where the victim can be reached or where a message can be left.
13. Contact Time-Address - In this space, you should state the time and the location where the victim can be reached during business hours.
14. Firm Name of Victim - If a firm, corporation, or other legal entity is the victim, the name of the organization is put in this box rather than the name of an employee who may represent the victim. If this box is used, then boxes 10, 11, 12, and 13 should not be used.
15. Business Address-Phone - The complete address and telephone number of the victim (firm, corporation, or other legal entity) should be written as 8877 Katella Ave., Anaheim area, (714) 537-9000.
16. Victim's Occupation-Race-Sex-Age - In this box, it is desired that information be recorded which would tend to describe the characteristics of the victim or the type of person chosen to be a victim (such as student, store clerk, bus driver, etc.). Such information may or may not have any modus operandi significance, but should be recorded in the event it does. However, where the firm name does not describe the type of business which might have a bearing on the offense, the type of firm or business may be entered in this space (such as mortgage company, plumbing contractors, wholesale food distributors, etc.).
17. Type of Premises or Location Where Offense Was Committed - In this box record the type of place where the offense was committed. This information in many offenses will be a description of the size, type, and area or characteristics of the structure or neighborhood. Example could be one story frame dwelling, two story brick residence, railroad refrigerator car on packing house siding, chain drug store, shopping center parking lot.

If a building is used for number of purposes, first specify the particular purpose for which the room is used, where the

offense was committed, then describe the general use of the building (such as cafe on main floor of motel, dentist office on second floor of office building, physician's office on first floor of two-story residence, airline ticket office in hotel lobby). Frequently, it is of value to describe the general character of the area or district.

The street address is usually a sufficient source of information to local investigators; however, if the area or neighborhood where the crime was committed has any distinct characteristics, such data may be of potential value in comparing the report with those of other cases committed by the same suspect. Examples of this type of information may include: industrial area, business district or rural residential area.

Modus Operandi Section:

When reporting a felony or any misdemeanor theft, sex offense, or domestic violence crime, the appropriate area (enclosed by the heavy black line) must be completed accurately.

Offenses coming under Crimes Against Property must be recorded in boxes 18-21 (such as CPC 459-Burglary; CPC 484-Theft.) Offenses coming under Crimes Against Persons must be recorded in boxes 22-25, (such as CPC 211-Robbery, CPC 187-Murder; CPC 203-Mayhem, or Domestic Violence Crimes.) Boxes 26-29 must be completed whether the offense comes under Crimes against Property or Crimes against Persons.

18. Point of Entry - Exact location where entry was accomplished is recorded in this box, such as rear (alley) door, sliding glass door, etc.
19. Instrument or Means used - In describing any instruments used, any details which would service to particularize the one employed in the reported offense is of value for comparison with other reports. Thus, instead of "prying instrument", a specific description such as, "hexagonal 1" shank wrecking bar;" "offset jack handle"; or "flat blade box opener", will add to the value of the report. In addition to tools used to enter the building, tools used to open a safe, such as "electric drill and drift punch"; or a "2' blade wrecking bar", should also be described. When the means used was other than a physical object as listed above, describe in the following manner:
Renting, selling, stripping, wearing away, check, credit card,

absconding, bodily force-foot, bodily force-hands, carrying away, driving away, etc.

20. Method Used - The exact method used to gain entrance is included in this box (such as pried side door, kicked in front window, broke right front vent window, etc.).

In safe burglaries, two types of information should be recorded; the method used to gain entrance, both to the premises and to the safe (such as prying side door; pulling dial and driving spindle).

21. Where Were Occupants at Time of Offense - In this box, the location of the occupants at the time the offense is recorded (such as sleeping in rear bedroom, visiting friends, vacationing, etc.)

22. Weapon or Means Used - List whatever was used to overcome the victim or permit the suspect to commit the offense. This could be a firearm or other weapon, bodily force, a part of a human body (such as penis, fist, knee, etc.). So far as any of these factors can be particularized on the basis of information available to the investigating deputy, their value for modus operandi purposes is increased. Thus, if a handgun were used by the suspect, it is helpful to record whether it was a semi-automatic pistol or a revolver, approximate barrel length and caliber and any other outstanding features, such as fancy grips. If bodily force was used, the employment of any particular wrestling holds or Judo techniques would be worth recording. Details will depend on what can be learned by the reporting deputy.

23. Victim's Activity at Time of Offense - Although the victim's occupation, race, sex, and age were recorded above in an effort to describe the factors which may classify the type of victim, occasionally the victim's activities at the time the crime was committed will more accurately characterize the kind of person which the suspect selects as a victim (such as sleeping, driving a vehicle, eating, telephoning, etc.).

24. Exact Words Used by Suspect - The exact words used by the suspect may have an identification potential particularly as they may be different from usual or typical speech in the area where

the offense was committed. Care should be taken to record an actual quotation rather than the victim's paraphrasing of what was said. Any is pronounced words, slang or geographical vernacular, speech defects, or recognizable mannerisms may be of value. Speech habits seldom change, particularly when the criminal is under a stress situation. Comments such as "Get 'em up, "I'll blow your guts out!", or "Reach!", may become a characteristic of the suspect's method of operation. Profanity should be quoted verbatim only when it is essential to the report.

Officers are frequently made the targets of verbal abuse, including the foulest profanity, but care should be exercised to limit these remarks to the ones that are essential to the report. This should not be construed to mean that the deputy should not record these statements in his field narrative report.

25. Force or Method Used - What force or method was used by the suspect to perpetrate the crime? Examples of these might be burning; binding; cutting; beating; enticing; exposing; fondling; shooting; stabbing; handling; threatening; etc.
26. Apparent Motive-Type of Property Taken - In offenses in which no property is stolen; the modus operandi point of this item is the motive or reason why the crime was committed. Thus, in a kidnapping, the motive might be ransom, or the offense might be committed incident to an attempt to commit a lesser crime, such as homicide committed during a robbery or rape attempt. In sex offenses, the motive may be sexual gratification, degrade victim, abuse victim, or other motive. In crimes involving the theft or taking of property, the general class or type of property stolen is a helpful modus operandi factor since this may be characteristic of the suspect's way of committing thefts (such as jewelry, tools, power lawn mower, cash, coin collection, etc.).
27. Total Value Stolen - In this box, list the total value of the property stolen. The value of property damaged during the commission of the offense is not included. Value is the fair market value of the property at the time it was stolen. Consider age and condition.
28. Unique or Unusual Actions by Suspect(s) - Unique items (trademarks) are those peculiar or outstanding factors in the

way the suspect commits the crimes which tends to distinguish him from other offenders. Trademarks may range from peculiar actions or vocabulary used deliberately to those things which appear to result from habit or subconscious reaction.

Trademark factors may be discovered by the investigator as relating to preparations for committing the crime, things done during the commission of the offense, or in things done after the offense has been committed.

Some burglars regularly turn on the house lights while others burn matches; some lower the window shades; some take time to eat while they are on the premises, while others may carry food away with them; some offenders are neat workers while others may seem to be deliberately careless; some engage in acts of vandalism and destroy property not involved in the offense; others may reflect sexual aberrations by handling cosmetics or women's undergarments. Urinating or defecating at the crime scene may reflect some characteristics of the suspect. In general, the more unusual a trademark may be, the greater assistance information recorded concerning it will have in identifying the offender. Diligent investigation by the reporting deputy should indicate some trademark in almost any offense and it may be found that there are several.

29. Vehicle Used by Suspect(s) - This may range from a complete description of a vehicle to a surmise on the basis of tire tracks observed. Should the deputy conclude from the evidence that public transportation or no vehicle was involved; such information is helpful to the extent that it reflects further modus operandi characteristics. If a vehicle was used, descriptive details which may be available should be reported (such as: '72 Dodge, four door, blue, 365 CLF, right front headlight out).
30. Witnesses - The last, first, and middle names and date of birth of each witness is recorded in that sequence. Where the witness has no middle name or initial, the box should read Jones, Gregory NMN. When additional deputies or personnel from the Identification Bureau, Criminalistics Laboratory or Coroner Division are summoned to the crime scene, they must be listed as witnesses and their PID annotated next to their name.

Space is provided for the names and addresses of three witnesses. Additional witnesses should be listed in the Details

of Offense section. Include residence and business address and phone numbers.

31. Suspects - Space is provided for the names and addresses of three suspects. Additional offenders should be listed in the Details of Offense section. If the suspect is arrested, only his name, address, and booking number or citation number should appear. While every factor in the physical description may not be obtainable, even partial descriptions are of value when they can be compared with descriptions in other reports which may provide sufficient data to lead to the suspect's apprehension. A sample description might read: SMITH, Donald Roland, 3123 Glenroy Place, Rossmoor area, male, Caucasian, 38, 6', 190, black, brown. If the suspect is a married female, obtain her maiden name and include it in parenthesis after her last name, e.g., THOMPSON (Walters), Mary Ann. Do not write "see narrative". Either list suspects, or state unknown.

32. Details of Offense - After completing items 1 -31 of the crime, Item 32 should begin.

- a. Loss, Damages, or Injuries - Give a detailed description of the property loss. Property will be described by item number, quantity, type of item, brand name, serial number, model number, complete physical description (size, weight, color, identifying marks, etc.), individual fair market value and total loss value.

In the event that property is damaged, the reporting officer should describe the nature and the type of damage. Only list the approximate value of the damage if this information is offered by the victim.

In incidents involving injury to one or more of the parties, describe the injuries observed by the deputies. Do not use complex medical terms in the description.

- b. Physical Evidence and/or Property Collected -This section should list only those items of evidence or property collected by the investigating deputies. The items should be mentioned in the narrative portion of the report and then described in detail here. The description should include item number, quantity, serial number, method of handling, and the name of the deputy collecting the

evidence. The item number of the report must be the same as the item number on the evidence tag. To complete the chain of evidence, the report should also reflect the location where the evidence was collected, all persons who had contact with it, and how it finally was disposed of by the collecting deputies.

- c. Details - This section should contain in the deputy's own words information given by the informant, victim, witnesses, or any other person connected with the case.

This section should also be used to record facts, conditions, and evidence observed directly by the reporting deputies and those conditions that may reasonably be assumed to be factual based on reliable information.

Generally, the circumstances should be reported in chronological order as they were investigated by the deputy. The report should indicate in what order the witnesses, victims, and suspects were contacted and in what order observations of evidence and conditions were made.

This section should conclude with the field disposition by the investigating deputies.

Example - Both suspects were cited for PC 602J and released.

Suspect JENKINS was arrested for PC 245 and booked in Orange County Jail. The vehicle was sealed and impounded by Ray's Garage.

- 33. Investigating Officers-Report By - The deputies who conducted the preliminary investigation and who are responsible for the Initial Crime Report should record their names and PID numbers in this box (such as LEIGHTON, R. 1320 - PRINZ, T. 4562).
 - a. Provided the deputy has five years law enforcement experience and the report is a felony, the deputy will write "H.Q." (Hearsay Qualified) next to his name per Prop 115.

34. Date of Report - The day of the week and date upon which the report was written are included in this box (such as Friday, October 17, 1971).

35. Approved - In this box, the signature of the supervisor who approved the report is written after he has approved it. The reporting deputy does not list anything in this space.

XVIII. In-Field Show-Up Report

A. This report is used to document the results of in-field show-ups.

XIX. Missing Persons Field Report (F0680-111)

A. Will be used to record information pertaining to the report of all persons reported missing to any deputy regardless of jurisdiction.

1. In the case of runaway juveniles under W&I 601, the deputy will check the "juvenile" box on the form and write "runaway" immediately after.

XX. Officer's Statement Under CVC 13353

A. This is a State of California DMV form which is provided by the State.

B. It is used to report to DMV a suspected and arrested drunk driver's refusal to submit to a chemical test of his blood alcohol level.

C. It will be submitted with the deputy's crime report only in the event of a refusal.

XXI. Order of Arrest by a Private Person (PAT 7)

A. This form will be submitted when an arrest is made by a private person under the authority of CPC 837.

B. If the suspect is cited and released by the deputy, this form must also be completed.

XXII. Personal Property Form

A. This form is to be completed on all W&I 5150 detentions.

B. It is to be signed by responsible relative.

1. If no relative is available, the deputy is to contact the field sergeant.

XXIII. Property Report (SHF061)

A. This form is used to report property which is:

1. Lost
2. Found (finder and deputy must sign back of form-affidavit)
3. Received for Safekeeping. (CPC Section 12028.5 requires that weapons seized for safekeeping shall be held no less than 48 hours and no longer than 5 business days. Exceptions include subsection (f), and those restricted from firearm possession as covered by CPC 12021)
4. Recovered stolen property.
5. Do not use this form to report property that is intended for CHP 180 Form.

B. Itemize all property taken and describe each item in detail listing serial numbers, if available, and address, in addition to owner's name.

C. Property with serial numbers should be checked through Teletype for stolen and given a FCN number.

D. Place as much information as possible into P.E.A.B.I.T.S. (the Property/Evidence Automated Booking Information Tracking System) as this information is extremely helpful to the Property/Evidence staff in authorizing releases at a later time.

E. Attempt to have property of arrestee booked with person at the Jail.

1. This will not include items which Jail Receiving determines to be hazardous.

XXIV. Property Tag (F0680-20.5s)

A. This "hard" Property Tag is to be used at any time that non-evidence property (lost, found, or safekeeping) is collected, but is only used for

booking purposes when P.E.A.B.I.T.S. (the Property/Evidence Automated Booking Information Tracking System) is down.

XXV. Report Continuation (F0680-176)

- A. This form is to be used subsequent to the first page of any other departmental report.

XXVI. Report of Suspected Dependent Adult/Elder Abuse (SOC341)

- A. Used in instances of suspected physical abuse of a dependent adult or elder person.

XXVII. Receipt of Property

- A. Claim of Ownership Authorization. This report is used when a deputy or investigator seizes property from a pawn shop as evidence, and the business wants to claim interest in the property. This form is forwarded to the Property/Evidence supervisor who will conduct a property hearing to determine who is entitled to the property, the business or the original owner.

Evidence Tag (F0680-209.1)

1. This "hard" Evidence Tag is to be used at any time that evidence is collected, but is only used for booking purposes when P.E.A.B.I.T.S. (the Property/Evidence Automated Booking Information Tracking System) is down or when items are seized pursuant a search warrant.

B. Property Release and Waiver (REC 038.1)

1. This report is used when documenting the release of property.

C. Property Report (SHF061)

1. This form is used to report property which is:
- a. Lost
 - b. Found (finder and deputy must sign back of form-affidavit)
 - c. Received for Safekeeping. (CPC Section 18250 requires that weapons seized for safekeeping shall be held no less

than 48 hours and no longer than 5 business days. Exceptions include subsection (f), and those restricted from firearm possession as covered by CPC 29800).

d. Recovered stolen property.

2. Do not use this form to report property that is intended for CHP 180 form.
3. Itemize all property taken and describe each item in detail listing serial numbers, if available, and address, in addition to owner's name.
4. Property with serial numbers should be checked through Teletype for stolen and given FCN number.
5. Place as much information as possible into P.E.A.B.I.T.S. (the Property/Evidence Automated Booking Information Tracking System) as this information is extremely helpful to the Property/Evidence staff in authorizing releases at a later time.
6. Attempt to have property of arrestee booked with person at the Jail. This will not include items which Jail Receiving determines to be hazardous.

D. Property Tag (F0680-20.5s)

1. This "hard" Property Tag is used at any time that non-evidence property (lost, found, or safekeeping) is collected, but is only used for booking purposes when P.E.A.B.I.T.S. (the Property/Evidence automated Booking Information Tracking System) is down.

E. Unclaimed Property Request and Receipt (SHF43)

1. Before unclaimed property can be converted to department use, the person requesting an item (computer, firearm, tools, etc.) must fill out this form and have their supervisor sign the request. It is then forwarded to the Property/Evidence Detail who will forward all paperwork to the Support Services Division Commander for approval.

XXVIII. Request for Reexamination of Driver (DL427 or CHP417)

- A. In the past, the Vehicle Code required all drivers to renew their license in person, at which time, they were retested. Due to the current license extension program, many are now renewed by mail without testing. Therefore, the Department of Motor Vehicles requests enforcement officers to refer for reexamination those drivers observed to be potential hazards.
 - 1. When a deputy believes that a driver may not be qualified or unable to drive safely, DMV form DL427 or CHP417, "Request for Reexamination of Driver" will be initiated.
 - 2. The request will only be accepted in conjunction with a citation by this department or as a result of a documented traffic accident.
- B. Procedure for driver reexamination.
 - 1. Deputy issuing citation will complete form DL427 or CHP417 and submit it with the citation. After citation and form DL427 are approved by the sergeant, they will be forwarded to the citation clerk for processing to DMV.

XXIX. Seals

- A. Seals are used when impounding vehicles or to protect property in the event future searches may be conducted with or without a search warrant.

XXX. Statement of Subject (F0680-79.2)

- A. This report is used to record the statement of persons who have been advised of their rights as suspects in a crime.

XXXI. Suspect Description Report (F0680-174)

- A. This form may be completed on any crime where the suspect was observed.
 - 1. It is a good idea to have the victim or witness complete the form prior to leaving the scene.

XXXII. Suspected Child Abuse Report - CPC 11166 (a)

A. General Information.

1. Use DOJ Form SS8572 for suspected/unsubstantiated child abuse cases (See section 27 for details).

XXXIII. Warning Notice

A. This card is used to advise vehicle owners of a potential parking violation.

B. It may also be used to document a report of an abandoned vehicle.

1. It is to be used in conjunction with the marking of tires, which makes it obvious to any deputy that the vehicle has not been used.
2. The top part of the notice will be filled out and turned in to the person keeping track of vehicle abatements.
 - a. The "Vehicle Abatement" officer will usually be a CSO designated by the Administrative sergeant for the city or area in question.

XXXIV. Worthless Document (F0680-87)

A. This form is always to be completed by the victim or his representative.

B. It will only be used when a money order, check, or credit card voucher that has been signed by the suspect.

1. In all other cases, a report should be submitted by the deputy on an Initial Crime Report.

C. In cases where there is no suspect in custody, the deputy will leave the Worthless Document Report form with the victim.

1. The deputy will not request a DR number.
2. The victim will be advised by the deputy to mail the completed form to the Department with the original document.
 - a. The investigator assigned to the case will request the DR number. The reason for this procedure is that the deputy has no assurance the victim will submit the report. If the

deputy requests a DR number, he becomes responsible for it.

- D. In cases where the suspect is in custody or immediate follow-up is intended, the deputy will:
1. Stand by while the victim completes the Worthless Document form.
 2. Receives the Worthless Document form and the original document from the victim.
 3. A Sheriff's Department receipt will be issued for the document if requested.
 4. A DR number must be requested for the appropriate crime.
 - a. The Worthless Document Report replaces the use of the Initial Crime Report.
 5. Additional details of the incident will be described on a Follow-Up Report form.

XXXV. DUI Continuation Report

- A. This form is used in conjunction with an Initial Crime Report for all arrests for Driving Under the Influence (CVC 23152 and CVC 23153). Each deputy will complete an Initial Crime Report or Follow-Up Report if the offense occurred outside Sheriff's jurisdiction, supplying all pertinent information, including evidence obtained (i.e., blood sample, breathalyzer report, etc.) from the suspect. A DUI Continuation Report will be completed as detailed as possible, using complete sentences in all narrative sections.

B. Structure

1. Initial Observation
 - a. A-E check appropriate box giving brief description of scene.
2. Method Used to Stop Violator
 - a. Check appropriate box.

-
- b. Narrative: The arresting deputy will write a brief detailed narrative, describing:
 1. The initial observation of the suspect (CVC violation or other suspicious activity).
 2. Manner in which the suspect stopped (drove up onto curb, stopped in the middle of street, yielded in a normal manner, etc.).
 3. Position of unit (normal car stop position, etc.).
 4. The deputy's initial approach to the driver and the driver's actions (fumbling for identification, trying to exit vehicle, etc.).
 5. Any other activity that is applicable.
 3. Initial Contact with Driver
 - a. A through I, check appropriate box.
 - b. Narrative
 1. Describe responses to simple questions.
 2. Describe ability to walk to testing area (i.e., staggering, uneven steps, etc.).
 3. Note any other CVC violations (i.e., open containers, etc.).
 4. Briefly describe other occupants and their appearance (i.e., passed out, etc.). Their names, DOBs, etc., must be included on the Initial Crime Report or Follow-Up Report.
 4. Questioning: All deputies should be aware of the importance of this area and the case decisions allowing our questioning of suspects prior to placing the person under arrest. All patrol deputies should familiarize themselves with these questions; develop a satisfactory note-taking technique to ensure accuracy of the suspect's responses, prior to making the arrest.
-

Otherwise, after the arrest has been made, the suspect MUST be Mirandized and a waiver of those rights obtained before these questions can be asked and introduced into evidence at a trial.

5. Balance and Coordination Tests

- a. A-D check appropriate box.
- b. Briefly describe the area if additional information is required.
- c. E-G record answers and performance to tests.
- d. H other test details.

Each deputy may explain and demonstrate additional balance and coordination tests if, in the discretion of the deputy, this will improve the investigation. The time of the arrest should be noted along with the suspect's initial reaction to the arrest.

6. Disposition of Vehicle

- a. Check appropriate box and supply required information. Submit all required reports.

7. Transportation to OCJ

- a. Check appropriate box.
- b. Each deputy should describe the suspect's actions while enroute to OCJ. As many spontaneous statements as possible should be recorded (i.e., apologies, threats of violence, admissions, requests for release, etc.). Record exact words used. Additionally, the arresting deputy should describe the suspect's behavior (i.e., did he/she sober up or become more intoxicated since the time of arrest? Did they pass out?, etc.)

8. Chemical Test

- a. Check appropriate box and supply necessary information.

- b. Narrative: Each deputy should record any additional information which will enhance the case and sustain a conviction. The District Attorney's Office recommends that prior to booking, each suspect be Mirandized, a waiver obtained and a statement taken.

- XXXVI. Notice of Correction
- A. See Citations: Section 9-XIX.
- XXXVII. Notice/First Response - Disturbance in Residential Area (F0680-395)
- A. See Disturbances: Section 16-II.
- XXXVIII. Administrative Per Se Forms (DMV)
- A. Order of Suspension (DL360)
 - B. Officer's Statement (DL367)
- XXXIX. Addendum to Auto Theft Arrest Report (F0680-391)
- A. Form can be used when suspect detained in recovered stolen vehicle.
 1. Fill out appropriate boxes and submit with CHP 180 (See Section 56).
- XL. ILJAOB Probable Cause Declaration Portal
- A. For further details refer to PCD Reference Guide <http://intranet/LawEnforcementApps/ILJAOB/docs/PCD-Intranet-Guide.pdf>
- XLI. Probable Cause Declaration Form (F0369-2219)
- A. When to Use – For Juvenile Arrests, or ILJAOB Probable Cause Paperless System is unavailable.
 1. In all warrantless arrest cases, felony or misdemeanor, where the arrestee is to be held in custody. Warrant arrests do not require Declarations.
 - B. Probable or Reasonable Cause Defined

“Reasonable cause is such a state of facts as would lead a man of ordinary care and prudence to believe and conscientiously entertain an honest and strong suspicion that the person is guilty of a crime.” *People v. Ingle* (1960 53 Cal 2nd 407, 412)

If the combination of circumstances is strong enough to make it seem reasonable that a crime has been committed and the officer is arresting the likely offender, the arrest will be deemed lawful.

C. Facts Viewed Through the Eyes of the Experienced Officer

The courts evaluate the facts as viewed by the experienced officer rather than as they would be viewed by the average layman.

D. Facts Taken in Good Faith

The only limitation at all, as far as facts are concerned, is that they must be taken in good faith. If an officer accepts a fact that he believes to be true, but it subsequently develops that the fact is not true, the fact will nevertheless be accepted by the court as part of the probable cause for arrest, so long as the officer accepted the fact in good faith.

E. Facts That Constitute Probable Cause

Any and all facts acquired in good faith by a law enforcement officer may constitute elements for probable cause. There are but a few limitations concerning the types of information that an officer may utilize for a probable cause arrest.

F. Preparing a Probable Cause Declaration

1. Fill out all boxes that are applicable.
2. The DR number is written in the upper right-hand corner of the form (not in the space for the Booking Number.)
3. Narrative:
 - a. The arresting deputy will articulate the facts that identify the elements of the crime for which the subject is being arrested. It is not necessary to indicate the probable cause that lead to the stop and detention in the narrative portion of the declaration; e.g.,

“Arrestee John Smith admitted to deputies he purchased the cocaine found in his right front pants pocket for personal use. A presumptive narcotics test in the field tested positive for the ‘caine family. Deputies can identify John Smith as the person in possession of the narcotics found on his person.

- b. The arrestee must be identified by name in the narrative portion of the declaration, not “subject”, “deft.,” or “?”.
- c. Each element of the crime must be factually listed and identified in the narrative portion of the declaration.
- d. If drugs or narcotics are part of the offense, one of the following must be included in the declaration:
 1. A field presumptive test proved positive for the alleged substance, or
 2. The arrestee admits the substance is a narcotic or controlled substance by name or street term, or
 3. The officer includes a short summary of his/her training and/or experience in dealing with drugs and/or narcotics.

G. Approval Procedure

1. Probable Cause Declarations shall be reviewed by the appropriate field supervisor who will then obtain approval from the duty patrol Department Commander by phone.
2. In the event the field supervisor is unable to review the Probable Cause Declaration it must be approved by the Patrol Department Commander prior to booking.
3. All Probable Cause Declarations must be approved by the patrol department commander in person or by phone and so noted on the declaration form prior to booking, with the following exceptions:

The Probable Cause Declaration for juveniles is used by Juvenile Hall as a preliminary report until the officer completes the

entire report. In these cases, the Declaration does not require approval from the Patrol Department Commander.

H. The Ten Most Common Errors in Filling Out the Probable Cause Declaration Form

1. Booking number omitted. Note, this is not the DR number.
2. Date and/or Time of the Arrest are omitted.
3. Arresting Agency is omitted.
4. Not properly executed; Not signed and/or dated. The declaration must be signed, not initialed or name typed in.
5. Elements of the crime are not established.
6. Arrestee's connection to the crime is not established.
7. Arrestee not identified by name in the narrative.
8. Narcotics arrest not supported by:
 - a. Presumptive test, or
 - b. Admission of the arrestee, or
 - c. A brief voir dire of the officer's narcotics expertise.
9. Use of a conclusion which does not show the facts establishing the elements; e.g., "shoplift occurred", "Arrestee involved", "Arrestee committed robbery", "Burglary committed."

All the above examples are without supporting facts, and are therefore unacceptable.

Multiple parties are not identified by name, and their relationship to the alleged crime is not established.

XLII. Departmental Reports

- A. Do not submit departmental reports in lieu of the narrative requirements of the Declaration. Reports may be incorporated as reference material if

they are necessary to explain or clarify information supporting probable cause to arrest.

XLIII. Claim of Ownership Authorization

- A. This report is used when a deputy or investigator seizes property from a pawn shop as evidence, and the business wants to claim interest in the property. This form is forwarded to the Property/Evidence supervisor who will conduct a property hearing to determine who is entitled to the property, the business or the original owner.

XLIV. Property Release and Waiver (REC 038.1)

- A. This report is used when documenting the release of property.

XLV. Unclaimed Property Request and Receipt (SHF43)

- XLVI. Before unclaimed property can be converted to department use, the person requesting an item (computer, firearm, tools, etc.) must fill out this form and have their supervisor sign the request. It is then forwarded to the Property/Evidence Detail who will forward all paperwork to the Support Services Division Commander for approval.

XLVII. Additional Resources

- A. Training Bulletin 09-15 Report Submission

ROBBERY CASES

I. Patrol Procedure

A. Armed robbery in progress call received from dispatcher (this can either be from a witness or alarm).

1. All units not assigned the call must keep off the radio unless emergency traffic.
 - a. Do not go into the scene unless assigned. Maintain area integrity.
 - b. [REDACTED]
2. Assigned unit shall contact follow-up units on the appropriate radio channel and formulate a tentative plan of approach to location and deployment at scene.
3. Remain alert for suspicious vehicles leaving the crime scene.
4. [REDACTED]
5. [REDACTED]
6. [REDACTED]
7. [REDACTED]
[REDACTED]
8. Disarm and search the suspect, and secure him/her in your vehicle.
 - a. Request Investigation Division immediately, 24 hours a day, reference vehicle disposition. Do not search vehicle or remove contents unless imminent hazard exists.

9. Contact the victim for further information for your report and suspect identification.
 10. Hold all witnesses at the scene until you can interview them.
 - a. Isolate witnesses during interview.
 - b. Seek out witnesses that don't come forward.
 11. Notify dispatch of situation.
 - a. Advise Code 4 if appropriate.
 12. Separate suspects and keep separated.
 13. Request field sergeant, Identification, and Investigation.
 14. Protect the crime scene.
 15. Remove suspects from the scene as soon after Identification and field sergeant approval of arrest as possible.
 - a. Transport in separate units and keep separated at station.
 16. Interview all witnesses thoroughly.
 - a. Inquire of adjacent businesses/residences any suspicious activity prior to or after robbery.
 17. Relinquish scene to Identification Officer and return to station.
 - a. **DO NOT** advise suspects of their rights.
 - b. Contact Investigation immediately to have an investigator assist in the questioning of the suspects.
- B. Armed robbery just occurred, call received from dispatcher.
1. All units not assigned the call must keep off the radio unless emergency traffic.
 - a. Do not go into the scene unless assigned. Maintain area integrity.

b. [REDACTED]

2. Assigned unit contact follow-up units on the appropriate radio channel and formulate a tentative plan of approach to location and deployment at scene.
3. Remain alert for suspicious vehicles leaving the crime scene.
4. Upon arrival, secure the scene and contact the victim for further description of the suspect, whether armed, direction taken, vehicle description, and number of suspects.
5. Make a supplemental broadcast with further information.
 - a. Advise Code 4 if appropriate.
6. Request victim to lock the business.
7. Protect the crime scene and request crime scene investigator.
8. Interview victim and witnesses separately.

II. Reporting Armed Robberies

A. Special areas of consideration on crime report.

1. The weapon should always be described in as much detail as possible. Since most robberies are committed by suspects armed with handguns, the description of the gun should always include:
 - a. Type (automatic, revolver, derringer, etc.).
 - b. Color (chrome, blue steel, rusty).
 - c. Approximate caliber.
 - d. Barrel length and / or size.
2. The suspect's description should be as detailed as possible and should not be confined to the suspect description report. Hair length, type of moustache, material the jacket is made of,

whether the shirt is dark blue or light blue, etc., are examples of the details sought.

3. The suspect vehicle description should be as detailed as possible, i.e., shade of color, shiny or oxidized, damage, white walls, black walls, special wheels, lowered, bumper stickers or writings on vehicle, etc.
4. Verify sources of information received from other officers / agencies.
5. Thoroughly interview all witnesses.

SHIFT RESPONSIBILITIES

- I. Briefing
 - A. It is the policy of the Field Operations Divisions to conduct a briefing session prior to the beginning of each scheduled shift. Briefings are to be conducted in a formal manner. Any information which may aid deputies in the performance of their duties will be disseminated.
 - B. Deputies unable to attend briefing are responsible for obtaining all pertinent information.
 - C. Deputies shall report promptly to daily briefing, properly uniformed and equipped. From time to time, supervisors will schedule inspections.
 - 1. Deputies shall sign out their unit prior to briefing and provide their unit number to the sergeant.
 - D. Deputies shall be attentive during briefing and devote their full attention to the material being presented, directing non-critical questions to the sergeant at the conclusion of briefing.
 - E. Deputies returning from days off or vacation shall review briefing material covered during that time.
- II. Equipment Check-out and Return
 - A. North and West Operations
 - 1. Deputies shall take radios from the charger, which shows a green light, indicating that the battery is fully charged.
 - 2. Deputies shall sign out the radio on the sign-out sheet.
 - 3. The radio number shall be recorded next to the deputy's name on the Daily Activity Log.
 - 4. Deputies shall replace their radios into the charger at the end of their shifts, making sure the red light is on, and enter the time each radio was returned on the sign-out sheet.

5. Damaged radios shall be submitted with a memo describing the problem to the Field Patrol Sergeant.
6. The Field Patrol Sergeant is responsible for delivering damaged radios to Fleet Maintenance.

B. South Operations

1. Deputies shall check out and return all equipment through the Equipment Room barcode process.
2. All damaged equipment shall be returned to the Equipment Room for repair. Deputies shall advise the Equipment Room personnel of the problem either in person or by attaching a note of explanation to the item.

III. Patrol Vehicle Inspection

- A. A vehicle inspection will be made by each deputy at the beginning of each shift.

Inspection will include the following areas:

1. Interior and exterior for new damage or missing parts.
2. Tires for signs of excessive wear, damage, proper inflation, and wheel rim damage.
3. Brakes (including parking brake) for proper working order.
4. Fuel gauge for full tank.
5. Oil pressure gauge for appropriate oil pressure.
6. Security shield.
7. Remove all found property not assigned to the vehicle and dispose of appropriately.
8. Visually inspect under the front and rear seats for hidden weapons and contraband.

9. Trunk area for emergency blanket, flares, cones, first aid kit, barricade tape and fire extinguisher. If the vehicle should be so equipped, check for spare tire, jack, and tire changing tools.
10. Radio equipment and P.A. system.
11. Vehicle lighting system.
12. If the vehicle should be so equipped, check the Automatic External Defibrillator (AED) for a green light and a set of unused electrodes.
13. Mobile Data Computer (MDC) – Check for function, logon.
14. Patrol Video System (PVS) – Check for function, record for a minimum of five minutes at the beginning of shift, and five minutes at the completion of shift.
15. The inspection and any discrepancies shall be logged on the deputy's Daily Activity Log. For North Operations: whenever a vehicle is checked out and the fuel card is missing, the deputy shall immediately write a DR, to include the name of the last deputy who checked out the vehicle, and submit it to the Field Patrol Sergeant prior to using the vehicle.

IV. Shotgun Safety Check Procedure

- A. A shotgun inspection shall be made by deputies at the beginning of each shift. The inspection will be conducted in the respective patrol divisions' unit parking areas. Harbor Division land units will conduct their inspections in areas outside of buildings in a manner consistent with citizen safety.
- B. The shotgun shall be inspected and made "patrol ready" outside the vehicle.
- C. After determining the shotgun is fully loaded with either four or six shells, as appropriate, the shotgun shall be returned to the shotgun rack and locked into position. The deputy's shotgun key shall not be left in the lock.
- D. The shotgun's status while locked in the lock rack shall always be: magazine tube fully loaded, empty chamber, uncocked, safety on.

V. Field Conduct

- A. Deputies shall at all times conduct themselves in a businesslike and professional manner consistent with their position as the direct representative of the Sheriff-Coroner.
- B. Deputies shall be thoroughly familiar with their assigned patrol areas.
- C. Deputies shall at all times remain fair and impartial in their contacts with the public.
- D. Deputies shall keep their immediate supervisor advised of all significant events or actions during their tours of duty.
- E. Deputies shall respond promptly to all assignments.
- F. Deputies shall avoid prolonged bar checks, coffee stops, patrol checks, and other similar situations, which prevent them from handling further assignments.
- G. Deputies shall remain on duty in their assigned areas, and leave at the end of their shifts only with a sufficient amount of time to accomplish refueling, driving back to the station, unloading and returning equipment, and completion of paperwork.
- H. Deputies shall complete meals or coffee breaks as soon as reasonably practical.
- I. No more than two deputies shall be on a break at one location at the same time.
- J. Deputies shall not leave their assigned patrol areas during their shifts without authorization or directive of their immediate supervisors.

VI. Completion of Shift

- A. All patrol vehicles shall be refueled prior to returning to station.
- B. All activity logs, completed reports, pre-booking forms, citations, F.I. cards, and other forms shall be placed in the appropriate file boxes or baskets for approval or filing.
- C. All DR's shall be completed prior to going off duty unless, prior permission is granted by the Field Patrol Sergeant.

- D. All checked-out equipment shall be returned and signed in prior to going off duty.

VII. Payroll Sign-in Sheets

- A. Deputies are responsible for entering the following information on the payroll sign-in sheet.
 - 1. For regular hours worked; time in; time out; number of hours.
 - 2. For overtime hours worked; time in; time out; number of hours and appropriate overtime coding.
 - 3. Meal break periods; time in; time out; total time.
- B. All overtime for court shall be reported to the appropriate subpoena clerk.

VIII. Worker's Compensation

- A. Any time an employee is injured or exposed to human bodily fluids on duty, a report should be made immediately to the immediate supervisor whether or not the employee desires medical attention.
- B. Patrol Sergeants shall complete and file an Employer's Report of Occupational Injury or Illness, Employee's Claim for Workers' Compensation Benefits, County of Orange Supervisors' Investigation of Employee's Injury or Illness, and an Employee Contact with Bodily Fluid form if the incident involved contact with bodily fluid.
- C. Any time an employee requires emergency treatment, any readily available physician, clinic, and or hospital may be used without regard to county authorized facilities.
- D. Make sure that the County Safety Officer is notified through Control One if the injury results in hospitalization for over 24 hours, or serious injury, disfigurement, or death.

IX. Media Ride longs

- A. Occasionally, members of the press, radio or television media may be authorized by the appropriate division commander to ride along in a patrol unit. When this occurs, the following will apply:
 - 1. Law enforcement's authority to enter a residence, business or area does not apply to media members.
 - 2. No photos may be taken on private property, nor may news media representatives enter private property without the specific expressed consent of the property owner or his/her designee.
 - 3. Each member of the media riding along shall be admonished reference #1 and #2 prior to riding.

X. Locating Deputies Who Do Not Respond To Their Radio

- A. It will not be assumed that a deputy who fails to respond to his or her radio is merely being inattentive and is not actually in danger or in some way incapacitated.
- B. The following steps will be taken when a patrol unit fails to respond after three (3) requests from ECB:
 - 1. The patrol supervisor of the deputy who does not answer his or her radio will immediately notify the Department Commander of the situation. The Field Patrol Sergeant will provide the Department Commander with the missing deputy's name, patrol vehicle number, and any information regarding the last known location of the deputy.
 - 2. If available, the MDC's mapping function shall be used by the Field Patrol Sergeant, ECB, and other available patrol vehicles to locate the deputy.
 - 3. If it is know that the deputy has a cellular phone, the Field Patrol Sergeant will attempt to call the deputy.
 - 4. ECB will continue to attempt contact with the patrol unit at five-minute intervals until the deputy responds, or the patrol unit is located.

5. Under the direction of the responsible Field Patrol Sergeant, a search will commence in an attempt to locate the missing unit. Air support may be used at the discretion of the sergeant. If used, the air support unit will be provided with the patrol vehicle's unit number and last known location. The search will not cease until the deputy is located.
6. If the missing patrol unit is not located within thirty minutes of the first call, the division commander will be notified of the situation and Control One will be asked to put out a Red Channel broadcast.
7. The responsible Field Patrol Sergeant will submit details of the incident, in writing, to the division commander before going off duty.

SPECIAL EVENTS

- I. Introduction
 - A. Special Events are planned functions that require supplemental directed law enforcement services.
 - B. Requests for special event services may originate from a variety of sources, which include; other agencies, local law enforcement agencies and private organizations.
- II. Request for Special Event Services
 - A. The promoter or agency representative will request supplemental enforcement services for a special event via a letter of request addressed to the appropriate division commander.
 - 1. The request letter should include information on the type of event, date and times, special activities and the estimated attendance.
 - 2. Request letters from county agencies will include the agency's billing information and an agreement to reimburse OCSD for services.
- III. Preparation
 - A. When a request for special event services is approved by the division and/or bureau commander, the OCSD event sergeant (or designee) will meet with the event promoter or agency representative.
 - 1. During this meeting, information will be obtained that will determine staffing /equipment deployment level appropriate for the event.
 - 2. To facilitate this process, a special event information worksheet will be utilized.
 - 3. As appropriate, the event sergeant will contact the law enforcement agency of the city or county where the event was last held.

- a. Obtain information as to the crowd size, number of officers assigned and whether there were any significant incidents or problems.
 - b. Contact OCSD Dignitary Protection/Intelligence unit if appropriate to obtain a threat assessment.
 - B. After a review of the information, the event sergeant will determine the number/type of personnel to be deployed in order to provide an adequate level of law enforcement/security service.
- IV. Contract and Billing Services
 - A. County agencies requesting supplement law enforcement services will provide OCSD Financial Services with their department billing information (fund, agency, organization, job cost, and object).
 - B. Other law enforcement agencies and private promoters are required to execute a formal written contract for services through OCSD Financial Services.
 - 1. The event sergeant will forward number /rank of personnel and the number/types of vehicles to be deployed. To OCSD Financial Services.
 - 2. OCSD Financial Services will determine personnel and equipment costs for the event and will draft a contract to be signed by the local agency or private promoter.
 - a. OCSD services will not be provided without a contract.
- V. Assignment of Personnel
 - A. Assignments to most special events will be on an overtime basis.
 - B. The event sergeant will prepare briefing memos announcing the event and the procedures for personnel to sign up to work.
 - C. Events requiring four or more deputies will usually require the assignment of a sergeant for on-site supervision.
- VI. Operations Plan
 - A. The event sergeant will develop an Operations Plan for the event.

B. The Operations Plan will include the following:

1. Date and times of the event.
2. Location: street, address, name of venue, map grid, etc.
3. Contact persons promoter/event coordinator name and contact information.
4. Background: type of event and planned activities, historical information as appropriate, past noteworthy incidents/law enforcement actions, estimated attendance, alcohol policy and any special concerns.
5. Mission Statement: purpose of OCSD deployment and specific role of assigned personnel.
6. Supervision: name of on-site supervisor for event or sergeant responsible for indirect supervision.
7. Enforcement: special enforcement /security concerns and applicable laws/ordinances specific to the event.
8. Private Security: company name, contact information for the on-site supervisor, uniform/ID information and their role and responsibilities.
9. Outside Law Enforcement Agencies: contact information for the designated department representative, their mission/roles and responsibilities.
10. Personnel Assignments: roster that includes deployment times, names, PID #'s and radio call signs of assigned personnel.
11. Logistics: briefing time/location, equipment check out/return procedures, field equipment required and timekeeping information.
12. Communications: primary/alternate radio talkgroups as required. Include cell phone information as applicable.
13. Documentation: reports/activity log procedures and submittal instructions.

- C. All assigned personnel should be given a copy of the Operations Plan.

VII. Equipment and Communications

- A. The event sergeant will arrange for and reserve the vehicles, pac-sets and any other equipment required to support OCSD operations at the event.
- B. As appropriate, the event sergeant should consider (arrange through Control One) the utilization of an alternate radio talkgroup, other than those regularly utilized by OCSD on a daily basis.

VIII. Deployment

- A. If appropriate, a pre-event briefing will be conducted.
- B. If there is no formal briefing, all personnel will proceed directly to the event site assuring their arrival at the designated deployment time(s).
- C. The event sergeant or assigned deputy should make contact with the event promoter upon arrival.

IX. Post Event Actions

- A. All equipment will be returned as per the directions listed in the logistics section of the Operations Plan.
- B. If a sergeant was assigned to the event, they will review/approve all reports and activity logs. If no sergeant is assigned, these documents will be submitted as any other field generated report.

X. Billing Procedures

- A. The event sergeant will submit timesheets and mileage to OCSD Financial Services for billing purposes.

XI. After Action Report

- A. The event sergeant will complete an After Action Report and submit it to the division/bureau commander as appropriate.
 - 1. This report will include an overview of the event, arrest statistics, summary of any major incidents and recommendations for future deployments.

TAGGING AND BOOKING PROPERTY

- I. Classification of Property- Property and Evidence accepted by the Property/Evidence Detail is classified as one of the following:
 - A. Found Property- Non evidentiary property, which after coming into the custody of the Sheriff's Department, has been determined to be lost or abandoned, and is not known, or suspected to be connected with any criminal offense.
 - B. Safekeeping- Safekeeping is non-evidentiary property that is temporarily stored with the Property/Evidence Detail for protection on behalf of the owner.
 - C. Evidence- Property which may be related to a criminal offense, or which may implicate or clear a person of a criminal charge.
 - D. Destruction- Items collected and booked with the Property/Evidence Detail for the sole purpose of having the item(s) destroyed. Examples: Contraband items seized by a Deputy with no suspect, Court exhibits returned along with a court order for destruction, bulk found property stored at an outlying facility in excess of 90 days (Airport, Courts, Social Service buildings) with no owner identified, etc.
 - E. Asset Forfeiture- The Property/Evidence Detail will temporarily store asset forfeiture items (vehicles, currency) for investigation pending court authorization to convert these items to department use.
- II. Tagging and Booking- After collecting, identifying and preserving Property and Evidence (Refer to Section 19 Evidence), the item must further be identified with a completed property/evidence tag.
 - A. The Property/Evidence tag is obtained by entering all of the booking information into P.E.A.B.I.T.S. (Property/Evidence Automated Booking Information Tracking System), which will print out the Property/Evidence tag with the DR#, complete description of the item, notation of any special handling needed, the charge, name of suspect, date of collection, and the name of the person collecting the evidence.
 - B. P.E.A.B.I.T.S. will also print out a bar code label with the item number being the DR#, along with the specific item # (e.g. 03-012143.1). Both items will then be properly attached to the package, and the

Property/Evidence tag initialed by the person booking the evidence in the initials box located at the lower left hand corner of the tag.

C. Property Listed as Found or Safekeeping

1. Property with serial numbers should be checked through Teletype for stolen and given a FCN number.
2. Attempt to have property of arrestee booked with them at the Jail.
 - a. If you are unable to book the property at the jail, you will book it into an evidence locker and mark it accordingly (Safekeeping, found, etc.).

D. Property Booked as Evidence

1. Try not to leave suspect or victim's name as unknown.
2. When entering information into P.E.A.B.I.T.S., remember to mark the appropriate Special Handling to alert Property/Evidence staff. The Special Handling tool bar includes bicycles, counterfeit, firearms, hazardous materials, narcotics, none, and U.S. currency. The check box section next to it includes biohazard, latent, freeze, refrigerate, and search warrant.
3. All items to be worked by the Crime Lab must have a work request completed. This is accomplished by entering a request on the Crime Lab's online system, Work Request and Case Status (WRCS), at www.occl.ocgov.com. All WRCS users must have prior authorization to enter requests into the system.

III. Special Handling Items- Property and/or evidence is considered "Special Handling" Items when they are either Dangerous (firearms, explosives, syringes and sharps, or flammable substances) Difficult to Package or Store (bulk items, vehicles, long items, bicycles), Perishable (items requiring refrigeration, such as liquid bloods, alcohol or urine; or freezing, such as DNA related evidence, rape kits, or other perishable items) or require Special Storage (narcotics and currency).

A. Dangerous

1. Firearms- The following guidelines will be followed when booking a firearm into evidence.
 - a. Safety first.
 - b. NEVER PLACE A LOADED FIREARM IN AN EVIDENCE LOCKER.
 - c. If the weapon is being collected because it is found or recovered property or being taken for safekeeping, it should be rendered safe and unloaded by the Deputy.
 - d. If the weapon is being collected as evidence because of an incident involving possession, discharge, brandishing or display, it may be rendered safe and unloaded by the Deputy.
 - e. An auto-loading weapon should be unloaded by removing the magazine and removing any unfired cartridge from the chamber. Do not remove the rounds already in the magazine.
 - f. The weapon should be rendered safe, with the slide, cylinder, or bolt in the back or open position. A plastic cable tie should be placed on the weapon in such a way as to render the weapon safe, and placed in a firearm's evidence box.
 - g. Handguns should be placed into the locker with the weapon facing away from the locker opening. (Place in box with evidence tag).
2. Explosives- All "common fireworks" including safe and sane fireworks or small quantities of "special fireworks" that are deemed safe to transport, may be collected, and stored in one of the temporary property and evidence storage lockers. All fireworks or explosive materials larger than an M-80, whether evidence or not, should not be handled by patrol personnel. H.D.S. should collect unstable or large quantities of explosives at the scene, and handle per their policy.
3. Syringes and sharps- All needles and syringes SHALL be placed in a protective syringe tube prior to sealing the item in a paper bag or envelope. The outside of the bag or envelope shall be

marked with "biohazard" in writing or with a "biohazard" sticker to warn all employees that handle the item that it contains a sharp object that may be contaminated with an infectious disease. Bladed weapons need to be wrapped in heavy paper or cardboard and taped securely. No syringe, needle or bladed weapon will be accepted as evidence if the item is not properly booked. Refer to "Right of Refusal" Policy.

4. Flammable substances- paints, propane canisters, and other liquid flammable substances may be stored in a temporary locker only if the containers are tightly secured, and are free from liquid or chemical discharge. Property/Evidence staff will then transport these items to the Property Warehouse for storage. The Property/Evidence Detail will no longer accept any hazardous waste items. Chemicals seized at methamphetamine labs are considered hazardous waste and will be processed directly with the Crime Lab.

B. Difficult to Package or Store

1. Bulk items- large bulk items (furniture, motors, computers, etc.) are stored at the warehouse, and Property/Evidence staff will respond to assist patrol and investigation with the collection of these items.
2. Vehicles- Vehicles may be seized for evidentiary purposes. Vehicles that are evidence to a serious offense that need to be worked for forensic evidence should be followed to the Brad Gates Forensic Science building located at 320 N. Flower St., in Santa Ana and secured in their evidence garage. A "hard" evidence tag should be filled out, and placed under the wiper blade of the vehicle.
 - a. Vehicles that cannot be later released by Investigation will be stored in the Property/Evidence Detail Vehicle Evidence Lot located behind the Theo Lacy Branch Jail until the criminal case is fully adjudicated, and when civil liability involving the County of Orange no longer exists (e.g. officer involved shootings, officer involved traffic accidents with serious injuries, etc.)
3. Bicycles- After entering the data into P.E.A.B.I.T.S. (Property/Evidence Automated Booking Information System), and attaching the Property/Evidence tag and bar code label

onto the bicycle, it may be placed in the appropriate storage area of that facility.

- C. Perishable (items requiring refrigeration, such as liquid bloods, alcohol or urine; or freezing, such as DNA related evidence, rape kits, or other perishable items).
1. Liquids- Liquid evidence can include blood vials, urine samples, alcohol, etc. Liquid evidence must be stored in the walk-in refrigerator located in the Central Property/Evidence Office. Do NOT store liquids in the freezer, as it will cause the liquid to expand and break the container.
 - a. All open containers must be emptied, except for a sample vial.
 - b. All gasoline containers must be emptied.
 - c. Other perishable items should be marked as such, photographed, and destroyed.
 2. Solid Perishables- Dried blood items must be stored at a controlled room temperature, or in the walk-in freezer. This will help preserve possible DNA evidence. These items may be placed in a temporary property/evidence storage locker pending movement by Property/Evidence staff. The deputy will indicate on the property/evidence card any special handling requests (e.g. refrigerator, freezer). Low priority crimes, such as; assaults, burglaries, etc. can be stored on the shelf at the Central Property/Evidence Office. This area maintains a controlled room temperature of approx. 73 degrees. High priority crimes, such as homicides and rape cases should be stored in the freezer. Perishable items will also be stored in the freezer, such as body parts or food items.
 3. Wet Blood Stain Evidence- The Crime Lab should be contacted to collect evidence that contains wet blood, and will treat this evidence as biohazard material. The Crime Lab will have these items placed in their drying room to avoid cross contamination until dried, and will book the item into evidence.
 4. Food Products- Do NOT book perishable food products unless the item is needed in a serious criminal investigation requiring bite mark examination or for DNA evidence. In those

circumstances, the evidence can be collected and delivered directly to the Central Property/Evidence Office located at 320 N. Flower St., in Santa Ana and secured in the evidence freezer. After normal business hours (Monday through Friday 0700-1700 hrs), this type of evidence can be collected by ID or the Crime Lab to be secured in their freezer pending examination.

D. Special Storage

1. Narcotics- Special care and handling should be observed when working with any narcotic type evidence to avoid possible exposure to staff. All narcotics evidence must be packaged in two ziplock or heat sealed plastic bags, of appropriate size, unless plant material. All primary packaging (baggie, bindle, paper, ziplock) must be contained in at least one additional (sealed) plastic bag. Evidence is then sealed in an envelope. The deputy should seal the container with an evidence seal or clear packing tape, and place the date and their initials on the seal. For further details, refer to Field Operations Advisory 54 (Narcotics testing and collection).
 - a. Narcotics, liquid: Place in barrier proof vial followed by a plastic bag, and then place it in a second sealed bag then seal into a 6" x 9" envelope. Extreme care should be used with liquids, such as PCP, LSD, etc. Liquids can be absorbed through the skin on contact.
 - b. Narcotics (except marijuana), non-liquid: The primary container shall be placed in a ziplock or heat sealed plastic bag then placed in a second sealed bag and then sealed within an envelope or bag. Items such as cocaine, cocaine derivatives, PCP, methamphetamine, heroin, etc. should be packaged in a way to prevent leakage from the container. If fentanyl or similar toxic substance is suspected, it must be noted in the Crime Lab's WRCS request and documented on the evidence whenever possible. Sealing some of these types of narcotics in a polyethylene type envelope or bag will prevent cross contamination and exposure of staff.
 - c. Marijuana: Marijuana should be as dry as possible, and stored in paper envelopes or paper bags, appropriate to the size of the evidence. Marijuana should not be sealed

in plastic because it will mold and turn to a toxic liquid substance.

- d. Large quantities (kilos): All large item cases of 400 grams or more, including kilos, must be in plastic ziplock or heat sealed bag then placed in a second sealed bag prior to placement in boxes or paper bags
- e. Storage standards for narcotics: Narcotics can be stored in a temporary property/evidence locker pending the routine evidence pickup with the exception of fentanyl or related substances. Narcotics must be packaged and booked separate from other items of evidence.
 1. Large quantities of narcotics will NOT be stored in temporary property/evidence lockers. The deputy will transport the narcotics directly to the Central Property/Evidence Office, and the Property/Evidence Detail supervisor will immediately place the item(s) in the vault. If after hours, the Department Commander will notify the Property/Evidence supervisor, who will evaluate the need for additional staff to assist with the transportation of evidence. Due to the different types of narcotics, sizes and values, it is the discretion of the deputy in what constitutes "large" quantities.
 2. When fentanyl or suspected toxic material is collected, that evidence shall be transported and booked as soon as practical into the evidence lockers at the Brad Gates Building only.
2. Currency- When cash is seized along with other evidence, the amount of cash and type (i.e., whether it is U.S. or foreign currency) must be clearly marked on the evidence tag. The deputy conducting the inventory will book the currency separate from other items, and the outside of the envelope will contain the number of denominations and total amount of currency. Currency in the amount of \$2,500 or less may be placed in a temporary property/evidence locker.

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- a. When large amounts of currency (excess of \$2,500) or other valuables requiring exceptional security are collected, deputies will adhere to these procedures:
 1. The seizure should be inventoried immediately prior to booking and packaging with seals attached to detect tampering. The inventory should include the number of denominations, and total amount or value. A supervisor prior to sealing the envelope will verify the count of the money. Both the deputy and supervisor will date and initial the seals that are placed over the opening of the envelope.
 2. The deputy will transport the verified and sealed envelope to the Central Property/Evidence Office, and give it to the Property/Evidence supervisor who will place the currency into one of the money safes. If it is after hours, the Department Commander will notify the Property/Evidence supervisor, who will respond to secure the currency.
 3. Homicide/Missing Person Evidence- Homicide/Missing Person evidence requires a “red” Property/Evidence tag when printing the tag from P.E.A.B.I.T.S. (Property/Evidence Automated Booking Information System). This will assist Property/Evidence staff in storing these items in a special location.
 4. Photography and Digital Media- All photography and digital media shall be entered into P.E.A.B.I.T.S., and booked as evidence.
 - IV. Right of Refusal Policy- Property/Evidence staff has the right to refuse to accept any property that is improperly packaged or incompletely documented. The person booking the item WILL be required to pick the item up, and to correct the error. Property staff are not allowed to process the item until the deputy or investigator has corrected the error.
 - V. Field Calls
 - A. When property is too bulky for transportation via a patrol car, the Property/Evidence Detail may be contacted to assist. Prior to the arrival of Property/Evidence staff, all items to be submitted for storage must contain a completed “hard” Property/Evidence tag. Property/Evidence
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staff will complete the booking process into P.E.A.B.I.T.S., and place the new property/evidence tag and bar code label on the item(s) prior to storage.

- B. The deputy requesting assistance will remain with the property until the Property/Evidence staff arrives, and will remain with the staff member for the duration of his/her stay.

TRAFFIC CONTROL

- I. Every member of the department will wear a reflective traffic safety vest anytime he or she is working in a roadway directing traffic, setting up traffic control equipment, or investigating collisions.

- II. Use of the Flare
 - A. Do not look directly at the flare; the light can cause temporary blindness.
 - B. Strike the flare away from yourself.
 - C. In rain, lay your flare on top of the cap.
 - D. The reason for the flare is to eliminate the need for a deputy through the use of a mechanical device.
 - E. Be careful of gasoline or other flammable liquids spills.
 1. Do not place the flares in spills, or where the spill will flow into them.
 2. Beware of flammable liquids fumes; they will drift in the direction the wind is blowing.
 - F. Put one flare 100-150 yards from the scene as a warning to oncoming traffic.
 - G. Flare patterns: Use sufficient flares to control the situation, but do not overdo it.

- III. Directing Traffic by Hand
 - A. When you have to direct traffic, it is your job to tell people how, when, and where they may move in vehicles and on foot. It is important for all deputies to direct traffic in the same way to avoid confusing the public.
 1. The gestures should be made where the driver can see them from a far distance.

2. You want people to know that you are the person who will tell them what to do. You must know how to tell them to stop, start, and turn by using gestures.
3. Stand where they cannot fail to see you. This is usually right in the center of the intersection.
 - a. Stand straight with weight the same on each foot.
 - b. When not signaling with your hands, let them rest easily at your side.

IV. Disabled Motorists

- A. California Vehicle Code Section 20018, Disabled Motorists, requires law enforcement agencies having traffic enforcement responsibilities to provide assistance to disabled motorists.
- B. It is the policy of this Department that whenever a deputy observes a disabled motorist who appears to need assistance, and he/she is not responding to a call for service or other urgent matter, the deputy will stop and offer the motorist a means to obtain assistance. This may be accomplished by transporting the motorist to a nearby telephone, local service station, or other satisfactory means of obtaining assistance. If a telephone is not available, dispatch may be utilized to contact Roadside Assistance. Medical assistance will be provided if necessary, as in any other medical aid situation. Deputies are encouraged to follow this policy in all areas of the County. Deputies are not to provide direct assistance, such as fixing a mechanical problem or a flat tire.
- C. A copy of this policy will be available to citizens upon request. Requests should be referred to the Professional Services Division Captain.

UNUSUAL OCCURRENCES/HOT CALLS

- I. First Step In Handling Any Unusual Occurrence
 - A. Survey the scene and evaluate
 1. Determine what you have.
 2. Seriousness.
 3. Extent of involved areas.
 4. Estimate duration of the incident.
 5. Is outside assistance required?
- II. Responsibility
 - A. Responsibility for implementing a plan of action rests with the assigned deputy on scene. That deputy will remain in charge until relieved by a Field Patrol Sergeant or person of higher rank.
 - B. Any transfer of command of a field situation must be clearly understood and communicated to all persons involved in the action.
 - C. Often, field deputies not assigned to unusual occurrences or hot calls may be closer and/or able to respond more quickly to the call. It is the responsibility of the individual deputy responding to unusual occurrences or "hot calls", if not assigned to the call, to notify Sheriff's Dispatch as soon as practical or safe to do so. If the call requires a code three response, responding deputies shall immediately notify dispatch of their unit number and the location they are responding from (see Lexipol Section #314). If not responding code three, notification may be made via radio or MDC when it is safe and practical to do so.
 - D. Hot calls are often spontaneous and quickly evolving. If deputies have any professional staff members with them, the deputy should attempt to ensure their safety at all times. Some general recommendations are:
 1. If responding to a critical incident/hot call, the deputy should, if at all possible, keep professional staff away from the scene or incident until it has been declared safe.

2. If a situation presents itself without the benefit of time (immediate confrontation), the deputy should give directions to the professional staff member to remain in the vehicle (if applicable), move to cover or to flee the area until it is declared safe.
 3. If responding to a hot call with known or potential hazardous circumstances (ie: armed suspects, shots fired, crimes in progress) the deputy should be mindful of the safety of the professional staff member and ensure their safety prior to responding to the call.
- E. At no time, if present during a critical incident/hot call, should professional staff members perform or attempt to perform any law enforcement activities.
- F. All OCSD professional staff are prohibited from responding to any critical incidents/hot calls involving violence, the potential for violence, weapons, or any request for a code-three response by deputies (ie: assaults, armed suspects, shots fired, crimes in progress, etc.) unless directed to by deputies, a supervisor or the Department Commander.

III. Field Command Post

A. Site Selection

1. Strategically located to the incident--near the scene, but not in the way of the operation.
2. Accessible to support personnel and equipment. Clear roads into and out of the area.
3. Secure from attack or the path of the disaster.
4. Communications.
 - a. Telephones available.
 - b. Clear a radio frequency through Control I.
5. Water and electricity available.
6. Restrooms.
7. Sufficient space for responding personnel and equipment.

B. Possible Sites

1. Schools.
2. Public buildings.
3. Private buildings.
4. Control 2 or 4.
 - a. Mobile communications centers available through Control I.

C. Establish the Command Post

1. Evaluate the situation.
2. Notify the Department Commander and responding units of the Command Post location.
3. Appoint Command Post personnel--may only be one person.
 - a. Historian.
 1. Maintain CP log. Log every action taken, time taken, equipment and reimbursement of same. Post operation critique.
 - b. Radio operator.
 - c. Intelligence officer--gather and evaluate incoming information.
 - d. Liaison officer--coordinates with other agencies involved.
 - e. Additional personnel as needed.
4. Request sufficient personnel.
 - a. Respond to the Command Post, not to the scene.
5. Request specialized units.
 - a. SWAT

- b. HDS
 - c. Hostage negotiators.
 - 1. Will respond to any situation in which a trained communicator would be helpful, e.g., hostage, barricaded suspect, suicide threat.
 - d. Search and Rescue.
 - e. Field Booking Team.
 - f. Aviation Support Unit
 - g. Press Information Officer.
 - h. Identification Bureau.
 - i. Coroner.
6. Request support personnel.
- a. Reserves and Explorers.
 - b. CHP for traffic and perimeter control.
 - c. Paramedics.
 - 1. Hospital notification.
 - d. Fire Department.
 - e. Ambulance standby.
 - f. Utility companies.
 - g. Other police agencies.
 - h. Other public agencies.
 - 1. PFRD--road barricades, sandbags, shovels, equipment.

i. Volunteer agencies.

1. Red Cross.

a. During disasters, provide and staff evacuation centers.

2. Salvation Army.

3. Churches.

D. Post Operation

1. Account for personnel and equipment.

2. Clean up.

3. Debrief.

IV. Barricaded Suspect/Hostage Situation

A. The deputy in charge of a barricaded suspect or hostage situation is primarily responsible for protecting lives, minimizing injuries, and gathering intelligence. Initial response should be directed towards containing and neutralizing the suspect pending arrival of SWAT. Once contained, time is the best asset available to the deputy in charge. The following considerations should assist the deputy in charge in neutralizing the suspect until his arrest can be made. (See the section which describes the Critical Incident Response Team).

B. Immediate Considerations

1. Evaluate the situation.

2. Confine the suspect(s) to present location.

a. Establish inner perimeter.

3. Request sufficient personnel.

4. Determine crime involved.

5. Determine suspect(s) weaponry.

6. Establish CP strategic to incident, outside inner perimeter.
7. Establish outer perimeter.
 - a. Seal off area to pedestrians, sightseers, vehicles (CPC 409.5).
8. Request SWAT.
9. Request Hostage Negotiations Team.
10. Request support personnel.
 - a. Fire department, paramedics, ambulance standby.
11. Detain persons who can supply pertinent information; relatives, friends, witnesses.
12. Evacuate injured and civilian personnel in adjacent buildings.
13. Communicate suspect information to all personnel involved.

C. Tactical Considerations

1. Location of suspect inside structure.
2. Maintain control of responding units.
 - a. All personnel report to CP.
 - b. Brief before deployment.
 - c. Maintain communications.
 1. Clear frequency through Control I.
 2. Frequently update personnel deployed on current status and plan of action.
3. Establish telephone communication with suspect.
 - a. If hostage involved, phone lines may be altered to allow only authorized personnel phone contact with suspect (PUC 7907).

- b. Every effort must be expended to obtain the voluntary surrender of the suspect.
 1. Keep your communications with the suspect to a minimum. Tell him/her the department negotiators are responding.

D. SWAT Arrival

1. Team leader briefed.
 - a. Team deployed.
2. Mission given to SWAT by the sergeant/deputy in charge.
 - a. SWAT team leader then takes charge of situation.

**VEHICLE ABATEMENT/ABANDONED VEHICLES &
72 HOUR TOWING PROCEDURES**

I. 72 Hour Towing

A. Authority

1. CVC 22651K is the storage authority which states: A peace officer or person enforcing parking laws may remove a vehicle from a highway when it is parked or left standing on a highway (CVC 360 and 590) for 72 or more consecutive hours in violation of a local ordinance authorizing removal.
2. OCCO 6-4-604 (includes Laguna Woods, Aliso Viejo, and Rancho Santa Margarita), LHMC 11-12.050, LNMC 7-4-604, MVMC 12.08.040, DPMC 12.08.020, LFMC 12.16.050 and SCO 10.08.010d authorize removal of a vehicle from any public street or highway if it has been parked in the same place more than 72 consecutive hours. Villa Park's 72-hour ordinance does not authorize removal.

B. Policy

1. The 72 hour towing authority is a law enforcement tool to be used at the discretion of the deputy, SSO or parking control officer in handling aggravated parking situations. Its primary function is to prevent use of streets for long-term storage of vehicles not used regularly.
2. Deputies, SSO's and CSO's are expected to use good judgment in enforcing the above ordinances. Towing of such vehicles is not mandatory and should be done only after a citation and/or warning notice have been issued and the vehicle has still not been moved.

Moreover, deputies, SSO's and CSO's are expected to attempt to make contact with the registered owner or responsible party (via license plate/VIN). If this cannot be accomplished, an effort to talk to at least two residents of the area shall be made to determine if there is a legitimate reason for the vehicle being parked more than 72 hours (for example, owners on vacation or long weekend).

3. Deputies, SSO's and CSO's must avoid becoming involved in neighborhood disputes regarding parked cars. It may be a valid 72-hour citation, but unless the time is substantially more than 72 hours, a tow would be inappropriate. Talking to all parties involved would be more correct.
4. If the vehicle owner or persons in lawful possession of the vehicle arrives before the tow truck leaves, the vehicle must be released to that person without charge. The deputy, SSO or CSO's may not take back a citation, however.

C. Procedure

1. Upon receipt of a 72-hour violation call or observation of a possible violation, the deputy or CSO will check the vehicle for stolen by running the VIN and license plate. If it's not stolen, PLAINLY MARK the vehicle's location in some manner (chalk or crayon mark near the front and back of at least one tire on the asphalt or ground only. The vehicle itself shall not to be marked in any way, including chalk, crayon, or placing a rock or penny on the tire). If in a residential area and the hour is appropriate, try to talk to the resident where the vehicle is parked. Often, advising the vehicle owner of the violation will take care of the problem. If unable to contact the owner, a Sheriff's Warning Notice will be CONSPICUOUSLY AFFIXED to the vehicle.
 - a. South County parking enforcement personnel will also check their assigned area(s) vehicle F. I. file before going into the field each day.
2. Follow up in 72 or more hours to verify the vehicle has been moved. If it has, no further action is required. If it has not been moved, the deputy or CSO may:
 - a. Issue a citation for 72 hour parking and a warning notice to indicate the vehicle may be towed.
 - b. Issue a warning notice only.
 - c. If it is obvious the vehicle has been there a long time, the deputy or parking control officer must attempt to contact the registered owner or responsible party (via license plate / VIN) to determine who owns the vehicle. If the registered cannot be identified / located, contact with at least two

local residences shall be made in an effort to identify a responsible party. If the owner has moved, the vehicle may be towed.

3. Follow up in three days. If the vehicle is moved, no further action is taken. If not, the deputy or CSO may tow the vehicle, remembering the purpose of the ordinance and department policy in "B" above.

D. Reports required

1. CHP 180 for stored vehicle
2. Storage authority is CVC 22651k
3. Report narrative must include name, address, and telephone number of persons in the area who the deputy or CSO talked to regarding the vehicle and what they said. This protects the officer and department against claims of unfairness.

II. Abandoned Vehicles

A. Authority

CVC 22669d states, " Motor vehicles which are parked, resting, or otherwise immobilized on any highway or public right-of-way and which lack an engine, transmission, wheels, tires, doors, windshield, or any other part or equipment necessary to operate safely on the highways of this state, are hereby declared a hazard to public health, safety, and welfare and may be removed immediately upon discovery by a peace officer or other designated employee of the state, county, or city."

B. Policy

Deputies or parking enforcement officers finding vehicles described in CVC 22669d may remove/store such vehicles from the highway immediately. Such vehicle must be truly inoperative and a hazard to public health, safety, and welfare. The conditions causing these hazards must be clearly stated in the report.

C. Procedure for removing vehicles under CVC 22669d

1. Upon receipt of a call or observation of a vehicle described in CVC 22669d, the deputy or CSO must talk to persons in the immediate area to try and determine who the owner is or person in control of the vehicle. Check the VIN and license plate number to identify the registered owner and whether or not the vehicle is stolen.
2. If the owner or person in charge of the vehicle agrees to remove it, no further action is necessary. Deputies and CSO must remember that removing such a vehicle to the owner's property may place the vehicle in violation of the Vehicle Abatement Ordinance described in Section III.
3. If the vehicle is still present after three days, the deputy or CSO may store the vehicle.
4. If no owner can be located, the vehicle may be stored immediately.

D. Reports required

1. CHP 180 for stored vehicle.
2. Storage authority is CVC 22669d.
3. Report narrative must include name, address, and telephone number of any persons contacted. It must also include details of what makes the vehicle subject to tow under CVC 22669d (no engine, transmission, all tires flat for a long time, windows broken out, etc). Minor equipment violations such as cracked windshield, broken light, etc., which make a vehicle unlawful to operate on a highway does not, on their own, qualify a vehicle for storage under CVC 22669d.

III. Vehicle Abatement Procedures - Unincorporated Areas and Contract Cities Which have Adopted County Ordinances

Apply this to vehicles or parts thereof that are abandoned, wrecked, dismantled, or inoperative on private property.

A. Field Deputies and Community Service Officers

1. If the call is an assignment and the informant is known, the field officer will contact the informant, examine the vehicle and determine if a violation of the abatement ordinance is present.
2. When violation of the abatement ordinance is present the field officer will do the following:
 - a. Determine the registered and legal owner of the vehicle.
 1. When registration documents are not available, use the DMV computer via Control I.
 2. Attempt to contact the occupant of the property and advise the occupant of the violation.
 3. Advise the occupant that the violation may be corrected by removing the vehicle from public view by placing it in a closed garage, other building, or have vehicle legally removed from property.
 4. If the occupant or the property owner cannot be located, such as vacant lots or parking lots, a Sheriff's Warning Notice will be left on the vehicle. An explanation will be written on the back of the notice explaining how to correct the violation.
3. If the vehicle is removed from public view while the deputy or parking enforcement officer is present, no further action is required other than to make an entry on the Daily Activity Log. If there is no violation, an entry on the Daily Activity Log explaining why there is no violation is required.
 - a. The field officer will enter the name and telephone number of the person contacted on the log and a statement of how the violation was corrected with vehicle description, VIN, and/or license plate number if available.
4. If the vehicle is not removed from public view while the officer is present, an FI titled "Vehicle Abatement" will be initiated.
 - a. The name, address, and telephone number of the person contacted will be furnished in the comment section. The original will be kept by the field officer until completed. The field officer will place a warning notice on the vehicle.

A copy of the form will be forwarded to the clerical staff of the respective division via the patrol sergeant.

- b. After 3 days, the Deputy or CSO must return to the location to see if the vehicle has been abated. The officer will note on the Abatement form the date, time, and whether or not the violation still exists. This information is essential, as it will determine if additional abatement steps are necessary. If the vehicle has not been moved, a citation for a 72-hour violation and a second warning notice will be completed and left on the vehicle.
 - c. A field deputy or CSO, upon receipt of a copy of the Vehicle Abatement Letter, Abatement report form, and the DMV printout, will fill out the CHP 180 Vehicle Storage Report. The deputy or CSO will request a DR number and a tow truck from dispatch, and store the vehicle. The deputy or CSO will attach the Vehicle Abatement Letter, and the DMV printout to the CHP 180 form and submit it to the patrol sergeant.
 - d. The deputy or CSO must collect any license plates, registration, or ownership papers and place them in Property using a found property tag.
5. If a violation of the Vehicle Abatement ordinance is not present, the field deputy shall note in the Daily Activity Log why the reported violation is unfounded.
 6. Observations of abandoned, wrecked, dismantled or inoperative vehicles, or parts of vehicles on private property or public property, not including highways, as a public nuisance by a field deputy or parking enforcement officer are handled in the same manner as assignments.
 - a. The deputy or CSO will attempt to locate and contact the occupant of the property and advise the person that a violation of OCCO 6-4-800 exists on the property.
 - b. The deputy or CSO will advise the occupant that the violation may be corrected by placing the vehicle in a garage or other building out of view, or have the vehicle legally removed from the property.

- c. The deputy or CSO will advise the occupant that the violation may be corrected by placing the vehicle in a garage or other building out of view, or have the vehicle legally removed from the property.
- d. If the vehicle is not removed from public view while the deputy or CSO is present, an FI titled "Vehicle Abatement" and initiate vehicle abatement procedures, as outlined in Section III,A,4.

IV. POST STORAGE HEARING

A. If a vehicle has been stored by a deputy, S.S.O. or CSO and, upon notification to either the legal or registered owner per CVC 22852, the owner requests a post storage hearing, the following procedure will be followed.

1. Respective area - North Traffic Sergeant or South Traffic Bureau

a. Obtain the party's name, address and telephone number, and set a time for a post storage hearing to be held within 48 hours from the time of receipt of request [per CVC22852 (A) (3)]

b. North - Advise the department commander of the date and time set for the hearing.

1. If the Department Commander or his designee is unavailable to conduct the hearing, the traffic sergeant will act as the hearing officer.

c. South - Advise the South Operations Bureau Commander or contract city chief of police services of the date and time set for the hearing.

1. If the bureau commander, chief of police services, or their designee is unavailable to conduct a hearing, the administrative sergeant will act as the hearing officer.

d. Notify the party by letter of the date, time and location of the post storage hearing.

e. Obtain copies of all documentation pertaining to the case.

- f. Notify and request the presence of deputies, SSO's or CSO's involved in the case. Both those who initiated and/or actually stored the vehicle.
 - g. Forward entire package to the respective hearing officer.
2. North Department Commander/South Bureau Commander/Chief of Police Services.
- a. The respective area will conduct the post storage hearing, obtaining statements either in writing or in person from the party requesting the hearing.
 - b. Obtain statements and ask questions of the deputies, SSO's or CSO's involved and examine any evidence for or against the storing of the vehicle.
 - c. Obtain statements and examine any evidence produced by witnesses the party requesting the hearing might present.
 - d. Upon completion of examining the statements and evidence presented at the hearing, present the findings and recommendations in writing, to the respective division commander.
 - e. Place a copy of these findings and recommendations into the DR file for the purpose of maintaining the file in case the party wishes to appeal the findings of the hearing, per VC 22650 (b)
 - f. Upon approval of the findings and recommendations by the division commander, a letter shall be forwarded to the party that requested the hearing as to those findings.

VEHICLE REMOVAL AUTHORITY

Unless a vehicle is being towed because it has been reported stolen or is evidence of a crime, Sheriff's personnel shall be guided by the Community Caretaking Doctrine and the procedures set forth in this section when IMPOUNDING or STORING a vehicle. This is a court-created doctrine whereby the courts recognize that as part of law enforcement's community caretaking function, police officers may constitutionally impound a vehicle if the vehicle jeopardizes public safety, creates a hazard to other drivers, or is a target for vandalism or theft. Whether we call it "towing," "storing," "removing" or "impounding" a vehicle, the courts consider it a seizure under the Fourth Amendment. Although there are Vehicle Code sections authorizing impound or removal of a vehicle, the courts have held that this statutory authorization does not, in and of itself, determine the constitutional reasonableness of the seizure (*People v. Williams*, 145 Cal. App. 4th 756, 761 (2006)). For example, in *Williams*, the court held that even though the driver was arrested on an outstanding warrant and the officer impounded his vehicle as authorized under CVC 22651(h)(1), the impound was unconstitutional because the vehicle was legally parked in front of Williams' residence and the impound served no community caretaking purpose.

Community Caretaking factor(s) may include: the vehicle is blocking traffic; the vehicle is illegally parked; the vehicle, if left, would likely be subject to theft or vandalism; the vehicle cannot be secured; or impoundment is necessary to prevent immediate and continued unlawful operation (e.g., expired registration).

The totality of circumstances, including those listed above, should be considered when determining whether vehicle removal is necessary under the Community Caretaking Doctrine and the Fourth Amendment. **The decision to remove any vehicle must be reasonable and in furtherance of public safety. Sheriff's personnel will document on the report the Community Caretaking factors justifying the vehicle's removal.**

CVC 14602.6, 14602.8, 14607.6, 22653, 22655.3, 22655.5 and 22656 apply strictly to deputies. Only deputies may remove vehicles for those CVC sections. All other vehicle removal sections may be used by a SSO and/or a CSO.

I. Removal from Highway to Garage

A. CVC 22651- A deputy, SSO or CSO may remove a vehicle under the following circumstances:

1. Subsection "a" – Unattended traffic obstruction on or in bridge, viaduct, causeway, tunnel or tube. STORAGE
2. Subsection "b" – Obstruction normal traffic flow. STORAGE

3. Subsection "c" – Stolen vehicle on highway (signed report on File.)
STORAGE OR IMPOUND PER ORIGINAL AGENCY REQUEST.
4. Subsection "d" – Blocking private driveway. STORAGE (if impractical to move).
5. Subsection "e" Blocking fire hydrant. STORAGE (if impractical to move).
6. Subsection "f" – Unattended more than 4 hours on a freeway right of way. STORAGE
7. Subsection "g" – Person(s) in charge incapacitated to care for Vehicle (injured in traffic collision). STORAGE
8. Subsection "h" – Driver arrested and taken into custody. This section also allows for the storage of a vehicle when the driver is issued a notice of suspension per CVC23137 (under 21 year old driver with P.A.S. result of .01 or higher). STORAGE
9. Subsection "i" – Any vehicle, other than rented, found on highway or any other public lands and known to have been issued five or more parking citations with no response from owner within 21 days of cite or 14 calendar days of a notice of delinquent parking violations.
IMPOUND
10. Subsection "j" – Illegally parked, no evidence of registration displayed.
IMPOUND
11. Subsection "k" – Left standing 72 or more consecutive hours (see section 47). IMPOUND
12. Subsection "l" – Obstructing street work (local) – if sign posted 24 hours prior to removal. STORAGE
13. Subsection "m" – highway or portion thereof needed for other than traffic if sign posted 24 hours prior to removal. STORAGE
14. Subsection "n" – Sign posted "tow away" zone. STORAGE
15. Subsection "o" – Attended or unattended vehicle with a registration expiration date in excess of six months before the date it is found on a highway, public lands or off street parking facility. STORAGE – The vehicle or operator shall not be issued a citation for CVC4000a if a vehicle is stored. If two days following the storage are weekend days or

holidays an officer may issue a notice to appear for CVC4000a and release the vehicle. Storage of a vehicle under this section will require the prior approval of the field supervisor.

16. Subsection "p" – SEE part VII of this section.
17. Subsection "q" – Parked more than 24 hours on a portion of highway in common interest development (per civil code 1351) and local ordinance or resolution adopted, and signs posted per CVC 22658.2 STORAGE
18. Subsection "r" – Illegally parked vehicle blocking the movement of a legally parked vehicle. STORAGE
19. Subsection "s" – Vehicle parked within a roadside rest area or viewpoint for more than 8 hours unless properly permitted by Department of Transportation. STORAGE

B. CVC 22651.5 – A deputy, SSO or CSO may: Remove a vehicle parked within 500 feet of any occupied building of a school, community college, or university during normal hours of operation, or within a business or residential district if an alarm device or horn has been activated within the vehicle whether continuously activated or intermittently and repeatedly activated and the peace officer or designated employee is unable to locate the owner of the vehicle within 20 minutes from the time of arrival at the vehicle's location, and the alarm device or horn has not been completely silenced prior to removal.

20. 1. Vehicle can be removed from the highway or from public or private property.
21. 2. The Department or the deputy or employee removing the vehicle must have received a complaint from any person.

C. CVC 22654-Whenever a deputy, SSO or CSO finds a vehicle standing upon a highway in violation of CVC 22500 or CVC 22504, the vehicle may be remove if moving it off the roadway to a parking location is impracticable. STORAGE.

D. CVC 22655 – When a deputy, SSO or CSO has reasonable cause to believe that a motor vehicle on a highway or on private property open to the general public onto which the public is explicitly or implicitly invited, located within the territorial limits in which the officer is empowered to act, has been involved in a hit-and-run accident and the operator of the vehicle has failed to stop and comply with CVC sections 20002 to 20006, the deputy or employee may:

Remove the vehicle involved in the hit-and-run accident from the highway or from public or private property for the purpose of inspection. The division's traffic office should be notified with a copy of the CHP 180 and preliminary information regarding what follow up is necessary. IMPOUND (48 hours only). Prior to the end of shift, the deputy, SSO or CSO who impounded the vehicle shall contact Sheriff's Identification and have the vehicle processed for evidence/fingerprints. The Traffic Bureau shall be notified of ALL vehicles impounded under this Authority.

E. CVC 22655.3 – Any deputy may:

- i. When the vehicle involved is in violation of CVC 2800.1 or 2800.2 and is located on property other than that belonging to the registered owner, the vehicle may be impounded for investigation if the driver fled and abandoned the vehicle.
- ii. This section will not apply when the driver is arrested before the tow truck arrives, or the registered owner of the vehicle is present. IMPOUND

F. CVC 22655.5 - Any deputy may:

- iii. When the vehicle is found upon a highway or public or private property and probable cause exists that the vehicle was used as means of committing a crime, is itself evidence of the crime, or contains evidence not readily removable, which tends to show a crime has been committed. IMPOUND
- iv. Impounds under this section may only be done by sworn peace officers. Prior to the end of shift, a Deputy shall contact Sheriff's Identification and have the vehicle processed for evidence/fingerprints. It is the responsibility of the case agent who authorized the impound to insure the vehicle is processed for evidence/fingerprints. It is also the responsibility of the case agent to remove the Hold once the vehicle has been processed and notify the Registered Owner when the vehicle hold has been released.

G. CVC 22656 – A deputy may:

Remove a vehicle from railroad right-of-way, street railway or light rail line if the vehicle is parked or abandoned upon any track or within 7 ½ feet of the nearest rail. The officer may also remove a vehicle that is parked beyond 7 ½ feet of the nearest rail but within the right-of-way of a railroad, street railway or light rail if signs are posted giving notice that vehicles may be removed. STORAGE

H. CVC 22669 – A deputy, SSO or CSO who has reasonable grounds to believe that a vehicle has been abandoned, as determined pursuant to Section 22523, may

remove the vehicle from a highway or from public or private property.

II. Removal from Private Property to Garage

CVC 22653 – Any deputy may:

Remove a vehicle from private property when:

1. The vehicle has been reported stolen. Signed report on file. STORAGE OR IMPOUND PER ORIGINAL AGENCY REQUEST.
 2. The vehicle has been involved in an accident, left at the scene and the private property owner is not present to authorize removal. The vehicle may not be removed where the property owner has been contacted and has refused to grant permission to remove the vehicle.
 3. The person driving or in control of the vehicle is arrested and the property owner or person in lawful possession of the private property requests removal.
2. CVC 22658-Removal of Illegally Parked Vehicles on Private Property
- a. Vehicles illegally parked on private property must be stored by the owners of that property.
 - i. Handicap violations in properly marked spaces may be cited per CVC 22507.8. This section includes vehicles parked on both public and private off street parking facilities.
 1. Handicap violation may be stored per CVC 22652 when the space is properly marked per CVC 22511.8(a) & (d).
 - b. To affect a legal storage, the property must first be properly posted in accordance with section 22658 of the California Vehicle Code. If the property is properly posted; the property owner or their agent may call a towing company and have the vehicle removed.
 - i. The property owner or their agent must be present when the vehicle is removed with limited exceptions (notably properly posted fire lanes and fire hydrants).
 1. An employee of the towing company cannot be an agent of the property.
 - ii. They then must immediately call the responsible police agency (in unincorporated area, the California Highway Patrol and in

contract cities, the Orange County Sheriff's Department) and report the vehicle license number, owner's name and address and place of storage.

3. 72-Hour Parking Violation

- a. Refer to section 47

4. Report Narrative

- a. CHP 180 Reports

- i. CHP 180 reports shall be completed for all storages under this section.

1. The entire face page shall be completed including the authority used for the storage/impound, all registered and legal owner information, vehicle mileage and estimated value of the vehicle. All existing damage to the vehicle should be noted. The name, date of birth, address and phone number of the driver should be included in the narrative, if possible, as well as a detailed description of items in the vehicle inventory.
2. An FCN number shall be requested through Sheriff's Teletype as soon as possible and placed on the CHP 180 form.
- ~~3.~~ All CHP 180 forms must be turned in at the end of the deputy's shift for supervisor approval.

- b. John Wayne Airport parking violations

- i. Authority for storage OCCO 2-1-52(k)(12) CVC 21113a

5. Tow Services

- a. Private tow service agencies provide service for the Sheriff's Department on a contractual basis.

- b. Tow truck requests and cancellations.

- i. All tow truck requests will be made through dispatch.
- ii. If necessary, a tow truck may be canceled by the requesting Deputy at any time.

1. This includes tow trucks that are either en route or have already arrived.
2. There shall be no charges to the party if the tow truck is canceled.

6. Vehicle Storage for Suspended and Unlicensed Drivers

- a. This section applies to vehicles impounded due to suspended, revoked or unlicensed drivers. Each storage/impound authority has specific requirements regarding prior convictions, registered owner, release of the vehicle and several other factors.

i. Applications

1. CVC 22651(p) - This section allows for the storage of a vehicle being driven by a person in violation of CVC 12500, CVC 14604 or with a suspended/revoked license when an impound under CVC 14602.6 would not be allowed.
 - a. The deputy may, but is not required to, release the vehicle to another authorized licensed driver.
 - b. Vehicles stored under this section shall be released by the tow company to the registered owner with proof of current registration with a licensed driver present. STORAGE
2. CVC 14607.6 – This Section provides for the forfeitures of vehicles under limited circumstance. This section is under review by the Department and no impounds shall be made under this section.

ii. Caution in application of vehicle storage.

1. By use of these storage authorities, no deputy shall leave stranded any person who, because of age, sex, time of day or location would not be able to obtain other transportation in a safe manner (i.e. persons in remote areas, juveniles far from home or at nighttime, persons particularly vulnerable to sexual or other assaults, etc.)
2. When necessary deputies should assist such persons in finding safe transportation by calling parents in the case of

juveniles or transporting persons to a safe location where they may better arrange for transportation (i.e. restaurants or other safe locations with access to telephone.)

iii. Citations

1. CVC 12500(a), Unlicensed driver

- a. It is the deputy that must prove the driver is unlicensed. In the case of Impounds under CVC 14602.6 it must be proven that the driver has never had a driver's license. Statements, age (under 16) and DDL record teletype aid in establishing this. A DR is only required if the vehicle is stored. If the vehicle is stored under CVC 14602.6 a narrative should be written on the front page of the CHP 180 establishing that the driver was never licensed.

2. CVC 12500(b), Driving out of classification

- a. CVC 12500(b) requires operators of motorcycles and Motor-driven cycles to be licensed with a class M1 or M2 endorsement. No DR required unless vehicle stored.
- b. CVC 12500(c) applies to unlicensed drivers on off street parking facilities.
- c. CVC 12500(d) requires drivers to be licensed for the classification of vehicle being driven.

3. CVC 14601(a), Suspended/revoked license

- a. Suspension/revocation due to reckless driving conviction (CVC 23103/4), reasons listed in CVC 12805(b-f), CVC 12809(e) – negligent operator, or CVC 12810 – negligent operator, point count.

4. CVC 14601.1(a), Suspended/revoked license for any reason not specifically stated in the other CVC 14601 sections.

5. CVC 14601.2(a), Suspended/revoked license for CVC 23152, 23153 convictions.

6. CVC 14601.3(a); 14601.4(a), 14601.5(a),
Suspended/revoked license to be used in special cases for
negligent operator and drivers causing injury to others.
 - a. 14601.5(a) – Suspension for blood alcohol in excess
of .08% or refusal to submit to chemical test.
7. Proof of knowledge of suspension or revocation
 - a. Knowledge of suspension/revocation by driver is an
element of these offenses. It must be proven by
the Deputy. Aids in establishing this includes
statements of the driver (Spontaneous or after
Miranda warning), service code provided by
dispatch, statements of passengers and prior
citations/convictions for the same
suspension/revocation.
8. Reason for suspension
 - a. Dispatch will provide the reason for suspension,
effective date and date(s) of notification. This
information should be included in the report.
 - b. It is the responsibility of the patrol deputy to
determine the correct suspension section based on
the information provided by dispatch.
 - c. Service codes of the suspension will be provided by
dispatch. If the service code is A, I, or K it cannot
be proven that the person has knowledge of the
suspension/revocation without additional
evidence. No citation of suspended or unlicensed
driver shall be issued and the vehicle shall not be
impounded or stored unless other sections apply.
 - d. If the service code for the suspension is A, I or K the
deputy shall issue a DL310A, notice of suspension
to the driver. The Deputy will advise the driver
he/she is not allowed to drive the vehicle.
9. Reports

- a. A DR number and report is required for any violation of 14601. The CHP 180 and the citation should have the same DR number and should be submitted together. The CHP 180, citation and report narrative on a continuation form must be turned in at the end of the deputy's shift. Include citation number at the top of the continuation form, and on the front of the CHP 180.
- b. The names, dates of birth, addresses and telephone numbers of all passengers should be listed.
- c. Facts surrounding the storage/impound and the name of the supervisor approving the impound when required.
- d. The proper storage/impound authority must be listed on the CHP 180 form.
- e. If multiple storage/impound authorities apply, list all sections on the CHP 180 form.

7. Inventory

- a. It is the policy of the Sheriff's Department to inventory vehicles that are stored or impounded. It is the purpose of the inventory to safeguard property in Sheriff's Department custody, prevent claims of theft or damage and provide a written record of the inventory.
 - i. An inventory may be conducted at the site of the impound/storage, as long as the vehicle is, indeed, stored or impounded.
 - ii. Sheriff's personnel will inventory the passenger area, glove box areas and the trunk or other storage areas. Sheriff's personnel also will inventory the contents of any locked or closed containers in which the contents are not readily recognizable.
- b. The inventory will be written on the CHP 180 form following the narrative.

8. Post Storage Hearing

- a. If a vehicle has been towed by a deputy, SSO or CSO and, upon notification to either the registered or legal owner per CVC 22852, and the owner requests a post storage hearing within 10 days of the date appearing on the notice, the following procedure will be followed.
 - i. The division commander shall designate a person(s) to conduct post storage hearings. This person shall not be the same person who directed the tow of the vehicle. This person shall:
 - 1. Obtain the party's name, address, telephone number and DR number for the incident and set a time for the post storage hearing. The time of the hearing shall be within 48 hours from the receipt of the request excluding weekends and holidays per CVC 22852(c). The owner shall be notified by telephone of the date, time and location of the hearing.
 - 2. Obtain and review all reports and DMV printouts pertaining to this case. If necessary, officers involved in the storage may be present at the hearing.
- b. Conducting the post storage hearing
 - i. The hearing officer will obtain statements from the owner either in writing from a declaration via phone conversation or in person at the hearing.
 - ii. The hearing officer shall make every attempt to determine if the Storage was proper, during the hearing. If further investigation is required the owner shall be advised and verbally notified of the findings.
 - iii. Should it be determined that there was improper action in the storage of the vehicle the hearing officer shall immediately take action to release the vehicle.
 - iv. The findings of the hearing officer will be noted in the Dispatch Tracking System.
 - v. A copy of the findings and all evidence presented shall be placed into the DR file for the purpose of maintaining the file if the party wishes to appeal the findings of the hearing per CVC 22650(b).
- c. DMV SERVICE CODES

- i. A: Fist Class Mail, not returned unclaimed (First Class mail began 1/1/2005)
- ii. B: Served, signed document on file
- iii. D: Personal service document on file
- iv. H: Acknowledgment, no signature (Complete DMV form DL-310)
- v. I: Returned Unclaimed, No service (Complete DMV form DL-310)
- vi. M: Written notice served by officer
- vii. K: Refused service (Complete DMV form DL-310)
- viii. L: Reported deceased
- ix. M: Verbal notice document on file
- x. P: Personal service (DMV Discontinued using 1/1/99)
- xi. R: Personal service unsuccessful (Complete DMV form DL-310) (DMV Discontinued using 1/1/99)

9. Impounds under CVC 14602.6

This section applies to vehicles of suspended and never licensed drivers when impounded by deputies under authority of CVC 14602.6. Vehicles impounded under this authority will be held for a period of 30 days before being released to the owner. For procedures regarding citations, reports, post storage hearings, service codes and other impound authorities see previous portions of this OPM Section.

a. Applications

- i. CVC 14602.6 - This section requires the 30-day impoundment of vehicles being driven by drivers with suspended/revoked licenses or drivers that have never been issued a driver's license.
 - 1. This section shall be used whenever the vehicle operators' driver's license is suspended/revoked provided it can be shown that the person had knowledge of the

suspension/revocation or when it can be confirmed that the driver has never been issued a license.

2. Knowledge of the suspension/revocation can be shown by statements of the driver and passengers, and the service code for DMV notification.
3. This section shall not be used when the vehicle operator's driver's license is suspended solely for reasons related to child support obligations (FC17520(W)(1)). In these cases, the operator should be issued a citation for CVC 14601.1(a) and the vehicle stored per CVC 22651(p).

ii. Procedure for vehicles impounded under CVC 14602.6

1. The deputy must observe the vehicle being driven and have a lawful reason for contacting the driver, such as a vehicle code violation for a moving or equipment infraction. The contact will normally follow a traffic enforcement stop. The contact may also be the result of the driver being involved in a traffic collision.
2. If a deputy believes that the driver may have a suspended license then a check shall be made via radio to confirm the license status.
3. Vehicles shall be impounded if it is determined that the driver's license status is currently suspended/revoked and proof of service can be confirmed either by service code through dispatch or by statements made by the driver, passengers or by other means.
4. If the deputy is unable to locate a license via a check through the radio for the driver and the deputy has other evidence to show that the driver has never been issued a driver's license in any jurisdiction, the vehicle shall be impounded under this authority.
5. The deputy shall notify the area field supervisor. The supervisor shall confirm all necessary elements required for impounds under this authority are satisfied.
6. The driver will be arrested for the violation and should normally be issued a notice to appear and released in the

field. A driver involved in a traffic collision does not need to be cited or arrested. The driver will sign and be given a copy of the impound advisement (half sheet part of CHP 180) form notifying him/her of the CVC 14602.6 procedures and the location of where the vehicle will be held. The deputy must ensure that he checks the box on the face of the CHP 180 indicating that "Notice of stored vehicle was delivered personally." This form shall also be mailed to the registered and legal owners by Support Services within 48 hours of the impound.

iii. Release of vehicles impounded per CVC 14602.6

1. When a vehicle is impounded pursuant to Section CVC 14602.6 the impounding deputy will notify the driver of the 30 day impound and issue the proper advisement form.
 - a. The registered or legal owner of the vehicle or their agents will be provided with an opportunity for a post storage hearing to determine the validity of, or consider any mitigating circumstances attendant to, in accordance with CVC 22852.
 - b. The hearing officer **SHALL** release the vehicle to the registered owner or his or her agent **PRIOR** to the end of the 30-day impoundment under any of the following circumstances:
 - i. When the vehicle is a stolen vehicle.
 - ii. When the vehicle is subject to bailment and is driven by an unlicensed employee of a business establishment, including parking or repair garage.
 - iii. When the license of the driver was suspended or revoked for an offense other than those included in Article 2 (commencing with Section 13200) of Chapter 2 of Division 6 or Article 3 (commencing with Section 13350) of Chapter 2 of Division 6 of the California Vehicle code.

- iv. When the circumstances indicate that the continued impoundment is inconsistent with the legislative intent of the section.

NOTE: Hearing officers shall use discretion and sound professional judgment when releasing vehicles prior to the end of the 30-calendar day period. All decisions shall be based upon the legislative intent of the section, which is to ensure that the driver at the time of the impoundment does not have access to the vehicle for 30 days.

- v. Releases prior to the end of the 30-calendar day impoundment period shall only be made when the R/O or agent provides a valid driver's license and proof of current vehicle registration to the hearing officer or his designee.
- c. No vehicle shall be released to the registered owner or his or her agent pursuant to this subdivision, except upon presentation of the registered owner's or agents valid driver's license to operate the vehicle and proof of current vehicle registration, or upon order of a court.
- d. If the vehicle is released to the registered owner or his or her agent, the registered owner or his or her agent is responsible for all towing and storage charges related to the impoundment and any administrative charges authorized under CVC 22850.5.
- e. A vehicle shall be released immediately when requested by a L/O. A L/O is a motor vehicle dealer, bank, credit union, acceptance corporation, or other licensed financial institution legally operating in this state, or is another person, not the R/O, holding a security interest in the vehicle. The L/O or the legal owner's agent must present: A government issued photo ID and any one of the following as determined by the legal owner or the legal owner's agent: a certificate of repossession for the vehicle, a security agreement for the

vehicle, or title, whether paper or electronic, showing proof of legal ownership of the vehicle. Any documents presented may be originals, photocopies or facsimile copies, or may be transmitted electronically. The documents are not required to be notarized. (CVC 14602.6(f)(3).) The legal owner shall indemnify and hold harmless a storage facility from any claims arising out of the release of the vehicle to the legal owner or the legal owner's agent and from any damage to the vehicle after its release. (CVC 14602.6(j).)

- i. Upon release, hearing officers shall inform the L/O or the legal owner's agent of the requirements of the law regarding the release of the vehicle to the R/O or his/her agent, prior to the end of the 30-day period.
- f. A vehicle shall be released immediately to a rental car agency upon request.
 - i. Upon release, the hearing officer shall inform the rental car agency of the requirements of law prohibiting the rental of any vehicle to the driver of the vehicle that was seized until the end of the 30-calendar days.
- g. If the vehicle is released to the L/O or his/her agent, the L/O or his/her agent is responsible for all towing and storage charges related to the impoundment of the vehicle. The L/O or his/her agent is not responsible for any administrative charges imposed pursuant to CVC 22850.5 unless the L/O voluntarily requested a post storage hearing. (CVC 14602.6(f)(2).)
- b. The registered or legal owner must obtain a release from the Patrol Division that impounded the vehicle.
- c. The Division Commander may designate a person or office to authorize through the Dispatch Tracking System (DTS) the release of vehicles impounded pursuant to this section.

- d. An “Agent” is defined as, any person who is designated in writing by the vehicle’s owner or registered owner as their representative.

10. Inventory

- a. It is the policy of the Sheriff’s Department to inventory vehicles, which are stored or impounded. It is the purpose of the inventory to safeguard property in Sheriff’s Department custody, prevent claims of theft or damage and provide a written record of the inventory. Because vehicles impounded under CVC 14602.6 will be held for an extended period of time, extra care is necessary with respect to vehicle inventories.
- b. Due to the extended length of storage, impounds pursuant to CVC 14602.6 require an extremely thorough vehicle inventory. In addition to documenting the contents of the vehicle on the CHP 180 form, the deputy shall have the PVS activated and directed toward the vehicle during the inventory. The audio portion will be used to verbally record the inventory.
 - i. If practical, a field supervisor should be present during inventories when vehicles are impounded under this authority.
 - ii. The driver and occupants shall be asked if there is any property of value in the vehicle. With the exception of contraband, they should be allowed to remove any items at the scene.
 - iii. If items of value are present and the driver is unable to remove the items, deputies should consider placing the items in safekeeping.
 - 1. If items are placed in safekeeping, the driver will be notified and a property report shall be submitted with the impound report.
- c. The inventory will be written on the CHP 180 form following the narrative.

11. Special Cases

- a. Citations
 - i. If a vehicle is being impounded when the driver has never been issued a driver's license a short narrative should be submitted on

the CHP 180 with the citation for CVC 12500(a) stating how it was established that the driver was never licensed.

b. Post storage hearings

- i. The supervisor who authorizes the impound in the field shall not conduct the post storage hearing.

c. Reports

- i. On the CHP 180 form, "30 day impound" should be written in the "Release Vehicle To" box on the front of the form. The release date is 30 calendar days from the date of impound.

SOURCES FOR INFORMATION

I. Dispatch and Teletype

Request	Information from Unit	Information to Unit
ABS (Automated Boat System)	Hull, Registration number, engine or Owner applied number	Requests return information on stolen, recovered, stored and repossessed boats and boat parts.
AFS (Automated Firearms System)	Number: Serial number of firearm. Make and caliber if available. Name: Last name, first name, and date of birth or age	Request is checked in California for stolen firearms, gun registration, pawn, purchase, etc. Checked nationwide for stolen if the serial number is included in the inquiry.
AJS (Automated Jail System)	Name or Booking number	Tracks a person from initial booking to final release from the Central Jails and branch facilities.
APS (Automated Property System)	Number: Serial number or Owner Applied Number and Type or Brand (manufacturer's name of article) Name: Last name, first name, and date of birth or age can be checked against pawns/buys	Request is checked for stolen (lost, found, held as evidence, under observation, or pawned) through the California Department of Justice Property System files. NCIC is checked if both a Number and Type is included in the inquiry.
AWSS (Automated Warrant Service System)	Name, Warrant File Number, Key Number, Vehicle, Address, Court Case Number	Provides information on active and served/recalled warrants issued in Orange County.
CHS (Criminal History System)	Name: Full name, sex and date of birth (if available) Number: SSN, Driver's License, FBI, or CDC number	Inquiry is on a Right-To-Know and Need-To-Know basis. Provides information regarding a person's criminal history in California
CJI (Central Juvenile Index)	Name of juvenile, case number, moniker	Provides information on complaints, contacts, arrests, and disposition of juveniles under the age of 18

Request	Information from Unit	Information to Unit
California Restraining and Protective Order System (CARPOS)	Restrained or Protected Person's full name, sex and date of birth (if available)	Request is checked for Restraining Orders within the statewide system and includes served and unserved restraining orders. NOTE: <i>Control One can provide actual imaged copies of Restraining Orders issued by Orange County courts.</i>
CSAR (California Sex and Arson Registry – Replaced VCIN)	Name: Full name, sex and date of birth (if available) Number: CII, Driver's License, CDC, Vehicle, SSN	Provides information on Sex and Arson Registrants
DMV (Department of Motor Vehicles) Vehicle Registration	Number: California vehicle license number or VIN Name: Last name, first name for all vehicles registered to.	Registered owner's name, address, year, make, and model of vehicle. NOTE: <i>Registration information is available on out of state vehicle registration through NLETS</i>
DMV by Name	Name: Last name, first name (must be exact), and date of birth	Provides driver's license number, licenses status, failure to appear information, driving record, identifying information, etc.
DMV by Number	Driver's License Number	Provides driver's license number, licenses status, failure to appear information, driving record, identifying information, etc.
III (Interstate Identification Index)	Name: Full name, sex and date of birth Number: SSN, FBI, State ID	Inquiry is on a Right-To-Know and Need-To-Know basis. Provides information regarding a person's criminal history in 43 states.
LARS (Local Arrest Records System)	Name or Orange County Number, CII, SSN, CDL, FBI	Provides a history of a person's arrests in the Orange County Jails and some local city jails.
MUPS (Missing and Unidentified Persons System)	Number: Driver's License Number, Vehicle License Number. Name: Full name, sex and date of birth. Descriptors for an Unidentified persons such as Sex, Race, Age (or DOB), Height, Weight, Eye Color, Hair	Provides information such as descriptors and the type of missing person such as lost, runaway, stranger abduction, etc. on missing persons and unidentified persons within California as well as NCIC (nationwide). Also can return vehicles or wanted persons which may be connected to a

Request	Information from Unit	Information to Unit
Supervised Release File (SRF)	Number: Social Security Number, California Driver's License Number, CII Number Name: Last name, first name, sex and date of birth or age	missing person. Provides information on Sex and Arson Registrants, Career Criminals, CA Mental Health Parolees, CDC Parolees, County Probationers, CYA Parolees, Federal Probationers, Subjects on Post-Release Community Supervision (PRCS) and Violent Offenders. Inquiries may also return information on CARPOS subjects and WPS subjects.
SVS (Stolen Vehicle System)	Vehicle license number, VIN, vehicle engine number	California plates are checked for stolen and other miscellaneous entries through the California Stolen Vehicle System. Out-of-state plates, all VIN's and partial numbers are checked for stolen through both California and NCIC (Nationwide). Indicates stored and repossessed as well.
WPS (Wanted Persons System)	Number: Social Security Number, Driver's License Number, FBI Number, CII Number Name: Last name, first name, sex and date of birth.	Request is checked for wants through California Wanted Persons files and is automatically checked nationwide through NCIC if any number (including DOB) is included. <i>WPS will also check the Supervised Release File (SRF), and the Domestic Violence Restraining Order System (DVROS).</i>

Referral Telephone Numbers

Community Service Programs	(714) 647-4135
Adult protective Services (Elder Abuse)	(800) 451-5155
Emergency Crisis Counseling	(949) 494-4311
Interval House - Domestic Violence	(714) 891-8121 (24 hour)
Alcoholic's Anonymous	(714) 556-4555 (24 hour)
Poison Control Center	(800) 222-1222
Child Abuse Registry	(714) 940-1000
Child Abuse Hotline	(800) 207-4464
Legal Aid Society	(714) 571-5200
National Runaway Hotline	(800) 786-2929
Victim/Witness Assistance Program	(949) 975-0244
(VINE) Victim Information Notification Every day	(800) 721-8021
Sexual Assault Victim Services Program	(714) 957-2737
Domestic Violence Assistance Program	(714) 935-7956
Restraining Order Information Line	(714) 973-0134
24 Hour Crisis Counseling	(714) 957-2737
Counseling, Victim Compensation Information and Referrals	
North Justice Center Victim/Witness	(714) 773-4575
Central Justice Center Victim/Witness	(714) 834-4350
West Justice Center Victim/Witness	(714) 896-7188
Lamoreaux Justice Center/Witness	(714) 935-7074

CRITICAL INCIDENT MANAGEMENT

- I. General
 - A. This section contains principals and guidelines regarding various situations law enforcement personnel may encounter when dealing with critical incidents such as active shooters, hostage and barricade situations.
 - B. Information is provided to help Department personnel who may become an incident commander during a critical incident, so he or she may use it to better manage the situation and bring it to a safe conclusion.
 - C. The Critical Incident Checklist is designed to provide the incident commander with a ready reference identifying law enforcement responsibilities that need to be quickly addressed during a critical incident.

- II. Incident Commander
 - A. The incident commander may change several times during the course of an operation and may extend to the Sheriff, should the incident warrant his/her personal attention. It may start with a senior deputy at the scene who has taken both tactical command and the responsibility for the handling of the situation. When the field sergeant arrives, he or she may become the incident commander. Should a lieutenant arrive, he or she in turn, may assume the role.
 - B. The passing of command should not be deemed a separate operational phase, but merely a continuation of activity, which preceded the transfer.
 - C. The incident commander should retain all previous commanders as his staff for consultation and to assist in communications with department executives or to assist with operations, intelligence and logistics.
 - D. Regardless of the rank of the incident commander, at any given time, he or she shall be responsible for the overall control and coordination of the operation.
 - E. The incident commander shall be responsible for the following:

1. Overall operation – all personnel shall report to the Incident Commander and respond to his directions
 2. Primary Containment (Inner Perimeter)
 3. Secondary Containment (Outer Perimeter)
 4. Necessary Notifications
 5. Establishment of a Command Post
 6. Requesting required resources (Fire and Paramedic, Mobil Command Post, portable generators, etc.)
 7. Managing/coordinating resources
 8. Activating elements of the Incident Command System
 9. Establishing a communications network (tactical frequencies)
 10. Managing incident operation, i.e., traffic control
 11. Press liaison
 12. Follow-up investigation
- F. The Incident Commander shall notify the Department Commander who will make additional notifications as follows:
1. Division Commander, who shall respond if necessary
 2. Sheriff's Public Affairs Office, who shall dispatch a representative for press liaison
 3. The Sheriff and major executives of the Department must be personally notified for designations involving numerous suspects and hostages, and/or, the safety of large numbers of citizens or employees.
 4. Emergency Management and Transportation Bureaus, in the event of a sustained operation.
 5. Air Support Detail in the event that a temporary airspace flight restriction becomes necessary.

III. Command Responsibility

- A. The incident commander is responsible for the actions of the members of this Department at the scene and the outcome of the situation. All Departmental personnel at the scene shall be subject to his or her control and shall respond to his or her directions.
- B. The deputy arriving first at the scene will be in charge of the situation until relieved by a sergeant or person of higher rank. There will be no shifting of command to a more senior deputy, as this will only add to the confusion.
- C. The deputy in charge should not automatically relinquish control to a superior, nor should the superior assume control until each is certain that all available information relating to the incident is thoroughly explained and understood and, to the maximum extent possible, all personnel understand that command and control are being passed, and to whom. The superior cannot, of course, hesitate to take control immediately if he or she deems that action is necessary or desirable.
- D. With respect to incidents occurring in Custody facilities, it is preferable that the incident commander be a member of the involved facility because these types of situations require specific knowledge unique to custodial settings.
- E. The passing of command is critical and shall establish the position of incident commander. The process shall take place as the deputy/sergeant exchange and every other exchange through the appropriate ranks, as deemed necessary by the circumstance of the situation, with the following being observed:
 - 1. The person relinquishing command shall be responsible for thoroughly briefing their successor.
 - 2. The person relinquishing command shall specifically state to the successor, "Are you now assuming control?"
 - 3. Await an affirmative reply and log document the official transition time.
 - 4. Verbal notification shall be made over the radio of the command change to alert ECB and those engaged in the incident that there has been a change of command.

IV. Operational and Tactical Considerations

- A. Active shooter, hostage or barricaded suspect situation can be one of the most operationally sensitive situations faced by members of this Department. A strong command position, as well as strict discipline on the part of all deputies, is absolutely essential.
- B. Although the presence of a hostage(s) is a complicating factor in an active shooter or barricaded suspect incident, the initial procedures and tactical considerations are similar.
- C. The Incident Commander should use the basic concept of the “Five C’s” – COMMAND, CONTAIN, CONTROL, COMMUNICATE and COORDINATE – as a guide during a critical incident.
 1. COMMAND: The responsibility of command at a field situation should be very specific. The person being relieved should have no doubt that he or she is relinquishing command to a senior deputy. Once the Incident Commander has taken charge of the scene, he or she should assign specific duties to his or her subordinates; so everyone is working together to accomplish the common goal of bringing the incident to a safe conclusion.
 2. CONTAIN: This is undoubtedly the most important consideration, and probably should be done simultaneously with your evaluation of the situation. Containment must be swift and effective, and it should consist initially of positioning deputies in strategic locations, [REDACTED]
 3. CONTROL: The Incident Commander is responsible for everything that occurs at the scene. [REDACTED]
 - a. If the situation dictates the evacuation of civilians in close proximity to the scene, effort should be made to remove them safely. This can be accomplished by telephone,

sending deputies door-to-door, utilizing an armored vehicle, or in some cases, by use of a Public Address system.

4. COMMUNICATE: Contact the Department Commander as soon as possible to advise him/her of the existing situation. The Department Commander needs to be briefed on the circumstances of the incident and the plan of action. This will further assist the Department Commander in making his/her notifications, and eliminate untimely calls to the scene. Do not forget periodic updates. A tactical radio frequency should be secured for the operation to eliminate interference from radio traffic outside of the incident. If you anticipate a protracted operation, a Tactical Dispatcher should be requested from the Emergency Communications Bureau to assist with the flow of information at the Command Post. Everyone at the scene should be gathering intelligence and forwarding it to the command post.

5. COORDINATE: The command post should be established immediately, so the Incident Commander can coordinate all of the responding assets. It can be a radio car; a residence or any location where responding deputies can gather and receive instructions.
- The command post should be located somewhere between the inner and outer perimeters and accessible to arriving resources. The Incident Commander should be prepared to give a detailed briefing to members of the specialized units, such as CIRT, HDS, CNT, SWAT, etc., if they are requested to assist with the situation.

- D. The incident commander must be aware that it is critical to share relevant information with leaders of other group's resources or allied agencies deployed at the scene of a tactical operation. By doing this, the best decisions can be made, and surprising or endangering personnel with a sudden, unannounced action can be avoided.

E. Critical Incident checklist*

1. The incident commander or his/her designee should complete the Critical Incident Checklist as soon as he or she arrives at the

scene, so appropriate Departmental resources can be requested and sent to the location quickly.

* Critical incident checklist is located in the document center by name and under "Critical incident"

F. Department Resources

1. Incident commanders may request, within reason, any of the Department's resources, which may be necessary to resolve the situation through the Emergency Communication Bureau's department Commander. Examples of these resources include, but are not limited to, the following:
 - a. Air Unit
 - b. K-9 Unit
 - c. Critical Incident Response Team
 - d. Hazardous Devices Squad
 - e. Crisis Negotiation Team
 - f. Mounted Enforcement Team
 - g. Special Weapons and Tactics Team
 - h. SWAT – Tactical Support Element (TSE)
 - i. Reserves
 - j. Investigations
2. Specialized equipment available to Departmental personnel:
 - a. Jaycor Pepper Ball Non-Lethal System (CIRT and SWAT)
 - b. 12 Gauge Less Lethal Munitions (CIRT and SWAT)
 - c. X-26 Advanced Taser Less Lethal System (Patrol Deputies)
 - d. Chemical Munitions (SWAT)

- e. 5.56mm Patrol Rifle (CIRT and SWAT)
- f. 7.62MM Long Rifle (SWAT)
- g. 50 caliber Long Rifle (SWAT)
- h. Ballistic Protection shields (SWAT)
- i. Armored Rescue Vehicles (SWAT)
- j. Remote Control Robot with Camera (HDS)
- k. Remote Public Address System (CNT)
- l. Armored Telephone with Camera (CNT)

G. Individual Action:

1. Deputies shall refrain from individual action unless forced to do so by the circumstances. There must be strict compliance with the directions of the initial incident commander regarding reporting locations, deployment, response routes, traffic and pedestrian control and instructions on how to resolve the problems they may encounter during the field incident.

H. Use of Force and Firearms

1. Deputies shall adhere to the Department's established policy governing the use of firearms (Firearm Safety Policy 325). Personnel must maintain strict fire control discipline.

I. Communications with the Suspect.

1. The incident commander shall be responsible for controlling communications with the suspect until the arrival of the Crisis Negotiation Team (CNT) if requested.
2. In hostage or barricaded suspect situations, the incident commander has the option of ordering the telephone company to alter telephone lines so that telephone communication with the suspect is limited to persons authorized by the Incident Commander. (Refer to Public Utilities Code Section 7907, effective January 1, 1981.) This process is accomplished by

contacting the security office of the responsible telephone company.

3. The Crisis Negotiation Team (CNT) has immediate access to telephone companies in our jurisdiction and pre-designated authority to request alterations of landline and cellular telephone services.

V. First Responders

- A. First Responders are responsible for the “4C’s” CONTAINMENT, CONTROL, COMMUNICATION and CALL SWAT.
- B. CONTAINMENT: Deputies should immediately establish an inner perimeter around the suspect’s location. [REDACTED]
- C. CONTROL: Only essential law enforcement should be allowed into the inner perimeter. Evacuation of residents should be conducted only if they can be escorted from their homes safely, and the location of the suspect(s) is known.
- D. COMMUNICATION: A tactical radio frequency should be secured as soon as possible to coordinate an organized response to the incident. Deputies should also debrief witnesses and residences to obtain suspect (s) information and the layout of the building where the suspect(s) is located.
- E. CALL SWAT: SWAT should be requested if the circumstances of the incident place deputies and civilians lives in jeopardy, because the suspect(s) has explosive devices, assault weapons, etc., or if it meets the SWAT activation criteria (See SWAT criteria in Item VIII of this section).

VI. Critical Incident Response Team

- A. The primary objective of the Critical Incident Response Team (CIRT) is to respond, isolate and contain rapidly evolving events in the field. They will provide the greatest possible level of safety to the public and law enforcement personnel until the Special Weapons and Tactics Team and /or other appropriate tactical responses can be deployed.
- B. CIRT may be deployed in the following situation, but are not limited to:

1. Criminal acts involving armed suspects
2. High-risk car stops involving suspects believed to be armed
3. Incidents in which suspect are shooting or threatening to shoot at officers or residents.
4. Incidents in which suspects are believed to be wearing body armor
5. Armed or barricaded suspects
6. Sniping incidents
7. Other emergency situations not covered by this directive, at the discretion of the Incident Commander.

VII. Crisis Negotiation Team (CNT)

- A. Crisis Negotiators are available on a 24-hour basis by contacting the Department Commander.
- B. The Crisis Negotiation Team (CNT) will respond to all hostage and barricaded suspect incidents when a Special weapons and Tactics Team is requested. Crisis Negotiators, accompanied by a SWAT supervisor, may also be requested for any other situation requiring crisis communications as determined by the incident commander.
- C. Examples of situations, which merit calling out the Crisis Negotiation Team (CNT), include:
 1. Where a suspected emotionally disturbed person presents a danger to himself/herself or others, or exhibits highly unusual bizarre behavior and, if pressed, may become violent, but circumstances are such that deputies are unable to exert control over him or her without resorting to extreme force.
 2. Barricaded suspects who are believed to be emotionally disturbed.
 3. Certain threatened suicides (“jumper” syndrome) or situations wherein no crime has occurred but deputies feel that it is unwise to leave the scene without providing some assistance.

- D. Upon arrival, the CNT supervisor will report to the incident commander. CNT will deploy at the request of the incident commander and will operate under his or her direction and within Department guidelines.
- E. CNT members do not, within the scope of their duties, make decisions regarding hostages, suspects, deployment or operational tactics. Such decisions remain the responsibility of the incident commander. Team members are qualified, however, to determine the most appropriate technique of negotiation and will be reviewed by the incident commander.

VIII. Special Weapons and Tactics Team

- A. For expediency, any sworn member of this Department may request the Special Weapons and Tactics Team (SWAT). However, authorization to deploy the Team must be made by the Department Commander.
- B. SWAT is designed to save lives. This includes the lives of law enforcement personnel who become faced with unusually hazardous situations, members of the community whose security is severely threatened by these situations, and the lives of the suspects involved in the situations.
- C. SWAT is available to assist other units with incidents or operations when the safety of the officers, members of the community, or involved parties is likely to be better served by their use. Situations wherein SWAT is typically employed include:
 - 1. Barricaded or contained suspects who are believed to be armed.
 - 2. Hostage incidents
 - 3. Sniper situations
 - 4. Potentially violent persons who are believed to be armed (including mentally ill, threatened suicides, unknown circumstances, etc.)
 - 5. High-risk arrest and search arrests (i.e. third-strike candidate, suspect(s) wanted for armed assault of a peace officer, heavily barricaded locations, guard dogs, assault weapons, counter surveillance, violent criminal history, etc.)
 - 6. Protections operations involving high-risk persons or sites.

7. Riot and crowd control

D. Special Weapons and Tactics – Tactical Support Element (SWAT-TSE)

1. SWAT-TSE is comprised of SWAT personnel trained in handling critical incidents and will help to assess the situation to determine if a more technical, tactical approach should be used to resolve a situation. This may include the Crisis Negotiation Team (CNT), Hazardous Devices Squad (HDS), and the Special Weapons and Tactics Team (SWAT).

IX. Special Weapons and Tactics Team Commander



- A. The incident commander shall retain overall command and responsibility for the operation. The SWAT Team will be under the command of the SWAT Commander, who shall be the Captain or Lieutenant assigned to SWAT, and shall be present at every SWAT activation.
- B. The incident commander shall assign a mission to SWAT, and the SWAT commander will make an assessment and shall be responsible for the tactics employed by SWAT. If there is a need for immediate deployment, the SWAT supervisor may accept that responsibility until the arrival of the SWAT commander.

X. Relief of Containment Assignments

- A. Field personnel deployed in the immediate vicinity of the suspect (Primary Containment Area/Inner Perimeter) will be relieved by SWAT personnel and are to withdraw for redeployment as directed by the incident commander.
- B. Personnel other than SWAT members shall not enter the Primary Containment Area without specific authorization of the SWAT commander.


XI. Active Shooter (Immediate Action/Rapid Deployment)

- A. 

- 
- B. If the life-threatening situation is on-going, patrol deputies shall take swift and immediate actions, utilizing Rapid Deployment tactics before the arrival of SWAT. In these cases, delayed response could have catastrophic consequences for innocent bystanders.
- C. Note: Immediate Action/Rapid Deployment tactics are not a substitute for conventional response tactics to hostage situations and/or barricaded suspects.
- D. In Immediate Action/Rapid Deployment situations the overall objective is to save as many lives as quickly as possible. Deputies must be able and willing to locate and engage on an active shooter without the assistance of SWAT.”
- E. Supervisors and deputies must be able to recognize an active shooter situation and aggressively seek out the shooter to stop him or her from continuing with the violence while SWAT is responding to the scene. Supervisors must request the appropriate resources and have the freedom to take control and deploy personnel realizing they are the command and control element until SWAT arrives.
- F. 

XII. Hostage Situations

- A. “A hostage is any person seized or kidnapped by another, where the perpetrator threatens the life of or threatens great bodily injury to the person held, with the intent to evade arrest, escape, obtain the release of persons in custody, obtain monies or property, or attain any other objectives.”
- B. In hostage situations, this Department shall make every effort to affect the safe release of the hostage and to arrest the suspect. This shall be done while safeguarding the lives of all persons to the maximum extent possible.

- C. 
- D. No consideration shall be given to allow an inmate holding a Department employee hostage to escape under any circumstances from a custody facility, detention area, or prisoner transportation vehicle. The Sheriff or an assistant sheriff must personally approve any exception to this policy.
- E. Deputies should establish an inner perimeter around the suspect's location and wait for CNT and SWAT. Evacuation of innocent civilians should be conducted only if they could be escorted from their homes safely, and the location of the suspect is known.

XIII. Barricaded Subject / Suspect

- A. "A barricaded subject is any person who has not committed a crime and is reasonably believed to be armed with a weapon or dangerous device, who occupies a fixed location, and refuses to come out".
- B. "A barricaded suspect is any person who has committed a crime and is armed or reasonably believed to be armed with a weapon, explosives, or other destructive or dangerous device, who occupies and/or fortifies a fixed location, and violently, or by threat of violence, resists apprehension, by law enforcement officers".
- C. When faced with a barricaded suspect, field personnel should use the same containment procedure as the hostage situation and wait for the specialized units to arrive.

XIV. Mandatory Evacuations

- A. OCSO has the responsibility to conduct evacuations in contract cities and unincorporated areas within Orange County.
- B. Mandatory Evacuation areas are ordered by Unified Command based on multiple factors that can potentially impact residents from natural and man-made hazards.
- C. Residents and business owners may be reluctant to leave a designated evacuation area. OCSO personnel cannot forcibly remove persons who choose to remain on private property within an evacuation zone. In these cases, personnel will contact and advise residents that future rescues may not be available, and then document it.

1. If time permits, "Refusal to Evacuate" forms* will be completed to document these cases.
 2. Completed forms will be delivered to the Unified Command Post for notification that residents are remaining in the area.
- D. OCSD has the responsibility to prevent anyone from entering an area under mandatory evacuation. This is usually accomplished through the use of "hard" road closures, allowing only emergency traffic to enter the designated area(s).
- E. Unified Command will make the determination to lift mandatory evacuations based on multiple factors surrounding the incident.

*Refusal to Evacuate form is located in the Document Center by name and under "Critical Incidents"

**Orange County Sheriff-Coroner Department
CRITICAL INCIDENT CHECKLIST**

1. Type of Incident:

- Hostage Taking Barricaded Subject Active Shooter
- Warrant Service Others

Details: _____

2. Location:

_____ **Grid:** _____

- Verified Inner Perimeter (containment) established
- Outer Perimeter established
- Area Evacuation in progress Completed
- CIRT Team Members on perimeter (initial response) relieved

Details: _____

3. Location Intelligence:

- Residence Business School Apartment Complex
- Outbuilding Vehicle Others _____

Details: _____

Orange County Sheriff-Coroner Department
CRITICAL INCIDENT CHECKLIST

4. Suspect Intelligence:

- Identification / Description Location How many
- Weapons Criminal History Medical / Mental History Family
- Associates Military / Explosive Experience

Details: _____

5. Civilian Information:

- Hostages Witnesses Others trapped by hostile action

Details: _____

6. Contingencies / Options Discusses / Planned:

- Negotiations Call Out SWAT Less Lethal Option
- CIRT Deployment

Details: _____

Orange County Sheriff-Coroner Department
CRITICAL INCIDENT CHECKLIST

7. Logistics:

- Department Commander notified
- SWAT/CNT Team contacted
- Fire and Paramedics notified Briefed Staged.
- Hazardous Devices Squad Briefed Staged.
- Additional Law Enforcement support notified (if needed)
- Dispatch briefed Tactical frequencies established
- Command Bus requested
- Generator Truck requested
- Rations / Water Medical Evacuation Plan
- Traffic control Canine Unit
- Air Support Responding Standing By

Details: _____

8. Support Units Notified

- Investigations Reserve Bureau Hospital Public Information Officer
- Trauma Intervention Program Red Cross Others _____
- Counseling Team International (909) 884-0133 (available 24/7 for Employee Counseling)

Orange County Sheriff-Coroner Department
CRITICAL INCIDENT CHECKLIST

Details: _____

Note times of each event in Details section to assist in the time log.

Orange County Sheriff-Coroner Department

OFFICER-INVOLVED SHOOTING CHECKLIST

- Render the scene safe:**
 - **All deputies accounted for**
 - **Suspect disarmed**
 - **Suspect handcuffed**
 - **Triage of all injuries**
 - **Life-saving efforts (If needed)**
 - **Contain the scene**
- Allow Fire Department Personnel to administer first aid to all injured parties and transport as necessary.**
- Sergeant on scene to obtain a “Public Safety Statement” from all involved deputies:**
 - **Were you involved in the deputy-involved shooting?**

 - **Approximately how many rounds did you fire? If so, what direction?**

 - **Do you know if any other deputies fired rounds?**

 - **Did the suspect fire any rounds? If so, from what direction?**

 - **Was anyone injured? Where are they?**

 - **Are you aware of any witnesses? If so, where are they?**

 - **Approximately where were you when you fired the rounds?**

 - **Are there any outstanding suspects? (Description, direction, mode of travel)**

- **Are there any weapons or evidence that needs to be protected? (Locations?)**
-
-
- **Based on the public safety statement responses of the involved deputies, coordinate a search for any outstanding suspects and perform a protective sweep.**
 - **Establish a crime scene (with a single access point) large enough to include areas that spent rounds that did not hit anyone could be lodged and designate a deputy to maintain the crime scene log.**
 - **Establish a command post OUTSIDE of the crime scene and away from any hazards.**
 - **Sergeant on scene to admonish all involved deputies to make no statements to ANYONE, outside the presence of their AOCDS legal representative.**
 - **Sergeant on scene to notify the Department Commander.**
 - **Arrange to have all deputies who fired their weapons to be transported to a secure secondary location (Sub-Station, City Hall, Etc.) and have their immediate needs met (Food, Drink, Telephone notification of family). Have a supportive peer with them.**
 - **Wait for the Investigative team to arrive.**



ORANGE COUNTY SHERIFF'S DEPARTMENT

SHERIFF-CORONER
SANDRA HUTCHENS

REFUSAL TO EVACUATE

Acknowledgement that my failure to evacuate as ordered by Law Enforcement is a violation of California Penal Code §409.5(c), a misdemeanor. I understand that I assume responsibility for myself and all occupants in this residence. I am also aware that the future opportunity to evacuate may not exist, and resources to provide rescue may not be available.

DATE/TIME:		EVACUATION AREA:	
ADDRESS:		CITY:	NOT AT HOME: <input type="checkbox"/>
RESIDENT NAME:			DOB:
PHONE NUMBER:		EMAIL ADDRESS:	
EMERGENCY CONTACT:		PHONE NUMBER:	
DWELLING TYPE: Single-Family <input type="checkbox"/> Multi-Family <input type="checkbox"/> Apartment <input type="checkbox"/> Business <input type="checkbox"/> Condo <input type="checkbox"/> Mobile Home <input type="checkbox"/> Other <input type="checkbox"/>			
OWNED: <input type="checkbox"/>		RENTED: <input type="checkbox"/>	
Other Persons Remaining (Print):	Adult/Child:	Relationship (Circle):	
	Adult: <input type="checkbox"/> Child: <input type="checkbox"/>	Spouse: <input type="checkbox"/> Child: <input type="checkbox"/> Relative: <input type="checkbox"/> Co-Habitant: <input type="checkbox"/>	
	Adult: <input type="checkbox"/> Child: <input type="checkbox"/>	Spouse: <input type="checkbox"/> Child: <input type="checkbox"/> Relative: <input type="checkbox"/> Co-Habitant: <input type="checkbox"/>	
	Adult: <input type="checkbox"/> Child: <input type="checkbox"/>	Spouse: <input type="checkbox"/> Child: <input type="checkbox"/> Relative: <input type="checkbox"/> Co-Habitant: <input type="checkbox"/>	
	Adult: <input type="checkbox"/> Child: <input type="checkbox"/>	Spouse: <input type="checkbox"/> Child: <input type="checkbox"/> Relative: <input type="checkbox"/> Co-Habitant: <input type="checkbox"/>	
	Adult: <input type="checkbox"/> Child: <input type="checkbox"/>	Spouse: <input type="checkbox"/> Child: <input type="checkbox"/> Relative: <input type="checkbox"/> Co-Habitant: <input type="checkbox"/>	
	Adult: <input type="checkbox"/> Child: <input type="checkbox"/>	Spouse: <input type="checkbox"/> Child: <input type="checkbox"/> Relative: <input type="checkbox"/> Co-Habitant: <input type="checkbox"/>	
	Adult: <input type="checkbox"/> Child: <input type="checkbox"/>	Spouse: <input type="checkbox"/> Child: <input type="checkbox"/> Relative: <input type="checkbox"/> Co-Habitant: <input type="checkbox"/>	
	Adult: <input type="checkbox"/> Child: <input type="checkbox"/>	Spouse: <input type="checkbox"/> Child: <input type="checkbox"/> Relative: <input type="checkbox"/> Co-Habitant: <input type="checkbox"/>	

I clearly understand the information above and have been advised by a member of the Orange County Sheriff-Coroner Department.

Resident Signature: _____

Deputy/Witness: _____ PID#: _____

550 N. Flower Street, Santa Ana, CA. 92703 (714) 647-7000

Integrity without compromise • Service above self • Professionalism in the performance of duty • Vigilance in safeguarding our community

HATE CRIMES:
CRIMES MOTIVATED BY RACE, RELIGION, ETHNICITY, OR SEXUAL ORIENTATION

- I. Injury or threat to person or damage to property because of specified beliefs or characteristics (hate crimes, bias crimes) - CPC 422.6.
 - A. A "hate crime" is an illegal act or a threatened or an attempted illegal act directed against a person, group of persons, public agency, or private institution based on the victim's actual or perceived race, nationality, religion, sexual orientation, disability, gender or because the group or institution identified or associated with a person or group of an identifiable race, nationality, religion sexual orientation, disability or gender.
 - B. These crimes include but are not limited to verbal threats of violence, threatening phone calls, hate mail, physical assaults, vandalism, cross burnings, or destruction of other religious symbols, and firebombing.
 1. The hate crime must involve a specific target, such as an individual residence, house of worship, religious or ethnic organization, or business.
 2. Bias must have been either the motivating factor or where there is more than one possible motive for the conduct, the bias must be a substantial motivating factor for the suspect's conduct.
 3. Any assault against a person, in the absence of other apparent motivation, when initiated with racial, ethnic, religious, or homophobic epithets, will be considered to be a hate crime.
 4. Vandalism to a house of worship, ethnic, religious, or gay and lesbian organizations will be considered a hate crime in the absence of evidence of other motives.
 5. Graffiti must be racial, ethnic, religious, or homophobic in nature, such as a swastika, KKK, Nazi, or other hate group symbols or slogans, or involve the use of epithets.
 6. Obscene or threatening phone calls containing racial, ethnic, religious or homophobic slurs are considered hate crimes.

7. Some incidents may not clearly fit a specific definition, so a common sense approach must be used. If an incident appears to be one of bias involving race, religion, ethnicity, or sexual orientation, it should be investigated as such.
- C. A “hate incident” is a non-criminal act, including words, based on an actual bias or perceived bias relating to race, nationality, religion, sexual orientation, disability or gender. Examples include but are not limited to: name calling and epithets not accompanied by an assault; graffiti on walls, overpasses, public areas, etc.; hate rallies, leafleting or recruiting drives, if they are not directed at specific targets or individuals; posting of hate material not resulting in property damage, and display of offensive material on one’s own property, visible to the public
- D. Consideration should be given to CPC section 11410, findings and declarations, in determining whether the incident should be handled as a reportable crime.
1. The legislature finds and declares that it is the right of every person regardless of race, color, creed, religion or national origin, to be secure and protected from fear, intimidation, and physical harm caused by the activities of violent groups and individuals.
 2. It is not the intent of the chapter to interfere with the exercise of rights protected by the Constitution of the United States.
 3. The legislature recognizes the Constitutional right of every citizen to harbor and express beliefs on any subject whatsoever and to associate with others who share similar beliefs.
 4. The legislature further finds, however, that the advocacy of unlawful violent acts by groups against other persons or groups under circumstances where death or great bodily injury is likely to result is not constitutionally protected, poses a threat to public order and safety and should be subject to criminal and civil sanctions.

II. Enforcement Procedures

A. Reporting

1. An initial crime report should be completed in all cases when a crime has occurred.

- a. The initial crime report will reflect the actual crime committed, assault and battery, shooting at dwelling/vehicle, sexual crime, or vandalism, etc.
 - b. Where information is developed which indicates the crime fits into the hate crime classification, the additional charge of CPC 422.6 will be added.
 - c. Include relevant information concerning race, nationality, religion, disability, gender or sexual orientation concerning all persons involved.
2. A Hate Crime Supplemental Report Form should be completed in all cases when a crime has occurred. When using FBR, check the Hate Crime box and complete all related follow up questions.
 3. All other hate incidents not meeting the reportable crime standards, shall be documented in an incident report, with an assigned case number. In cases where there is no specified crime, the person(s) suspected of committing the incident should be listed as "involved party" and not listed as "suspect."

B. Deputies on Scene

1. Determine if the suspects are still on scene, and immediately take all appropriate investigative and enforcement action.
2. Ask victims about possible suspects and encourage them to express their feelings, as this often yields useful information about motives, perpetrators, etc. Ask victims if they are aware of other incidents in the area.
3. Assure the victims that the investigation will be actively pursued to apprehend the suspects. Provide brochure on hate crimes and information regarding assistance organizations to victims.
4. Protect the crime scene and evidence.
5. Advise the field supervisor of incident and circumstances.
6. Contact ID office for crime scene investigation (if necessary).

7. Ensure all physical evidence is removed as quickly as possible after the scene investigation is completed. Attempt to impress upon building or property owners the need for complete restoration as soon as possible.
8. Before leaving the area, check the surrounding neighborhood for other incidents if the crime was vandalism or graffiti.

C. Scene Management

1. The field supervisor shall respond to the scene of all incidents covered by this order.
2. Ensure that the crime scene is protected.
3. When appropriate, ensure that investigative personnel are notified through the Watch Commander.
4. Ensure that the scene is properly processed and evidence is gathered.
5. Personally assure the victims that the investigation will be actively pursued to apprehend the suspect(s).
6. Notify the Watch Commander as soon as possible of the following information:
 - a. Any disturbances, physical violence, or destruction of property that is racially, religiously, or ethnically motivated.
 - b. Type of vandalism and the materials involved.
 - c. Exact time and location of the incident.
 - d. Whether arrests are imminent, or the names, addresses, dates of birth, sex, and race of any persons arrested.
 - e. Any gang affiliation.
7. Ensure that the crime report contains full data on the material used (cross, literature, paint, etc.), including size, construction, wrappings, messages; plus the method of removal and the disposition of the remains.

8. Notify Investigation immediately and route a copy of the crime report to Investigation on a priority basis.
9. Maintain contact with community leaders at the scene concerning the progress of the investigation.

D. Department Commander Responsibilities

1. Ensure the investigative personnel have been notified, if their presence would serve the best interest of the investigation.
2. Notify the affected captain and/or commander of Field Operations.
3. Arrange for an immediate increase of patrols throughout the area of occurrence. If the potential for further acts of violence exist, a unit should be specifically assigned to the area of occurrence.

E. Investigative personnel shall, upon being directed by a commanding officer or department commander, respond to the scene of all significant incidents covered by this order.

1. Conduct a thorough, on-site investigation to determine what evidence is required to ensure a successful arrest and prosecution of the criminal offender(s).
2. Ensure that all physical evidence is recorded, photographed, and gathered by designated personnel.
3. Generate appropriate and necessary supplemental crime reports.
4. Coordinate the efforts of this inquiry with other assigned police personnel in a cooperative and professional manner.
5. Make a follow-up visit to assure the victims that we are doing everything possible to apprehend the suspect(s).
6. Suggest the formation of a Neighborhood Watch Program if none exists in the area. If such a program exists, ask the victim's permission to notify the leader of the area program. Give the victims' information about government and religious

organizations which provide support for victims of hate crimes, such as the Orange County Human Relations Commission.

7. Maintain liaison with the department's Special Investigations Unit for intelligence information exchange.
8. Contact appropriate federal, state, and/or other local law enforcement agencies for assistance.
9. Ensure that victims and other concerned parties are informed of a case clearance.
10. Maintain liaison with federal, state, and local agencies for intelligence information exchange. When appropriate, share relevant information with department personnel so they are aware of potential problems in the community and can perform in a pro-active manner.

III. Victim Assistance

- A. Victims of racial, ethnic, religious, or sexual orientation shall be offered the assistance of our Victim Assistance Program.
 1. Victim Assistance will respond to the scene if necessary or talk to the victims on the phone.
 2. Victim Assistance will coordinate contact with the Orange County Human Relations Commission (714) 567-7470.
 3. Provide victim with Hate Crime Victim Guide, by OC Human Relations (this is a brochure to be provided by deputies, see II.B.3 above).

AVIATION SUPPORT UNIT

- I. Introduction
 - A. The mission of the Aviation Support Unit is to provide effective airborne surveillance and patrol support for the contract cities and unincorporated areas in Orange County. Provide rapid response and tactical insight by identifying potential hazards detected from the air in order to reduce the risk for citizens and ground units.
 - B. Aircrews may respond to requests for assistance from non-contract cities if the non-contract city request for assistance via Aircall or Red Channel. However, requests for service to an unincorporated area or a contract city shall take precedence over non-contract cities. The following type calls are deemed countywide service: Vehicle pursuits, bank robberies involving tracking systems, stolen vehicles equipped with tracking systems, riots, felonious suspects within a perimeter, assaults involving a weapon or an officer in need of assistance.
 - C. In addition, the Aviation Support Unit will participate in firefighting operations to include Bambi Bucket water drops, Helicopter Coordinator (HELCO) and transportation of personnel and equipment.
- II. Aviation Support Unit Aircraft and Personnel Overview
 - A. Aircraft
 - 1. The Aviation Support Unit operates two AS350B2 A-Star Helicopters and one UH-1H Huey.
 - a. AS350B2 A-Star
 - 1. Maximum speed – 155 knots
 - 2. Maximum range – 370 miles
 - 3. Endurance – 3.7 hours
 - 4. Service ceiling – 12,500 feet
 - 5. Passenger capability – pilot, Tactical Flight Officer and 2 passengers in a normal configuration.

b. UH-1H Huey

1. Maximum speed – 130 knots
2. Maximum range – 310 miles
3. Endurance – 2.5 hours
4. Service ceiling – 12,500 feet
5. Passenger capability – pilot, Tactical Flight Officer and 8 fully equipped SWAT Operators. Non-essential passengers cannot be flown on the UH-1.

B. Crew

1. Pilot has complete command over flight operations and flight safety.
2. Tactical Flight Officer (TFO) has tactical control over patrol operations.

III. Capabilities

A. Officer Safety

1. Provide aviation support to ground units in performance of their law enforcement duties.
2. Prevent and repress criminal activity through presence of law enforcement helicopter.
3. Warn deputies or officers of impending danger through aerial observation of criminal activity.
4. Provide immediate transportation of injured deputies.

B. Efficiency and Effectiveness

1. Patrol
 - a. Reduce crime.
 - b. Faster backup for ground units.

- c. Downlink provides a live feed to a monitor in the Command Post in order for an Incident Commander to make decision based on real time information.
- d. Quick on-scene response allows for a high success rate of apprehending suspecting during in progress calls.
- e. Night searches enhanced by use of FLIR (Forward Looking Infrared).

2. Searches

- a. The helicopter may be used to locate suspects, missing or injured persons.
- b. The helicopter may be used to locate evidence, vehicles or crime scenes.

3. Surveillance

- a. Can assist investigation in trailing known suspects or in observing particular crime areas.
- b. The Star Safire 380HD Camera allows the Aviation Support Unit to conduct surveillance at high altitudes avoiding detection by suspects or target persons.

4. Pursuits

- a. An important role of the Aviation Support Unit is involvement in pursuits. A pursuit is a high risk activity for both deputies and innocent bystanders.
- b. Once the helicopter is in position to follow the pursued vehicle, the helicopter should call the pursuit for the ground units.

5. Transportation

- a. Sheriff's Department personnel and their equipment can be moved quickly and easily to any area of the county.
- b. Movement of personnel to and from inaccessible areas.

- c. Movement of personnel due to time constraints.
- d. High security risk transportation assignments.

6. Special Use

- a. SWAT Insertions.
- b. SWAT Live Fire missions using the Tyler Bench Platforms for aerial gunnery.
- c. Search and Rescue operations (OCSD responsibility per Government Code 26614).
- d. Video downlink and digital recording of both video and still photography.
- e. Fire suppression by dropping water with Bambi Buckets.
- f. Assist K-9's with search and perimeters.
- g. Deployment of the Dive Team for water rescues.

IV. Limitations

A. Weather

- 1. Weather conditions can affect the response of a helicopter.
 - a. High winds or turbulence (affects aircraft control).
 - b. Heavy Rain (affects visibility and can cause rotor blade damage).
 - c. Fog, haze, smog, smoke and clouds (affects visibility and crewmembers ability to assist ground units).

B. Terrain

- 1. High tension wires and towers (a major factor in helicopter accidents).

C. Aircraft

1. Current fuel of aircraft.
2. Available power
3. Weight and balance
4. Limited seating.

V. Communications

A. Initial call by patrol deputy through dispatcher and Department Commander.

1. Availability

- a. Immediate need.
- b. Status of crew or aircraft.
- c. Estimated time of arrival at scene.

2. Considerations for establishing a response priority by an Aviation Support Unit helicopter.

- a. Officer safety.
- b. Missing persons.
- c. Crime in progress.
- d. Fleeing suspect and nature of the crime committed.
- e. Search and Rescue.

3. Considerations for dispatchers

- a. Nature of the call.
- b. Suspect and/or vehicle descriptions.

1. Detailed description (many vehicles will look similar at altitude).

- c. Time element
 - 1. The difference between when the crime actually occurred and helicopter's arrival will help in determining the area of the search.
 - d. Direction of travel
 - 1. Suspects tend to make right hand turns when fleeing crime scenes.
 - e. Unusual circumstances or characteristics of the call.
 - f. Call sign of the patrol unit and knowledge of the unit roof number.
 - g. If possible, establish direct communications with the aircrew.
 - h. Provide additional updated information on the situation and potential hazardous conditions.
 - i. Use primary communication channels when possible to assure widespread knowledge of situation and updates.
- B. Follow-up communications by ground units after the helicopter arrives at the scene.
- 1. Give direction of travel from scene (geographical orientation).
 - 2. Keep the helicopter and dispatcher updated with new information.
 - 3. Advise the helicopter of a Code-4 when helicopter is no longer needed.
 - a. This eliminates the attraction of bystanders.
 - b. This eliminates noise complaints.
 - c. Aviation Support will never put out a "Code 4" over the radio.

VI. Aircraft Safety and Airborne Operations

A. Safety

1. Never approach the helicopter unless under the direction and guidance of an Aviation Support crewmember and only after a full safety briefing has been received.
2. Helicopters are of fragile construction and are easily damaged. Entering and exiting the helicopter should only be done only at the direction of an Aviation Support crewmember.
3. The main and tail rotors pose significant hazards to personnel:
 - a. Main Rotor
 1. Enter and exit the helicopter only under the direction from an Aviation Support crewmember.
 2. Whenever possible, only enter and exit the helicopter when the main rotor blades have stopped turning.
 3. Always walk downhill away from the helicopter and walk uphill towards the helicopter.
 4. Wind gusts can cause rotor blades to dip, therefore reducing ground to rotor blade clearance.
 - b. Tail Rotor
 1. Never approach a helicopter from the rear of the aircraft.

B. Airborne Operations

1. Remain sensitive to limiting factors.
 - a. Weather: temperature, winds and visibility.
 - b. Ground Obstacles: towers, poles, antennas, wires.

C. Airborne Objects: Civil aircraft, news gathering aircraft, hang gliders and radio-controlled aircraft.

1. Stay alert to unusual conditions of the helicopter.
 - a. Smoke.
 - b. Unusual noise.
 - c. Falling objects or fluids.
2. Try not to point bright lights directly at the aircraft unless directed to do so by an Aviation Support crewmember.

D. Landing Site Selection

1. Establish characteristics of a safe landing site.
 - a. Choose a large open area, preferably hard surfaced.
 - b. The landing area should be twice the overall size of the helicopter (the AS350B2 A-Star is 42.5 feet in length and the rotor blades are 35 feet in width).
 - c. The site should be as level as possible.
 - d. The surface should be smooth and free of dust, rocks and debris. Concrete, asphalt and grass are preferred over dirt.
 - e. Remove any loose objects from the landing site.
 - f. Advise Aviation Support crewmembers of any nearby obstacles such as towers, poles, antennas, or wires.
 - g. If smoke is used, place upwind and off-site.
2. Evaluate prevailing wind.
 - a. Takeoffs and landings are normally made flying into the wind.
3. Determine any obstacles for approach and landing.

- a. Supervisors should complete a briefing of ground personnel prior to the helicopter landing.
- b. There must be a sufficient number of ground personnel to clear unauthorized access to a landing site.
- c. It will be noisy and confusing when the helicopter lands and departs. Establish control of ground personnel and bystanders and assure control will be maintained during landing and departure.

E. Ground Operations

1. Never approach the helicopter unless under the direction of an Aviation Support crewmember.
2. The following should be strictly adhered to while in the area of an Aviation Support helicopter:
 - a. Do not drive within 50 feet of the helicopter.
 - b. Wear eye and ear protection when available.
 - c. No smoking.
 - d. No loose garments (hats, sunglasses and jackets.)
 - e. Always maintain visual contact with the Aviation Support crew while moving about the aircraft.

F. Ingress and egress procedures

1. Never approach the helicopter unless under the direction of an Aviation Support crewmember.
2. The following should be strictly adhered to while entering or exiting an Air Support helicopter:
 - a. Take your time, there is no hurry.
 - b. No smoking.
 - c. Maintain eye contact with Aviation Support crew.

- d. Approach and exit to and from the front of the helicopter to avoid jet exhaust and tail boom blast, when the helicopter is running.
- e. Approach the helicopter uphill and exit the helicopter downhill, when the aircraft is running.
- f. Approach and exit in a crouched position, when the aircraft is running.
- g. Objects to be loaded into the helicopter will be loaded by an Aviation Support crewmember.
- h. Do not carry an object to be loaded onto the helicopter above head level.
- i. Use only approved handles and steps to enter and exit the helicopter.
- j. Ensure you know how to open and secure the door handles.
- k. Ensure you know how to use the seatbelts.
- l. Ensure you know how to use headsets and communication devices.
- m. Ensure knowledge of emergency procedures.
- n. Direct any procedural questions to an Aviation Support crewmember.
- o. Assure all objects are secure in the aircraft.
- p. Follow all directions of the Aviation Support crewmembers.

G. Enroute procedures

1. Follow all directions of the Aviation Support crewmembers.
2. No smoking.
3. Remain seat belted in the helicopter until the helicopter blades are completely stopped.

H. Emergency Procedures

1. Follow all directions of the Aviation Support crewmembers.
2. Remain calm.
3. Remain seat belted in the aircraft.
 - a. A precautionary landing and non-emergency landing usually involves a minor system malfunction.
 - b. A forced landing or an emergency landing usually involves a major or catastrophic system failure that prevents further flight.

I. Post Mishap Procedures

1. Immediate priorities.
 - a. Communicate situation to dispatch and request assistance as needed.
 - b. Lifesaving.
 1. Rescue trapped personnel if aircraft is on fire. If aircraft is not on fire, try not to move personnel in case of a neck injury.
 2. Be aware of fire or sources of fire.
 3. Be cautious of back and neck injuries and only remove personnel if a fire danger exists.
 4. Avoid contacting sharp objects.

5. Avoid contacting spilled liquid and fuel.
 6. Be aware of caustic liquid.
 7. Do not attempt to stop slow turning rotors.
2. Scene preservation.
 - a. Treat the entire scene as you would a serious crime scene.
 - b. Do not allow anyone near the aircraft or wreckage.
 - c. Do not allow anyone to remove aircraft parts or wreckage.
 - d. Locate, identify and take any witness statements.
 - e. Maintain vigilance over the scene until properly relieved.
3. Investigative responsibilities
 - a. Public safety aircraft mishaps are investigated by the National Transportation Safety Board (NTSB) and Federal Aviation Administration (FAA).

DOMESTIC VIOLENCE

- I. Domestic violence definitions in section CPC 13700.
 - A. "Abuse" means intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable apprehension of imminent serious bodily injury to himself or herself, or another.
 - B. "Domestic Violence" means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or a person with whom the suspect has had a child or is having or has had a dating or engagement relationship.
 - C. "Cohabitant" means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may be used to determine include but are not limited to:
 1. Sexual relations between parties while sharing the same living quarters.
 2. Sharing of income or expenses
 3. Joint use or ownership of property
 4. Whether the parties hold themselves out as spouses
 5. Continuity of the relationship
 6. Length of the relationship
- II. Types of Violations:
 - A. Felony Arrest: CPC 273.5-Arrest when there is probable cause to believe that a crime has been committed under this felony section.
 1. "Traumatic condition" means a condition of the body, such as a wound or external or internal injury, including, but not limited to, injury as a result of strangulation or suffocation, whether of a minor or serious nature, caused by a physical force. For purposes of this section, "strangulation" and "suffocation" include impeding the normal breathing or circulation of the blood of a person by applying pressure on the throat or neck.

2. The two parties must be:
 - a. Spouse/former spouse
 - b. Cohabitant/ex-cohabitant
 - c. Engaged/formerly engaged, or someone with whom the offender has, or previously had, an engagement or dating relationship
 - d. Have children in common (excludes pregnancy) and there must be visible injury or evidence of internal injury.

B. Misdemeanor Arrest: -CPC 243(e)(1)- Under PC 836(d)(1) & (2) an arrest may be made for any 243(e)(1) violation committed in or out of a deputy's presence. The two parties involved must be:

1. Spouse/former spouse
2. Cohabitant/former cohabitant
3. Have a child in common
4. Engaged/formerly engaged
5. Dating/formerly dating

III. Reporting: CPC 13730(a) mandates documentation of all incidents involving domestic violence.

A. Deputies shall write a report in all incidents involving domestic violence.

1. A non-criminal domestic violence verbal report must be written for non-criminal incidents of domestic violence in the Field Based Reporting system. This form is automatically generated for criminal incidents of domestic violence in the Field Based Reporting system.
2. CPC 293a mandates that victims of felony domestic violence and stalking must be advised of their confidentiality rights. If a victim requests confidentiality or declines, this must be documented in the Field Based Reporting system in the confidentiality section.

IV. Verification of Restraining Orders:

- A. The deputy shall ascertain if a restraining order is valid by calling teletype to confirm all conditions (view on MDC/ELETE)

V. Arrest Criteria and Enforcement Procedures

- A. A violation of a restraining order is a misdemeanor under either PC 276.2 or PC 166.4. CPC 836(c)(1) states that a deputy must arrest when probable cause to believe a violation of this section occurs whether or not in the deputy's presence. An arrest must be made when:

1. When the order and proof of service has been verified.
2. The complainant produces a valid copy of the order barring a file stamp of a court and proof of service.
3. The order has been verified and the order states the suspect was personally present when the order was made.
4. The order has been verified, and the suspect has been previously admonished by a deputy.
5. The deputy has applied for and been issued an Emergency Protective Order and in aggravated cases, must enforce the order immediately.

- B. When a deputy cannot verify proof of service, the deputy shall:

1. Inform the subject of the terms of the order.
2. Admonish the subject that an order is in effect, the terms of the order, and that the violation of the order will result in arrest.

- C. When a deputy encounters a situation in the field where the Sheriff's Department doesn't have a copy of the restraining order on file and the victim/informant has one in their possession, the deputy should get a copy and attach to their report.

VI. Emergency Protective Orders Family Code 6250

- A. An Emergency Protective Order (EPO) is an ex-parte (without prior knowledge) restraining order issued by telephone by the on-call Judge. A judicial officer may issue an EPO when:

1. A person is in immediate and present danger of domestic violence, based on the person's allegation of a recent incident of abuse or threat of abuse or
2. A child is in immediate and present danger of abuse by a family member or
3. Child abduction or
4. Stalking (DV and non-DV)

B. Obtaining an EPO

1. Fill out items 1-7 on the top of the EPO form. Question 3 is the most complicated and should be answered on a separate sheet of paper before talking to the magistrate, in case the magistrate wishes to make changes. Call EPO Judicial Officer at [REDACTED].
2. Space for answering questions 8-11 is limited, so you should not fill them in until after you have spoken to the magistrate.
3. In cases where the magistrate denies the EPO, the magistrate's name must still be printed on line 7 along with the date and time. At the bottom again print the magistrate's name and "EPO denied". The deputy must sign the EPO with the magistrate still on the phone.
4. An EPO expires either at the close of business on the fifth court business day after it was issued, or on the seventh calendar day, whichever comes first. This date must be inserted by the deputy in the small box under question number eight.

VII. Serving the Emergency Protective Order

- A. Serve the "restrained party" with the EPO, and fill out the "proof of Service" at the bottom. It is a good idea to have them sign in the margin as proof they were served. The EPO is not valid unless it is served. Upon service of the Domestic Violence Protective Order the deputy will request the immediate surrender of all firearms in the served subjects possession or control. The deputy will provide a property receipt for all relinquished weapons. If the restrained person is not there, an attempt must be made to find him/her. The victim cannot serve the EPO.

- B. Give the canary copy to the person restrained, and the pink copy to the person protected. Give the protected person the phone number to CSP, Domestic Violence Assistance Program 24 hour recorded info line for TRO's (714) 935-7956

VIII. After an EPO is issued the following steps MUST be done by end of shift for both served and un-served:

- A. Fax to Orange County Superior Court Protective Order Unit [REDACTED]
[REDACTED]
- B. Fax to Teletype [REDACTED]
- C. Leave original and one copy of report at the designated collection point
- D. Complete a Criminal Incident Report if a crime was committed or a Non-Criminal Information Report if no crime was committed.

IX. Types of Restraining Orders

- A. The most common order is the Temporary Restraining Order, under the Domestic Violence Prevention Act.
 - 1. Temporary Orders issued under the Domestic Violence Prevention Act are granted for emergency protection from violence, Permanent orders can be granted at a hearing scheduled within 25 days from the date temporary orders are issued. Permanent orders are good for up to 3 years and there is no fee to file under the Domestic Violence Prevention Act.
 - 2. In order for a citizen to obtain a Temporary Restraining Order for domestic violence or a family law issue, they must go to the LAMOREAUX JUSTICE CENTER located at 341 The City Drive in Orange, during normal court hours. Make sure to tell the citizen that obtaining the order is an all-day process which begins in the morning. Assistance is available through the Domestic Violence Assistance Program located in the Justice Center in room C-705, from 0800 to 1230. The office will assist in preparing the paperwork prior to the 1330 court time. A four-hour prior notice from the protected person to the restrained person is required by the court.

The citizen may give this notice by phone giving the restrained person the date, time (1330), place (LAMOREAUX JUSTICE CENTER, ORANGE) and the reason for the court appearance.

- B. Family Law Act Restraining Orders are required when there is violence, and a divorce, legal separation, or paternity action has been filed in Orange County. The staff at the Domestic Violence Assistance Program can offer referrals for legal assistance but CANNOT OFFER LEGAL ADVICE. However, the staff can arrange appointments with volunteer attorneys, who are generally available Monday or Thursday mornings by appointment only. There is a fee to file under the Family Law Act. This fee can be waived if financial circumstances dictate, and a fee Waiver form is submitted.
- C. A Civil Injunction Against Harassment is a restraining order which addresses “knowing and willful course of conduct directed at a specific person which seriously harms, annoys, or harasses such a person, and which serves no legitimate purpose. It must be such as would cause a reasonable person to suffer substantial emotional distress” These orders are designed to be issued when the dispute involves a neighbor, co-worker, or other non-related person; violence is not necessarily a factor. The Domestic Violence Assistance Program DOES NOT ASSIST with these orders. Forms must be typed, and a filing fee of \$182 is required, unless a waiver of court fees is submitted to the court. Forms and instruction booklets are available through the County Clerk’s office. A Civil Injunction Against Harassment Order can be obtained at all justice centers in Orange County during normal court hours.
- D. When a citizen is given an emergency protective order they should also be reminded that the EPO is only for a short time and that if they need longer protection they can obtain either a Temporary Restraining Order or ultimately a Permanent Restraining Order.
- E. For a Gun Violence Restraining Order, reference Orange County Sheriff’s Department Policy 345. For a citizen to obtain a Gun Violence Restraining Order, they must go to the CENTRAL JUSTICE CENTER, located at 700 W. Civic Center Drive in Santa Ana during normal court hours.

For Additional information refer to:

- A. Training Bulletin 10-12 Domestic Violence Registry
- B. Training Bulletin 09-08 Family Protection Detail
- C. S.A.F.E. Bulletin AB1014 Gun Violence Restraining Order (12-6-18)

RECOVERED STOLEN PROPERTY

I. Vehicles

A. Vehicles reported stolen from OCSD jurisdiction and recovered by OCSD

1. Report requirements

- a. Use original DR number (OCA)
- b. Follow-up report titled "Auto Theft"
- c. Complete CHP 180 for Recovered Vehicle/Component

2. Suspect In-Custody

- a. Book to CVC 10851(a)- If stolen vehicle is "Fresh", or if he/she is the named suspect and admits to stealing the car, or can be tied to the theft (CHP 180 is the ICR)
- b. Book to CPC 496d(a)- If none of the above apply (ICR)
- c. Do not process the vehicle for evidence if the arrestee can be placed behind the wheel unless unusual circumstances are involved (i.e. 211, 273.5 where additional investigation may be required).
- d. Prior to releasing the vehicle to the Registered Owner, contact them and see if they can identify the person(s) in the vehicle. Use the "Addendum to Auto Theft Arrest Report" as a guideline for questioning under Miranda.
- e. Tow/store the vehicle if Registered Owner not available
 1. CVC 22651(c) Tow Authority for stored vehicle

3. No Suspect In-Custody

- a. Hold all OCSD vehicles for Prints and DNA and/or Evidence collection if recovered in the county. If the OCSD stolen is recovered by another agency outside Orange County, the vehicle will not be held for evidence. If the OCSD stolen is recovered by an outside agency

within Orange County, the vehicle can be held for evidence at the registered owner's expense.

1. CVC 22655.5(b) Tow Authority- Write "Hold For Prints and DNA" on CHP 180, seal vehicle as necessary AND indicate in report that vehicle was sealed
 2. Request "Inside storage" capability from Tow Company
- b. If no "Holds," vehicle can be released to Registered Owner and will NOT be worked for evidence.
 - c. Tow/store the vehicle if Registered Owner not available
CVC 22651(c) Tow Authority for stored vehicle
 - d. If obvious conditions exists (vehicle value under \$950.00, pool vehicle, multiple drivers) follow-up for physical or biological evidence is unnecessary and the vehicle SHOULD NOT be held for processing. Under these circumstances, document and release the vehicle to the registered owner or tow per CVC 22651(c).
4. Contact Teletype
 - a. Clear original FCN and request "locate" be sent to reporting Agency
 - b. Notate original FCN number at the top of the CHP 180
- B. Vehicles reported stolen outside OCSD jurisdiction and recovered by OCSD
1. Report Requirements
 - a. Request a new OCSD DR number
 - b. Follow-up Report titled "Assist Outside Agency" only if reporting jurisdiction responds and assumes Investigation/makes the arrest otherwise title "Auto Theft"
 - c. Complete CHP 180 for Recovered Vehicle/Component
 2. No suspect in custody

- a. Hold for Prints and DNA and/or Evidence collection ONLY if indicated by Teletype.
 1. CVC 22655.5(b) Tow Authority- Write "Hold For Prints and DNA" on CHP 180, seal vehicle as necessary AND indicate in report that vehicle was sealed
 2. Request "Inside storage" capability from Tow Company
- b. If no "Holds," vehicle can be released to Registered Owner and will NOT be worked for evidence.
- c. Tow/store the vehicle if Registered Owner not available
 1. CVC 22651(c) Tow Authority for stored vehicle

3. Suspect In-Custody

- a. Book to CVC 10851(a)- If stolen vehicle is "Fresh", or if he/she is the named suspect and admits to stealing the car, or can be tied to the theft (CHP 180 is the ICR). Use the "Addendum to Auto Theft Arrest Report" as a guideline for questioning under Miranda.
- b. Book to CPC 496d(a) If none of the above apply (ICR)
- c. Tow/store the vehicle
 1. CVC 22651(c) Tow Authority for stored vehicle

4. Contact Teletype

- a. Clear original FCN and request "Locate" be sent to reporting agency
- b. Notate original FCN number at the top of the CHP 180 and indicate outside agencies OCS (Case) number in box 29

II. Other Property

A. Property reported stolen from OCSD jurisdiction.

1. Recovered in OCSD jurisdiction.

- a. With suspect in custody and value of stolen property is more than \$950.00.
 1. Type of Report - The arresting Deputy will complete an Initial Crime Report for CPC 496(a) using a new DR#. The deputy will refer to the original DR# within the narrative of the report.
 2. Disposition of Property
 - a. If unable to locate the owner, property will be marked and tagged, then placed into Sheriff's evidence. The deputy will contact Teletype and clear the FCN from the computer.
 - b. If owner is identified and located, the deputy may release the property to him/her. In ICR narrative, notate the time, date and disposition of the property (Booked/released). It is also advised a picture be taken of the released property for report purposes. Contact Teletype and clear the FCN from the computer.
 3. Disposition of Suspect - The suspect will be booked on a charge of CPC 496(a), Possession of Stolen Property.
 4. The patrol supervisor will notify the appropriate general investigations sergeant (Southeast, Southwest, North, Northwest (Stanton), Yorba Linda). The investigation sergeant will determine whether an investigator needs to respond to the scene to conduct follow-up investigations such as a search warrant or a parole/probation search.
- b. With suspect in custody and value of stolen property is less than \$950.00.
 1. Type of Report - The arresting Deputy will issue a citation and write a continuation report for CPC 496(a) using a new DR#. The deputy will refer to the original DR# within the narrative of the report.
 2. Disposition of Property

- a. If unable to locate the owner, property will be marked and tagged, then placed into Sheriff's evidence. The deputy will contact Teletype and clear the FCN from the computer.
 - b. If owner is identified and located, the deputy may release the property to him/her. In the continuation report narrative, notate the time, date and disposition of the property (Booked/released). It is also advised a picture be taken of the released property for report purposes. Contact Teletype and clear the FCN from the computer.
 3. Disposition of Suspect - The suspect will be issued a citation for a charge of CPC 496(a), Possession of Stolen Property and released on his/her own recognizance.
 4. The patrol supervisor will notify the appropriate general investigations sergeant (Southeast, Southwest, North, Northwest (Stanton), Yorba Linda). The investigation sergeant will determine whether an investigator needs to respond to the scene to conduct follow-up investigations such as a search warrant or a parole/probation search.
 - c. With no suspect in custody.
 1. Type of Report - The recovering Deputy will complete a follow-up report using the original DR#.
 2. Disposition of Property - Same as with suspect in custody.
- B. Property reported stolen from another agency's jurisdiction.
1. Recovered in OCSD jurisdiction.
 - a. With suspect in custody.
 1. Type of Report - The arresting Deputy will complete an Initial Crime Report for CPC 496(a) if

the value of the stolen property is over \$950.00. If the value of the stolen property is under \$950.00, the suspect will be issued a citation for CPC 496(a). The deputy will refer to the reporting agency's DR# within the narrative of the report.

- a. The deputy will contact the reporting agency and confirm the property is stolen. Once confirmed, request that a copy of their report be faxed immediately so it can be incorporated as part of the Initial Crime Report.
 2. Disposition of Property - Property will be marked and tagged, then placed into Sheriff's evidence. The deputy will contact Teletype and clear the FCN from the computer.
 3. Disposition of Suspect - The suspect will be booked on a charge of CPC 496(a), Possession of Stolen Property if the value of the property is over \$950.00. If the value of the stolen property is under \$950.00, the suspect will be issued a citation for CPC 496(a) and released on his/her own recognizance.
 4. The patrol supervisor will notify the appropriate general investigations sergeant (Southeast, Southwest, North, Northwest (Stanton), Yorba Linda). The investigation sergeant will determine whether an investigator needs to respond to the scene to conduct follow-up investigations such as a search warrant or a parole/probation search.
- b. With no suspect in custody.
1. Type of Report - The recovering deputy will complete a property report; refer to reporting agency's DR# within the narrative.
 2. Disposition of Property - Same as with suspect in custody.

JURISDICTION DETERMINATION INVOLVING
THE CALIFORNIA HIGHWAY PATROL

All contacts with members of the California Highway Patrol, as with any other law enforcement agency, shall be handled with the highest level of professionalism and spirit of cooperation.

- I. The responsibilities of the California Highway Patrol include the following:
 - A. They are the primary patrol and investigation agency for all traffic related accidents and crimes on all State Highways and in all State buildings throughout Orange County.
 - B. CHP will assume control of all vehicle pursuits on State Highways through all jurisdictions when they are in position to do so, with a sufficient number of units, at the discretion of the Field Supervisor in charge of the pursuit.
 - C. They will conduct accident investigations involving a collision of a Sheriff's Department vehicle if any party is seriously injured or killed. The Department Commander and Traffic Bureau Sergeant should be consulted for any question about which investigating agency would be most appropriate.
 - D. They are the primary handling agency for all traffic matters in the unincorporated areas including:
 1. Injury traffic accidents.
 2. Non-injury traffic accidents.
 3. Hit and Run accidents.
 4. Reports of reckless or speeding vehicles, or suspected drunk drivers.
 5. Parking violations, including:
 - a. Abandoned vehicles.
 - b. Illegally parked vehicles

- II. Incidents involving a conflict of jurisdiction or duties with the CHP.
 - A. If Dispatch receives a call for service for the CHP in an unincorporated area and the CHP refuses to respond, the Dispatcher will notify the Department Commander. At the discretion of the Department Commander, a Deputy Sheriff may be dispatched to handle the call.
 - B. Conflicts over jurisdiction in the field may be resolved between the officer and the deputy, or sergeants from both agencies, or ultimately between the Department Commanders.

GUIDELINES FOR TRAFFIC COLLISION REPORTING

I. Department Policy

- A. The purpose of this Section is to establish policy and uniform procedures for documenting motor vehicle collisions within the framework of the Statewide Integrated Traffic Records System (SWITRS) and the California Vehicle Code. This is to ensure that each deputy sheriff documents collisions according to the provisions of the Collision Investigation Manual while in conformance with current Department policy and commensurate with their level of training.

SWITRS was implemented in 1972 for purposes of establishing uniformity in the collection, reporting and retrieval of traffic collision data.

Collision documentation is the foundation for any effective traffic safety program. To attain a reduction in the frequency and severity of traffic collisions, it is important that the information be documented on the proper forms and accurate in content. Use of the standard forms in accordance with the instructions in this Section will meet this requirement and provide meaningful data concerning each of the following subjects:

1. The magnitude of the overall traffic collision problem. This is accomplished by comparisons with other local, state, and national traffic safety statistics.
2. The identification of specific traffic safety problems. The collection of traffic collision data will help identify highway design, law enforcement, vehicle, and driver deficiencies. Traffic engineers, law enforcement agencies, driver improvement analysts, and educators may then develop corrective countermeasures.
3. The effectiveness of collision prevention efforts. The success or failure of collision prevention programs will be determined by evaluation of statistics gathered from traffic collision report forms.
4. The determination of negligence or fault. Information provided will aid in the development of driver improvement programs as

a result of identifying problem or negligent drivers and in determining the laws violated in connection with the traffic collisions.

II. Department Responsibility

A. The Orange County Sheriff's Department is required to report:

1. All motor vehicle traffic and non-traffic collisions resulting in personal injury or death; or involving a violation of V.C. Section 20002(a)-Hit and Run; or V.C. 23152(a)-driving while under the influence of alcohol or drugs, occurring on public or private property within any contract city limits.
 - a. A non-traffic collision is any motor vehicle collision involving a vehicle in transport that occurs entirely at a place other than on a public roadway in a contract city.
 - b. Includes motor vehicle collisions that occur off-highway on public or private property in any contract city.
2. All bicycle collisions occurring on a highway within the city limits of any contract city.

III. Collision Reporting Format

- ### A. The basic form of documentation of collisions shall be the INVESTIGATION format. In certain limited situations, the REPORT format may be completed. Whichever form of documentation is used, the completed document will exemplify the best possible traffic investigation report writing techniques. The document shall lead to logical conclusions based upon the facts of the reported collision.

Each deputy has the responsibility to develop report writing and investigative techniques that will lead to high quality and professional documentation of collisions. INVESTIGATIONS and REPORTS will be clear, concise, and complete, and shall answer the questions who, what, when, where, why, and how in a time sequential manner and according to the provisions of the Collision Investigation Manual (CIM).

IV. Collision Investigation

- ### A. A collision shall be documented as an INVESTIGATION when one or more of the following conditions apply:

1. A motor vehicle collision resulting in the death of a person on or off a public roadway.
2. A motor vehicle collision occurring on a public roadway resulting in personal injury.
3. A collision that is the result of an identifiable violation and prosecution will be sought. When the offense to be prosecuted is not collision related, the requirement for an INVESTIGATION should be based on the needs of the Traffic Bureau.
4. All collisions resulting in an in-custody arrest for a violation of C.V.C. Sections 2800.1, 20002, 23152, or 23153.
5. An involved party is in violation of the hit and run provision of C.V.C. 20002 on or off a public roadway and sufficient information is available to identify the hit and run driver through follow-up.
6. Any county or contract city owned vehicles, including leased vehicles.

- B. Refer to the Collision Investigation Manual, pages 3-A-1 through 3-A-4 for the INVESTIGATION narrative format.

V. Collision Report

- A. A collision may be documented as a REPORT when one or more of the following conditions apply:
 1. A collision involves damage to private property and the driver is unable to notify the property owner in compliance with C.V.C. Section 20002, but notifies the Sheriff's Department without unnecessary delay.
 2. A collision involves property damage only.
 3. A collision involves a late-reported injury.
 - a. A late-reported collision is a fatal or injury collision where involved vehicles and parties are no longer at the scene and documentation is requested at a location away from the collision scene.

- B. Upon approval of the division commander, a collision in which the only injury or injuries involve a "Complaint of Pain" claim, provided the party exhibits no visible physical injuries, refuses medical treatment at the scene and is not transported to a medical facility, may be documented in the REPORT format. Careful consideration of all factors (e.g., vehicle damage, physical evidence, mechanism of injury, fraud, potential for serious non-visible injury, etc.) associated with the collision shall be made prior to documenting the collision in the REPORT format. Refer to the Collision Investigation Manual, pages 3-B-1 through 3-B-2 for the REPORT narrative format.

VI. Property Damage Only Form (CHP 555-03)

- A. The Property Damage Only (PDO) form may be used on:

- 1. Counter reports.
- 2. Private property collisions involving:
 - a. One or two parties.
 - b. No injuries.
 - c. No anticipated prosecution.

- B. The Property Damage Only (PDO) form may NOT be used on:

- 1. Hit and run collisions, even with no follow-up information available.
- 2. Collisions that occurred upon a public roadway.

VII. Department Notifications

- A. Notifications will be made to the Department Commander on the following collisions:

- 1. Injury collisions where any person is transported to a hospital for treatment.
- 2. Major Injury or fatal collisions.

- a. On any fatal collision, the following people will be notified by the Department Commander:
 1. Patrol Sergeant
 2. Traffic Bureau Sergeant
 3. City Lieutenant
 4. Division Commander

- B. Deputies should seek guidance from their immediate supervisors as traffic related questions arise. In the event of an unusual occurrence, the Traffic Bureau Supervisor should be contacted for disposition.

GANG RELATED CRIME

- I. Gang Defined:
 - A. For the purposes of this section, the definition of a “gang” will be the same used for a “criminal street gang” in CPC 186.22(f). That is, any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more of the 33 criminal acts listed in subdivision (e), having a common name or common identifying sign or symbol, and whose members individually or collectively engage in or have engaged in a pattern of criminal gang activity.
 1. Included among the 33 crimes listed within subdivision (e) are CPC 245 Assault with a Deadly Weapon, PC 211 Robbery, and PC 246 Shooting at an Inhabited Dwelling.
- II. Gang Related Crime Defined:
 - A. An incident will be labeled a “gang-related crime” when it meets one or more of the following criteria:
 1. Those crimes wherein the suspects are identified as active participants of a gang.
 2. When a reliable informant identifies an incident as gang related.
 3. When an informant of previously untested reliability identifies an incident as gang activity, and it is corroborated by other independent information.
 4. When the victim of the crime is a known gang member and becomes a victim due to the gang association.
 5. When there are strong indications that an incident is gang related, but it does not fit the above criteria, it may be considered as gang activity.
 - B. Deputies submitting gang related reports shall place the letters "G.E.T." in the upper left corner of the crime report (Copies to:). The narrative of the

crime report should clearly indicate the reason the deputy believes the incident is gang related.

- C. Crimes involving gang-related activity or victims/suspects who are gang members may result in the response of the Gang Enforcement Team. Notification of the appropriate team member can be made via the Department Commander.

OLEORESIN CAPSICUM (O.C.) SPRAY

I. Aerosol Chemical Agent Deployment Tactics

A. Carrying the hand-held aerosol chemical agent device

1. Your chemical agent should be carried on the weak hand side.
2. Placement on the weak side allows for immediate (no obstruction) access to a firearm when needed.

B. Deployment of the hand-held aerosol chemical agent device

1. It may be tactically advantageous to conceal the device from the suspect's view until it is actually used.
2. After being withdrawn from the holster, the device needs to be right-side up in order to discharge properly and prevent loss of the propellant. Do not "test" the canister by spraying it in an upside-down position.
3. Hand-held chemical agent devices should be used at distances between 3 and 10 feet.
4. All devices are affected by the elements; i.e., wind, rain, temperature, etc. These factors must be taken into account before use.
5. The target for all hand-held aerosol devices is the face of the suspect.

6.

7.

8. Each person may react differently to a chemical agent exposure (e.g., some may flee, some may attack, some may appear unaffected, etc.) Effects vary depending upon the psychological makeup, physical condition, level of intoxication, degree of exposure to the agent, etc. The same person may in fact, react differently on different occasions.
9. Deputies must be prepared to use other force options, as appropriate, if the subject is not affected by the agent. Deputies should not use the carotid control hold or "hog tie" any suspect who has been sprayed with O.C. "Hog-tying" is not a Department-approved method of restraint. Deputies are reminded of the potential problems associated with positional asphyxia.
10. Deputies must be prepared to get some of the chemical agent on them during or after its use.
11. O.C.-based chemical sprays will sometimes work on household pets. Deputies should refrain from using O.C. spray around horses (including mounted patrol) as they seem to be adversely affected, which may cause the animal to panic. Trained attack dogs usually are not affected.

II. Force Options

The use of force is based on the "Objectively Reasonable" standard as stated in U.S. Supreme Court case *Graham vs. Connor* (1989). This is the standard considered to be the benchmark across America. It is contemporary, reflecting the most current judicial wisdom and it mirrors the standard prescribed by the Commission on Peace Officer Standards and Training (POST). The appropriate application of this standard requires that all factors surrounding a particular event be considered. This is true when determining whether to use force, as well as writing the requisite reports to document an event where force was used and in the supervisory review of the same event to determine the appropriateness of the Action(Policy 300.1.1, Use of Force Philosophy)

Any peace officer that has reasonable cause to believe that the person to be arrested has committed a public offense may use reasonable force to affect the 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 of the person being arrested nor shall such officer be deemed the aggressor or lose his/her right to self-defense by the use of reasonable force to effect the arrest or to prevent escape or to

overcome resistance (Penal Code § 835(a)). (Policy 300.2.1, Use of Reasonable Force to Effect an Arrest).

III. Physiological Effects

- A. Severe twitching of the eyes
- B. Involuntary closure of the eyes
- C. Respiratory inflammation/shortness of breath
- D. Coughing
- E. Gagging sensation
- F. Exposed skin inflammation (redness, burning sensation)
- G. Temporary loss of upper body motor control
- H. Temporary paralysis of the larynx

IV. Psychological Effects

- A. Disorientation
- B. Anxiety
- C. Panic

V. Decontamination Policy and First Aid

- A. Expose to fresh air as soon as possible. You may also flush contaminated areas with large amounts of cold water when it is practical to do so.
- B. If contact lenses are worn by the suspect, Orange County fire personnel should be requested to facilitate their removal.
- C. If irritation or complications arise during the decontamination period, seek medical attention. If breathing problems outside normal occur, seek medical attention. Effects of the agent will usually not persist longer than 45 minutes.
- D. In the unlikely event a subject is not arrested after the application of O.C., deputies must ensure such persons receive thorough decontamination

from either Fire Authority paramedics, or a hospital emergency room. Deputies are responsible for the personal safety of each person exposed to the substance and shall consider the possibility of such persons relapsing from the effects of the substance after decontamination.

- E. Always advise the jail medical staff that O.C. was used.
- F. Extreme caution should be used in the implementation of additional restraint methods or devices other than normal handcuffing techniques. Do not place the suspect in a prone position face down when transporting in custody. Deputies should always monitor in-custody suspects due to potential medical considerations.
- G. If the suspect begins to experience breathing difficulty, tell the suspect to "pant" or take a series of short shallow breaths. This will prevent the suspect from hyperventilating due to a feeling of panic.
- H. If the suspect requests or needs first aid, make it available.

VI. Reporting

- A. Any use of physical force by a member of this department shall be documented by that member promptly, completely, and accurately in an appropriate report depending on the nature of the incident. The department member shall also complete the "Use of Force" statistical summary. A DR number will be required for the Use of Force Statistical Summary.
- B. When documenting a Use of Force event, Department personnel may review audio/video recording as a means of ensuring factual accuracy and enhancing recollection.

VII. Care and Maintenance of Aerosol Chemical Agent Devices

- A. Storage of hand-held agent devices
 - 1. Devices should be stored in areas that do not exceed 120 degrees.
 - 2. At temperatures exceeding 120 degrees, the aerosol may expand and the container may explode releasing its contents.
- B. Devices should be checked for leaks periodically.

C. Inspections of hand-held aerosol chemical agent devices should include:

1. Exterior canister
2. Trigger/activation mechanism
3. Seams and seals
4. Expiration dates
5. Nozzle (e.g., for obstructions, blockages)
6. Contact your supervisor when replacement of the canister becomes necessary. Each division is responsible for the replacement of any used O.C. spray canisters.

PRELIMINARY ALCOHOL SCREENING (PAS) DEVICE

- I. Use of PAS Device
 - A. Section 23612(h) of the California Vehicle Code establishes that the PAS is a field sobriety test and can be used to establish reasonable cause to believe the person was driving a vehicle in violation of Section 23140 VC, 23152 VC, or 23153 VC.
 - B. There is no formal training class for a deputy to attend to certify him/her in the use of the PAS. Being shown how to use it by another deputy is sufficient.

- II. Procedures
 - A. Prior to the use of the PAS, one of the following admonishments shall be read to the subject:
 1. Any person age 21 or older who is not on DUI Probation (CVC 23154(a)) shall be admonished per CVC 23612(i) that the PAS is voluntary. The following wording is to be read verbatim:

"I am requesting that you take a preliminary alcohol screening test to further assist me in determining whether you are under the influence of alcohol. You may refuse to take this test, however, this is not an implied consent test and if arrested, you will be required to give a sample of your blood, breath or urine for the purposes of determining the actual alcoholic and/or drug content of your blood."
 2. Any person under age 21 (CVC 23140/23136) or on DUI Probation (CVC 23154(a)) , who drives a motor vehicle is deemed to have given his or her consent to a preliminary alcohol test or other chemical test for the purpose of determining the presence of alcohol in the person, if lawfully detained for an alleged violation of CVC 23136(a) or CVC 23154(a).

B. Administering Tests

1. The subject should normally be observed for at least 15 minutes prior to the test. (See related training bulletin Section 5C (6) a 1 & 2. If this cannot be done, ask the subject when they last drank. This may help qualify the 15-minute observation period.

III. Officer Safety Considerations

- A. During the time the test is being given to a subject, the deputy could be vulnerable to an assault. The test, therefore, should be administered at a safe distance from the flow of traffic and at a location most advantageous to the officer. The officer should maintain a position of advantage throughout the contact with the violator. The device should be utilized in the deputy's weak hand. The subject shall not handle the device.
- B. Two tests should be given a minimum of two minutes apart. Deputies should not advise the subject of the actual digital results at the time of the tests. This will avoid any conflict which may arise prior to or during the tests. The results may be revealed after the arrest and collection of the evidentiary test. If the results of the two tests are more than .02 different, a third test shall be done.

IV. Refusal to Take PAS Test

- A. The PAS device test, for the purposes of Sections 23152/23153 VC (for a person 21 years of age or older) is voluntary. If a subject refuses to take a PAS device test, the significance of the test and of his/her refusal should be explained and documented on the DUI Report, page 3. The refusal may be used to show consciousness of guilt.
- B. Drivers under the age of 21 years, who are suspected to be in violation of Section 23136 VC, Zero Tolerance, are required to submit to a PAS device test and are subject to administrative per se sanctions for refusals.
 1. Zero Tolerance Refusal Admonishment
 - a. When a subject under 21 years of age or on DUI Probation refuses to take a PAS device test, the deputy shall read the admonishment as follows:

"You are required by state law to submit to a preliminary alcohol screening test to determine the presence of alcohol in your blood. If you refuse to submit to, or fail to complete a breath test, your driving privilege will be suspended for one year."

V. Documentation

- A. Deputies shall note on the DUI Report, Page 3, the name of the deputy who administered the PAS test, the temperature of the unit and results of each test.

VINE – VICTIM INFORMATION NOTIFICATION EVERYDAY SYSTEM

I. Background

- A. VINE (Victim Information Notification Everyday) is a fully automated victim notification service that the Sheriff's Department provides at no cost to all Orange County residents. VINE provides victims and/or witnesses the opportunity to be automatically notified when the suspect(s) in their case is released from custody or transferred to another custodial facility.

The Sheriff's Department implemented VINE in order to provide victims and/or witnesses with valuable information they can use in order to protect themselves. The Sheriff's Department is committed to serving and protecting all Orange County residents, and VINE is an effective resource to assist the Department in its efforts to do so.

II. Vine System Basics

- A. A centralized computer system located in Louisville, KY, is linked to the Orange County Jail AJS computer system. VINE constantly monitors inmate activity at each jail via information that is updated every 10 minutes from AJS. When an inmate is processed for release, VINE automatically begins notification of that release to all registered victims and/or witnesses. Telephone calls continue for 24 hours, or until a successful notification is verified.
- B. Victims and/or witnesses register with VINE by calling a local access telephone number and following the prompts given by the computer. A personal identification number (PIN) for each victim/witness is requested by VINE. The PIN, entered by a victim/witness after a notification, confirms a successful contact.
- C. VINE allows for confidential information exchange. Victims/witnesses do not have to reveal their identity when registering or accessing inmate status. They may also register alternate telephone numbers with VINE, and can enter a new telephone number if there is a change of address.
- D. A key factor in the success of the VINE system is its availability to the residents of Orange County. California Penal Code 646.92 mandates the Sheriff to notify victims of stalking and domestic violence felonies only after their suspects have been convicted. The VINE system allows the

Sheriff's Department to expand the scope of victim/witness notification without complicating the process of registration for anyone involved.

- E. VINE is available in English, Spanish, and Vietnamese, and may be utilized 24 hours a day, every day of the year. VINE is available to victims/witnesses at absolutely no cost to them.

III. System Implementation

A. Sheriff's Department Employee Participation and Responsibilities

1. Patrol Supervisors - Supervisors will ensure patrol deputies have been properly briefed and understand how and why the VINE system has been implemented. Supervisors also have the responsibility to ensure deputies maintain an adequate supply of VINE system explanation materials, and they are used consistently in situations where they are warranted and properly documented in their reports.
2. Patrol Deputies - Deputies are the essential component in a successful VINE registration and notification. There are situations, as listed below, where deputies are required to distribute VINE information. There are many other situations deputies encounter which may also indicate a VINE system registration. Deputies are encouraged to exercise discretion and ensure VINE information is distributed whenever it may benefit victims and/or witnesses.
3. When to Use VINE
 - a. VINE system information shall be given to any victim of stalking or a domestic violence crime when a suspect has been arrested. The following crimes are those in which a deputy shall give VINE information to a victim:
 1. CPC 646.9 - Stalking
 2. CPC 273.5 - Corporal Injury to Cohabitant
 3. CPC 273d - Corporal Injury to a Child
 - b. VINE system information should also be given to victims/witnesses whenever a deputy determines they might be at risk and/or would benefit from having information pertaining to the release of the suspect in their case.

4. How to Use VINE

- a. Patrol deputies will provide victims/witnesses with the VINE brochure. The victim/witness may then review the brochure and determine if they want to utilize the system. Deputies shall include in their report that the VINE brochure was provided, and to whom it was provided.
- b. Deputies should be familiar with the VINE system in order to answer victims/witnesses questions. If necessary, deputies may assist victims/witnesses with registering with the VINE system.
- c. It is essential that deputies provide to the victims/witnesses the suspect(s) full name, date of birth, and the DR number assigned to the case. In the event any of the above information about the suspect(s) changes prior to booking, deputies must notify the victims/witnesses of that change. Deputies shall include in their report that notification was made regarding a change in information.
- d. In the event of any operational problems with the VINE system, the Department Commander shall be notified immediately. The Depart Commander will be able to contact a 24-hour emergency phone number at the VINE Corporation.

CRITICAL INCIDENT RESPONSE TEAM

The mission of the Critical Incident Response Team is to provide the greatest possible level of safety to the public and law enforcement personnel until the Special Weapons and Tactics Team (SWAT) and/or other appropriate tactical response can be deployed.

The primary objective of the Critical Incident Response Team is to respond, isolate and contain rapidly evolving events in the field. The Department will accomplish this objective by deploying a sufficient number of properly trained and equipped personnel during each shift to respond to incidents where standard issue weapons may be rendered ineffective by assault-type weapons, body armor, barricades or other unusual circumstances.

The team will consist of volunteer Deputies assigned to the various Divisions within the Field Operations and Investigative Services Command as well as Court Operations.

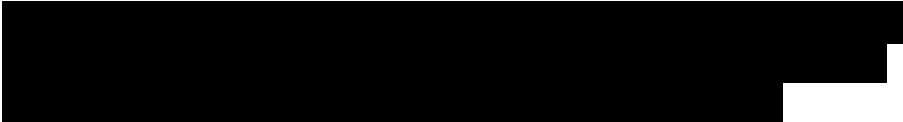
Personnel assigned to motorcycle duties may participate in the Patrol Rifle Program due to their ability to rapidly respond to specific incidents. [REDACTED]

- I. Selection of Personnel
 - A. Participation in the Critical Incident Response Team is voluntary. Members will be paid for training and qualification consistent with the policies of the current Memorandum of Understanding.
 - B. Personnel desiring to serve on CIRT shall submit a memorandum describing their knowledge, experience and technical competence in firearms, operations and tactics, to their Division Commander for approval.
 - C. Selection to the program will be based upon demonstrated field performance, judgment, decision-making ability, fitness, performance history, and overall work record.
 - D. Following initial review by the responsible Division Commander, requests will be forwarded to the Special Enforcement Bureau Commander for review.

- II. Training

- A. Deputies assigned to the Critical Incident Response Team shall attend and successfully complete the OCSD 40 hour Patrol Rifle Course, 10 hour Active Shooter Course and 10 hour MACTAC Course.
- B. Selected deputies shall qualify and demonstrate proficiency with the rifle on a monthly basis and participate in a 10 hour recertification annually.
- C. Qualification and training requirements for the Critical Incident Response Team will be established and administered by the Special Weapons and Tactics Team.
- D. Failure to complete mandatory qualification will result in removal from the Critical Incident Response Team.
- E. Individuals may be excused from a scheduled recertification day if prior written notice is provided to the SWAT office explaining the reason for the inability to attend. However, individuals that fail to attend the second consecutive scheduled recertification day may be subject to removal from the program.

III. Issue of Weapons and Equipment

- A. Deputies assigned to the Critical Incident Response Team shall be issued 
- B. Issued rifles shall not be altered in any way except by the authorized SWAT Armorer. Rifles will not be enhanced by adding or removing any accessories from them unless the accessories have been issued or authorized by the SWAT Office.
- C. Personnel that have received written approval for the purchase and deployment of a privately owned rifle shall ensure that the rifle meets the specifications as stated in Policy 312. 19. The rifle and/or any accessories must be inspected and approved by the SWAT armorer. The Deputy shall qualify with the rifle prior to putting it into service. Failure to comply may result in the revocation of the approval.
- D. Deputies shall use only Department issue ammunition. Deputies may utilize Department issued magazines and/or magazines approved by the SWAT Office.

- E. Assigned deputies shall be responsible for the weapon’s proper working order and security. Failure to properly maintain and/or safely secure the weapon may result in removal from the program.
- F. Rifles assigned to the Critical Incident Response Team shall not be removed from a Sheriff’s facility except when the deputy is engaged in enforcement duties, range qualification, team training or at the direction of a supervisor.
- G. During off-duty hours, Department issued rifles shall be placed in a nylon case, locked with the deputy’s lock, and stored in an approved armory within a Sheriff’s facility or placed and locked in the provided weapons rack at their assigned station. An equipment log shall be maintained in each armory. Deputies shall record check-in and check-out of their weapon on a shift-by-shift basis.
- H. Assigned Deputies shall take their individual weapons to the field whenever assigned to field duties.

[Redacted]

IV. Weapons

- A. [Redacted]
- B. A detailed log shall be maintained in each Division to record pertinent information regarding issue, inspection and service of rifles.
- C. [Redacted]
- D. Prior to placing a rifle in service, the assigned deputy [Redacted]
- E. [Redacted]

- F. [REDACTED]
- G. [REDACTED]
- H. Weapons clearing barrels are maintained at all Sheriff's facilities. At the end of each shift, clearing and checking of issued rifles shall be performed with the rifle muzzle inserted into the barrel to ensure the safety of personnel.
- I. [REDACTED]

V. Deployment of the Critical Incident Response Team

- A. Rifles issued to the Critical Incident Response Team should be deployed in situations where a higher level of threat is present.
- B. Incidents in which the Critical Incident Response Team may be deployed include, but are not limited to:
 - 1. Criminal acts involving armed suspects.
 - 2. High-risk car stops involving suspects believed to be armed.
 - 3. Incidents in which suspects are shooting or threatening to shoot at officers or residents.
 - 4. Incidents in which suspects are believed to be wearing body armor.
 - 5. Armed or barricaded suspects.
 - 6. Sniping incidents.
 - 7. Other emergency situations not covered by this directive, at the discretion of the field supervisor in charge of the incident or department commander.
- C. Deputies assigned to motorcycle duties shall advise Dispatch that they are responding with a Patrol Rifle.

- D. Deputies assigned to motorcycle duties shall take into consideration [REDACTED]
[REDACTED]
- E. Deputies assigned to motorcycle duties shall only consider the deployment of the Patrol Rifle [REDACTED]
[REDACTED]
- F. Field Supervisors must be aware of the limitations and restrictions placed on motorcycle deputies [REDACTED]
[REDACTED]

VI. Service of Weapons

- A. SWAT Armorers shall inspect each rifle issued to the Critical Incident Response Team on a regular basis to ensure cleanliness and good working order. Inspections shall be conducted at least once each year.
- B. SWAT Armorers shall establish and maintain a historical maintenance record for each rifle issued to the Critical Incident Response Team.

VII. Removal of Personnel

- A. Continued participation in the Critical Incident Response Team is at the discretion of the Assistant Sheriff of Field Operations and Investigative Services Command. Participation may be revoked at any time with or without cause.
- B. Division Commanders of an assigned deputy may, subject to review by the Assistant Sheriff of Field Operations and Investigative Services Command, remove a deputy from the Critical Incident Response Team when the deputy is found to be unable or unwilling to perform the duties as required by this program. Grounds for recommendation for removal would include, but would not be limited to:
 - 1. Any deputy who has attended a basic rifle course, and who fails to demonstrate competency, judgment and/or familiarity with the weapon.

2. Any deputy who fails to meet regularly scheduled firearms proficiency requirements with duty pistol, shotgun or issue rifle.
 3. Unacceptable field performance such as immaturity, inappropriate conduct in tactical situations, disciplinary action or excessive absenteeism.
- C. A deputy may voluntarily request removal from the Critical Incident Response Team. Removal may be accomplished by submitting a memo via the chain of command to the appropriate Division Commander, citing the reasons for the request. The request may be granted, depending on the needs of the Department.

JAYCOR PEPPERBALL NON-LETHAL SYSTEM

I. General

- A. Jaycor Pepperball is a use of force option that holds the potential to successfully resolve situations involving hostile, violent, and uncooperative subjects. Accordingly, their use in patrol applications is intended to provide deputies with another method of dealing with the wide variety of situations that they must face as part of their duties.
- B. Pepperball is a unique non-lethal chemical agent delivery system that uses high-pressure air launchers to deliver chemical agents and kinetic energy impact force from a distance. It can be used on individual suspects as well as large groups of people for riot and crowd control.
- C. Non-lethal force philosophy, similar to less-lethal force, is defined as a concept of planning and force application, which meets operational objectives, with the least potential for causing death or serious physical injury than conventional police tactics.

II. Use of Force Guidelines

- A. Deputies who have been trained in the use of Pepperball may deploy the non-lethal device when the use of force complies with the use of force guidelines, established in the Department's Use of Force Policy (300.2, Policy)

It is the policy of this department that deputies shall use only that amount of force that appears objectively reasonable, given the facts and circumstances perceived by the deputy at the time of the event, to effectively bring an incident under control. "Reasonableness" of the force used must be judged from the perspective of a reasonable deputy on the scene at the time of the incident. Any interpretation of reasonableness must allow for the fact the sheriff's deputies are often forced to make split-second decisions in circumstances that are tense, uncertain and rapidly evolving about the amount of force that is objectively reasonable in a particular situation.

Given that no policy can realistically predict every possible situation a deputy might encounter in the field, it is recognized that each deputy must be entrusted with well-reasoned discretion in determining the appropriate use of force in each incident. While it is the ultimate objective of every law enforcement encounter to minimize injury to everyone involved, nothing in this policy requires a deputy to actually sustain physical injury before applying reasonable

force. Law enforcement personnel shall use no more force than is objectively reasonable to accomplish lawful objectives. The use of any force to accomplish unlawful objectives is prohibited. The Department will not tolerate excessive and/or punitive force.

1. The option to deploy a non-lethal system shall be left to the discretion of the involved personnel based upon the circumstances at that time.
 - a. The Pepperball may be used for the purpose of compelling an individual to cease his or her violent or potentially violent actions by using the OC powder and kinetic energy impact force directly on the suspect.
2. An evaluation of the tactical situation shall be made by the deputy(s) on scene, taking into consideration available circumstances including, but not limited to:
 - a. The suspect's stated or exhibited intent to violently resist being taken into custody.
 - b. The credibility of that threat as evaluated by the on scene deputy(s).
 - c. Additional information immediately available to the deputy(s), such as knowledge of the subject's expertise in martial arts or other unarmed defensive tactics.
 - d. The suspect is armed with a potentially deadly weapon such as a knife, club, etc.
 - e. Indications of drug use or alcohol intoxication.
 - f. The suspect's physical stature and clothing worn. For example, a subject who has a thin build and is not wearing a shirt presents a different set of conditions compared to an individual who is heavy-set and wearing a jacket.
 - g. Due to their physical condition, use of less lethal munitions against children and the elderly should be avoided unless there are unique circumstances present that would justify such deployment.

- h. Availability of other force options and their possible effectiveness and appropriateness.
 - i. Indications that attempts to subdue the subject through the use of control holds or self-defense techniques would be ineffective.
 - j. A reasonable expectation it will be more dangerous for the deputy(s) to approach to within physical contact distance of the subject.
 - k. The subject's actions indicate the need for an immediate response, and the use of a non-lethal system reasonably appears to be appropriate, especially if the only other option to deal with those actions may be the use of deadly force.
3. While the option to consider a non-lethal system is available, nothing in this policy shall require any deputy to deploy such an option when circumstances reasonably indicate the use of deadly force is appropriate.

III. Descriptions of Non-Lethal Launcher and Projectiles

A. The Jaycor Pepperball System is comprised of a launcher (SA200 Rifle), a high-pressure air (HPA) bottle that attaches to the launcher, projectiles, and a fill adaptor that attaches to a SCUBA tank or Self-Contained Breathing Apparatus (SCBA) tank.

B. Only Jaycor Pepperball projectiles will be used in the launcher.

C. Pepperball projectiles should only be used in the Pepperball launchers designed specifically for non-lethal rounds. Only non-lethal projectiles issued by the Department are authorized for use by Sheriff's personnel.

IV. Carrying of Non-Lethal System

- A. The non-lethal launcher shall be stored and carried in a black ballistic nylon protective case, [REDACTED]
- B. The non-lethal projectiles shall be carried in the [REDACTED]
[REDACTED]
- C. The HPA air bottle will be attached to the launcher and the gauge needle should read 2500 to 3000 psi. A second air bottle will be kept in the case and it should have the same psi.

V. Inspection

- A. Deputy(s) deploying the Pepperball will be responsible for [REDACTED]
[REDACTED] The deputy should verify that the HPA air bottle has 2500 to 3000 psi. If the gauge reads less than 2500 psi, the deputy should recharge the air bottle by following the procedure indicated in Section VI.
- B. At the beginning of each shift, the deputy taking charge of the weapon shall verify the status of the launcher. [REDACTED]
[REDACTED]
- C. At the end of the deploying deputy's shift, the deputy having charge of the weapon will inspect the case to ensure the safe condition of the Pepperball system. The oncoming deputy will then go through the inspection procedure.

VI. HPA Bottle Charging Procedures

- A. Attach bottle to fill adapter by inserting the fill nipple into the quick release valve.
- B. Close relief valve on the adapter (clockwise)
- C. Slowly open main valve on SCUBA tank (counter-clockwise.) To protect eyes against airbursts, eye protection is recommended. Air can be heard moving from the SCUBA tank into the air bottle when the main SCUBA valve is opened. The air bottle pressure gauge needle should read 2500 to 3000 psi when it reaches capacity.
- D. Close the main valve on the SCUBA tank (clockwise.)

- E. Open the relief valve on the fill adapter to relieve line pressure (counter clockwise.)

VII. Loading the SA200 Launcher

- A. Loosen the crimp screw at the base of the feed elbow and press-fit the hopper into the feed elbow on top of the launcher. Tighten the crimp screw at the base of the feed elbow with the large Allen wrench contained in the maintenance kit.
- B. Fill the hopper with Pepperball projectiles to 90% capacity. Do not overfill the hopper. Loading too many rounds in the hopper can cause the projectiles to jam when feeding into the breech.
- C. Fit the hopper cap securely into place.

VIII. Charging the SA200 Launcher

- A. First make sure that the launcher is on safe by pressing the safety button out to the right-hand side of the launcher. Cock the launcher by sliding the charging handle all the way back until it locks into place.
- B. Insert the air bottle into the adapter at the back end of the pistol grip and tightly screw the 3000 psi air bottle (clockwise) until it stops. Double-check the air pressure gauge to ensure that the bottle is filled at or near capacity.
- C. Adjust the butt stock at the rear of the air bottle to fit your shoulder.

IX. Firing the SA200 Launcher

- A. Ensure the rear sight is firmly attached to the launcher. If the sight is removed, the SA200 linkage arm will pop out and cause damage to the launcher and possible physical injury to the operator.
- B. Make sure the charging handle, which is located at the rear left-hand side of the launcher as it is facing away from you, is locked back in the rear position.
- C. Take the launcher off safe by pressing the safety button out to the left-hand side of the launcher.
- D. Acquire a target sight picture and pull the trigger once for each shot.
- E. Never target eyes, face, throat or spine.


X. Deployment of Non-Lethal System

- A. [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

- G. Supervisor should be present, whenever practical, to coordinate and direct the involved personnel.
- H. The deploying deputy, whenever practical, should communicate to other deputy(s) and officer(s) on scene that the Pepperball is being deployed.
- I. Deputy(s) deploying the Pepperball shall ensure the use of non-lethal projectiles reasonably appears appropriate for the circumstances as they appear at the scene.
- J. Pepperball may be used as an option to de-escalate a potentially dangerous/deadly situation, with a reduced potential for death or serious injury to all persons involved.
- K. [REDACTED]

XI. Deployment Distances and Shot Placement

- A. The throat, face, eyes, and the base of the neck and spine should not be targeted unless the suspect's actions are so threatening that only other apparent option is the use of deadly force.
- B. Pepperball is considered a non-lethal device and is safe at point-blank range in target area.

- C. Target area is determined by the suspect's clothing. Center of torso is the preferred target area. Alternate target areas include arms, shoulders, hips, thighs, knees, and shins.
 - D. Adjust targeting for wind conditions by test firing rounds.
 - E. 
 - F. Deployment at a stationary target is desirable. However, deputy(s) should recognize a subject's actions might not always make this possible and exercise caution when deploying Pepperball against moving targets.
 - G. An exception to these guidelines would be subject(s) involved in behavior so dangerous and potentially lethal to others that the only other force option reasonably available to deputy(s) on scene would be the use of deadly force.
- XII. Medical Attention for Injuries Sustained Using Force (Policy 300.5)
- A. Any person who has been subjected to a use of force who does not exhibit injury and/or appear to be in any kind of adverse medical distress, may be transported to the jail and shall be medically evaluated by Correctional Medical Services prior to booking.
 - B. Any individual exhibiting signs of distress after an application of force shall be medically evaluated as soon as practicable by either paramedics at the scene or taken to a hospital for examination. Signs of distress may include shortness of breath, chest pain, and/or dizziness.
 - C. Individuals who are exhibiting symptoms of excited delirium, such as nudity, profuse sweating, extreme strength, extreme agitation, violent or irrational behavior accompanied by profuse sweating, extraordinary strength beyond physical characteristics, imperviousness to pain or who require a protracted physical encounter with multiple sworn personnel to bring them under control. These individuals may be more susceptible to collateral medical problems and should be closely monitored following the application of a use of force until they can be examined by paramedics and/or taken to a hospital for an examination.
 - D. If the subject is an inmate at one of the five Orange County Sheriff's jail facilities at the time of the use of force, then CMS will be notified and directed to respond, and once on scene will assume responsibility for medical care.

- E. Any individual who refuses medical attention shall have his or her refusal fully documented in related reports and if possible be witnessed by another deputy/SSO and/or medical personnel. If medical staff is willing to provide a copy of the subject's medical refusal, this document should be collected and included with the report package. If possible, an audio recording of the refusal should also be made and a notation in the report indicating the subject's refusal was recorded and either booked as evidence or stored on the Department's digital video server system.

XIII. Documentation of Non-Lethal System Use

- A. If Pepperball was deployed against a subject and a supervisor is not present, one will be notified as soon as practical.
- B. All relevant information concerning the use of Pepperball shall be documented.
 - 1. All information will be documented on a Department crime report, incident report, arrest, or follow-up report and a Use of Force Statistical Summary for each deputy that used force during the incident.
 - 2. Describe the circumstances that gave rise to the use of Pepperball.
 - 3. Explain other use of force options employed and/or rejected as being inappropriate or ineffective.
 - 4. Describe how many non-lethal projectiles were deployed, by which deputy(s) and at what distances, include how many projectiles struck the subject, on which areas of the body and the effect of the non-lethal system.
 - 5. Document any injuries to citizens, deputy(s) and/or the subject involved.
 - 6. Describe any medical treatment, including that given to the subject after the impact of the Pepperball, by Fire Department/Paramedics and the hospital where the subject was transported. Identify the treating physician in your report.
 - 7. Any witness statements.
 - 8. Subject's statements.

9. Photographs, video and other physical evidence. Take photographs, even if there are no visible injuries. Note: photographs of a subject/suspect's private areas; i.e., buttocks, breasts and underwear, are only allowed per 4050 P.C. (dealing with strip searches,) so only take photographs of exposed areas. Medical staff can rearrange clothing, conduct a visual check and make a notation in the subject's medical record.

XIV. Supervisor's Responsibilities

- A. Supervisory notification shall be made as soon as reasonably possible following the application of a reportable use of force.
- B. Upon notification of a reportable use of force, the supervisor shall respond and conduct an investigation to include but not limited to the following:
 1. Shall obtain the basic facts from the involved deputy(s).
 2. Ensure that any injured parties are examined and treated.
 3. Separately interview the subject(s) upon whom force was applied.
 4. Ensure that photographs have been taken of any areas involving visible injury or complaint of pain as well as overall photographs of uninjured areas (consistent with PC 4030).
 5. Identify any witnesses not already included in related reports.
 6. Complete a summary of the audio and video/digital recording (s) and include with the incident documentation.
 7. When possible, review and approve all related reports.
 8. Complete the Supervisory Use of Force Analysis report.
 9. Initiate a Use of Force Checklist for the force incident.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force or if the supervisor applied, or directed other department members to use force, the patrol Department Commander or jail Watch Commander will assign any other available supervisor to respond and fulfill the above requirements.

12 GAUGE LESS LETHAL MUNITIONS

- I. General
 - A. Less lethal munitions are a use of force option that holds the potential to successfully resolve situations involving hostile, violent and uncooperative subjects. Accordingly, their use in Patrol applications is intended to provide deputies with another method of dealing with the wide variety of situations that they must face as part of their duties.
 - B. Less lethal impact projectiles are defined as those munitions which can be fired, launched, or otherwise propelled, for the purpose of encouraging compliance, overcoming resistance, or preventing action that will likely lead to death or serious injury to the people involved.
 - C. Less lethal force philosophy is defined as a concept of planning and force application, which meets operational objectives, with less potential for causing death or serious physical injury than conventional police tactics.
- II. Use of Force Guidelines
 - A. Deputies who have been trained in the use of 12 gauge less-lethal munitions and are in compliance with the Department's training standards may deploy the 12 gauge less-lethal munitions.
 - 1. The option to deploy less lethal munitions shall be left to the discretion of the involved personnel based upon the circumstances at the time.
 - a. Less lethal munitions may be used for the purpose of compelling an individual to cease his or her violent, or potentially violent, actions when the deputy reasonably believes less lethal munitions deployment represents a viable option for resolving the situation at hand.
 - 2. An evaluation of the tactical situation shall be made by the deputy(s) on scene, taking into consideration available circumstances including, but not limited to:
 - a. The suspect's stated or exhibited intent to violently resist being taken into custody.

- b. The creditability of that threat as evaluated by the on scene deputy(s).
 - c. Additional information immediately available to the deputy(s) such as knowledge of the subject's expertise in the martial arts or other unarmed defensive tactics.
 - d. The suspect is armed with a potentially deadly weapon such as a knife, club, etc.
 - e. Indications of drug use or alcohol intoxication.
 - f. The subject's physical stature and clothing worn for example, a subject who has a thin build and is not wearing a shirt presents a different set of conditions compared to an individual who is heavy set and wearing a jacket.
 - g. Due to their physical condition, use of less lethal munitions against children and the elderly should be avoided unless there are unique circumstances present that would justify such a deployment.
 - h. Availability of other force options and their possible effectiveness and appropriateness.
 - i. Indications that attempt to subdue the subject through the use of control holds or self-defense techniques would be ineffective.
 - j. A reasonable expectation it will be more dangerous for the deputy(s) to approach to within physical contact distance of the subject.
 - k. The subject's actions indicate the need for an immediate response, and the use of less lethal munitions reasonably appears to be appropriate, especially if the only other option to deal with those actions may be the use of deadly force.
3. While the option to consider less lethal munitions is available, nothing in this policy shall require any deputy to deploy such option when circumstances reasonably indicate the use of deadly force is appropriate.

4. It is the policy of this department that deputies shall use only that amount of force that appears objectively reasonable, given the facts and circumstances perceived by the deputy at the time of the event, to effectively bring an incident under control. "Reasonableness" of the force used must be judged from the perspective of a reasonable deputy on the scene at the time of the incident. Any interpretation of reasonableness must allow for the fact the sheriff's deputies are often forced to make split-second decisions in circumstances that are tense, uncertain and rapidly evolving about the amount of force that is objectively reasonable in a particular situation.

Given that no policy can realistically predict every possible situation a deputy might encounter in the field, it is recognized that each deputy must be entrusted with well-reasoned discretion in determining the appropriate use of force in each incident. While it is the ultimate objective of every law enforcement encounter to minimize injury to everyone involved, nothing in this policy requires a deputy to actually sustain physical injury before applying reasonable force. Law enforcement personnel shall use no more force than is objectively reasonable to accomplish lawful objectives. The use of any force to accomplish unlawful objectives is prohibited. The Department will not tolerate excessive and/or punitive force (Policy 300.2, Use of Force)

III. Descriptions of Less Lethal Weapon and Munitions

- A. The Remington 870, 12 gauge pump action shotgun specifically used to deploy less lethal munitions will be identified by the receiver-mounted, sidesaddle ammunition holder for carrying less lethal munitions and will be equipped with a fore-end mounted flashlight and three-point sling. The stock will be painted orange.
- B. Only Combined Tactical Systems, Inc. (CTS) Model No. 2581 Super-Sock 12 gauge Bean Bag Cartridge/munitions will be used in this shotgun. It has a white exterior. The projectile weighs 40 grams and has an average terminal velocity of 280 feet per second. The munitions deliver kinetic energy to the target.
- C. Less lethal should only be used in shotguns designated specifically for less lethal munitions. Only less lethal munitions issued by the Firearms Training Unit are authorized for use by Sheriff's personnel.

IV. Carrying of Less Lethal Weapons

- A. [REDACTED]
- B. Additional Less Lethal Munitions, CTS Model No. 2581 Super-Sock 12 gauge Bean Bag Cartridge shall be carried in the receiver-mounted, sidesaddle ammunition carrier. [REDACTED]

V. Inspection

- A. Deputy(s) deploying the less lethal shotguns will be responsible for ensuring only less lethal munitions are loaded into, or stored in, the protective carrying case with the less-lethal shotgun, and on the receiver-mounted, sidesaddle ammunition carrier.
- B. At the beginning of each shift, the deputy taking charge of the weapon shall verify the status of a less lethal shotgun. The deputy shall inspect the weapon to verify that it is functional, [REDACTED] of CTS Model No. 2581 Super-Sock 12 gauge Bean Bag Cartridge in magazine, [REDACTED]
- C. At the end of the deploying deputy's shift, the deputy having charge of the weapon will unload the less lethal shotgun. The less lethal shotgun will be passed over to the oncoming deputy who will then inspect and load the weapon.

VI. Deployment of Less Lethal Munitions

- A. Deputy(s) shall always have immediate lethal force backup.
- B. If practical, a team of deputies will be involved in the deployment of less-lethal munitions.
- C. Shotgun operator deploys the less lethal munitions
- D. Cover officer will be prepared to use deadly force should the subject reasonably appear to become an immediate threat to the lives of those present.

- E. [REDACTED]
- F. Arrest team, consisting of preferably two deputies, will take control of the subject after he/she is incapacitated and handcuffed.
- G. A supervisor should be present, whenever practical, to coordinate and direct the involved personnel.
- H. The deploying deputy, whenever practical, should communicate to other deputy(s) and officer(s) on scene that less lethal munitions are being deployed to prevent contagious or sympathetic fire.
- I. Deputy(s) deploying less lethal munitions shall ensure the use of less lethal munitions reasonably appears appropriate for the circumstances as they appear at the scene.
- J. The less lethal munitions may be used as an option to de-escalate a potentially dangerous/deadly situation, with a reduced potential for death or serious injury to all persons involved.

VII. Deployment Distances and Shot Placement

- A. [REDACTED] Shot placement, not shot distance, is the greatest determining factor in preventing the possibility of serious physical injury. While neither the manufacturer nor the Sheriff's Department recognizes a "minimum stand-off distance," deputies should attempt to maintain at least five feet between the weapon's muzzle and the intended target. This five foot distance allows for the internal parts of the shot-shell to properly separate and allow for an even safer deployment. Additionally, due to the length of the 12 gauge shotgun, which is used to deploy the super-sock bean bag and its three-point carrying sling, [REDACTED]
- B. The action of pointing and firing a weapon at an individual along with the associated flash and sound, delivers substantial psychological effects in conjunction with the actual projectile impact. Primary target areas that provide the least likelihood of serious physical injury are the lower abdomen, arm below the elbow, thigh and leg below the knee. Impacts to the solar plexus (center mass) have an elevated potential for death/serious injury over the primary target areas and may be targeted when using the primary target areas are ineffective, inappropriate, or too

dangerous. Deployments to the face, neck and head are very likely to cause death or serious injury and they should be avoided unless death/serious physical injury is an acceptable and intended result.

- C. [REDACTED]
- D. [REDACTED]
- E. Deployment at a stationary target is desirable. However, deputy(s) should recognize a subject's actions might not always make this possible and exercise caution when deploying less lethal munitions against moving targets.
- F. An exception to these guidelines would be a subject involved in behavior so dangerous and potentially lethal to others that the only other force option reasonably available to deputy(s) on scene would be the use of deadly force.

VIII. Medical Treatment

- A. Less lethal munitions shall not be intentionally directed at a person's head, neck, or throat. In the event a person is struck with a less lethal munitions projectile, the deploying officer will ensure the arrested person is medical cleared by a physician or by paramedics at the scene prior to being booked into jail.
- B. The only exception would be when a subject flees the scene after deployment and an effort to locate him or her has been unsuccessful.
- C. Jail personnel will be notified whenever a subject who was apprehended with the use of less lethal munitions is booked into the jail. It should be noted on the triage form. Jail personnel will monitor the suspect for a period of at least three (3) hours.
- D. Document all medical treatment given to the subject.
 - 1. Any person who has been subjected to a use of force who does not exhibit injury and/or appear to be in any kind of adverse medical distress, may be transported to the jail and shall be medically evaluated by Correctional Medical Services prior to booking.

2. Any individual exhibiting signs of distress after an application of force shall be medically evaluated as soon as practicable by either paramedics at the scene or taken to a hospital for examination. Signs of distress may include shortness of breath, chest pain, and/or dizziness.
3. Individuals who are exhibiting symptoms of excited delirium, such as nudity, profuse sweating, extreme strength, extreme agitation, violent or irrational behavior accompanied by profuse sweating, extraordinary strength beyond physical characteristics, imperviousness to pain or who require a protracted physical encounter with multiple sworn personnel to bring them under control. These individuals may be more susceptible to collateral medical problems and should be closely monitored following the application of a use of force until they can be examined by paramedics and/or taken to a hospital for an examination.
4. If the subject is an inmate at one of the five Orange County Sheriff's jail facilities at the time of the use of force, then CMS will be notified and directed to respond, and once on scene will assume responsibility for medical care.
5. Any individual who refuses medical attention shall have his or her refusal fully documented in related reports and if possible be witnessed by another deputy/SSO and/or medical personnel. If medical staff is willing to provide a copy of the subject's medical refusal, this document should be collected and included with the report package. If possible, an audio recording of the refusal should also be made and a notation in the report indicating the subject's refusal was recorded and either booked as evidence or stored on the Department's digital video server system.

IX. Documentation of Less Lethal Munitions Use

- A. Discharge of less lethal weapon for any reason other than an approved training exercise shall be documented and treated like any other use of firearms incident.
- B. If a supervisor is not present, one will be notified, as soon as practical that less lethal munitions have been deployed against a subject.

- C. All relevant information concerning the use of less lethal munitions shall be documented in accordance with Policy 300.6.-Post Use of Force Procedures.
1. All information will be documented on a Department crime report, incident report, arrest, or supplemental report.
 2. Describe the circumstances that gave rise to the use of less lethal munitions.
 3. Explain other use of force options employed and/or rejected as being inappropriate or ineffective.
 4. Describe how many less lethal munitions projectiles were deployed, by which deputy(s) and at what distances. Include how many projectiles struck the subject, on which areas of his/her body and the effect of the less lethal munitions.
 5. Document any injuries to citizens, deputy(s) and/or the subject involved.
 6. Describe medical treatment, including that given to the subject after the impact of the less lethal munitions, by the Fire Department/Paramedics and the hospital where the subject was transported. Identify the treating physician in your report.
 7. Any witness statements.
 8. Subject's statements.
 9. Photographs, video and other physical evidence. Take photographs, even if there are no visible injuries. Note: photographs of subject/suspect's private areas; buttocks, breasts, and underwear, are only allowed per 4030 P.C. (dealing with strip searches), so only take photographs of exposed areas. Medical staff can rearrange clothing, conduct a visual check and make a notation in the subject's chart.
- X. Supervisor's Responsibilities
- A. Supervisory notification shall be made as soon as reasonably possible following the application of a reportable use of force.

- B. Upon notification of a reportable use of force, the supervisor shall respond and conduct an investigation to include but not limited to the following:
1. Shall obtain the basic facts from the involved deputy(s).
 2. Ensure that any injured parties are examined and treated.
 3. Separately interview the subject(s) upon whom force was applied.
 4. Ensure that photographs have been taken of any areas involving visible injury or complaint of pain as well as overall photographs of uninjured areas (consistent with PC 4030).
 5. Identify any witnesses not already included in related reports.
 6. Complete a summary of the audio and video/digital recording (s) and include with the incident documentation.
 7. When possible, review and approve all related reports.
 8. Complete a Supervisory Use of Force Analysis in the CRM.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force or if the supervisor applied, or directed other department members to use force, the patrol Department Commander or jail Watch Commander will assign any other available supervisor to respond and fulfill the above requirements.

**PUBLIC INSPECTION OF POLICE REPORTS AND
DEPARTMENT RECORDS**

I. PURPOSE:

To establish a policy and procedure to comply with the California Public Records Act (CPRA) and other applicable laws and legal decisions, by which Sheriff reports and other department records may be inspected by the news media and the public, without compromising the legal rights of any individual, the public, news media representatives or the criminal justice system.

II. POLICY

A. It is the policy of the Orange County Sheriff's Department to comply with the State and Federal law regarding disclosure of Sheriff reports and to cooperate fully with all news media representatives on a fair and impartial basis. CPRA requests (Government Code § 6250.) may be made orally or in writing. Persons making CPRA requests are not required to identify themselves or state the reasons why they want the records.

III. RECEIVING CPRA REQUESTS:

A. Written CPRA requests:

1. Should be sent to the Support Services Division at:

Orange County Sheriff's Department
ATTN: Support Services Division/CPRA Request
320 North Flower Street
Santa Ana, CA 92703

B. E-mailed CPRA requests:

1. Should be sent to: prarequests@ocsd.org

C. Oral CPRA requests:

1. Requester should be transferred or referred to the Support Services Division at: (714) 834-6480 or (714) 834-6465. If requester does not wish to be transferred, the Sheriff employee who receives the oral CPRA request must document the request and immediately forward it to the Support Services Division.

IV. RESPONDING TO CPRA REQUESTS:

- A. It will be the Information Systems Technician's (IST) responsibility to check incoming CPRA requests each day, received via U.S. postal service, e-mail or facsimile and then document the date and time of receipt on the CPRA Electronic Bulletin Board, located on the Intranet. NOTE: In the IST's absence, the Records Manager will check incoming CPRA requests daily. If both the IST and Records Manager are out of the office, the Senior Office Supervisor (3rd floor) will be responsible for checking these daily.
- B. The IST or his or her designee will then forward The CPRA request to appropriate division for response and forward a copy, if necessary, to County Counsel. Date/time of forwarded request must then be logged on the CPRA Electronic Bulletin Board.
- C. It will be incumbent on the IST or his or her designee to ensure a response or request for extension is received from the appropriate division within seventy-two (72) hours, and record the date/time of response on the CPRA Electronic Bulletin Board. NOTE: In some instances, the time limit prescribed may be extended by written notice by the head of the agency or his or her designee to the person making the request, setting forth reasons for the extension and the date on which a determination is expected to be dispatched (California Government Code § 6253).
- D. Once responsive documents are received, the IST or his or her designee will forward them to County Counsel for approval. The date and time of forwarding must then be logged on the CPRA Electronic Bulletin Board.
- E. Within ten (10) days from receipt of request, the IST or his or her designee will return approved responsive documents to requesting party and document date/time sent to requester on the CPRA Electronic Bulletin Board.
- F. After the CPRA request has been completed, the IST or his or her designee will forward a hard copy of original request and all responsive documents to Quality Assurance unit to be imaged for permanent retention and storage.
- G. An updated list of all CPRA requests will be sent out via e-mail by the IST or his or her designee to Executive Command Staff, Division Commanders, and the PIO's office by 12 noon every other Wednesday, before the Command Staff Meetings.

MOTORCYCLE STRIKE TEAM

I. General

- A. The Motorcycle Strike Team's mission is to provide a highly mobile, rapid response force to any given field situation. This is accomplished by providing specialized patrol for major events, crowd control, and special tactical operations. The duties performed by the strike team include:
1. Crowd Control – trained to disperse large crowds from roadways, parking lots, or any other hard packed fields and pathways including support to Special Weapons and Tactics Team's Contact Teams who can deploy less-lethal devices.
 2. Mobile response force for mission specific duties at unusual major occurrences (Fires, Earthquakes, Other Natural Disasters).
 3. Emergency equipment/public utility escorts into impacted or restricted areas.
 4. Support Mobile Field Force operations.
 5. Evacuations (This is likely the most effective use of motor strike teams inherent to motor strike as the mobility afforded to them allows for evacuation announcements to be conducted while simultaneous emergency operations are performed without blocking ingress/egress routes).
- B. Due to the configuration of Motorcycle Strike Teams, there are certain disadvantages inherent to motor strike teams. Proper consideration should be given when contemplating their use. In sniper situations, the Motorcycle Strike Team should not be used except for outer perimeter control and/or for diverting traffic away from the impacted area. They are however trained to disperse large crowds from streets, parking lots, or parks by using Strike Team tactical formations.
- C. The use of Motorcycle Strike Teams to stand fixed points, or separating them into individual units should be discouraged, unless absolutely necessary, as doing so reduces the mobility and unit integrity advantages inherent to the strike team concept.
- D. Motorcycle Strike Teams when used properly can be a tremendous benefit to the successful resolution of a myriad of occurrences. Their

ability to assemble more quickly than a Mobile Field Force and their ability to access areas not accessible to traditional radio cars should make them a high priority when requesting additional resources for the management of unusual occurrences.

E. If the Motorcycle Strike Team needs to be utilized, the motor sergeant should be immediately requested to act as team leader in organizing and deploying these teams.

F.

[REDACTED]

1. Each element can operate individually or combine together as a "Strike Team."

G. Motorcycle Strike Team's Rules of Engagement

1. Each motorcycle is lettered and numbered with white shoe polish. Other vehicles are numbered on front and back windshields.
2. Radio communications kept to a minimum – utilize visual and voice commands when possible.

3.

[REDACTED]

[REDACTED]

5. Utilization of sirens recommended when psychological distraction is needed.
6. When operating the Strike Team in a "Code 3" mode always stop at signal controlled and/or major intersections.
7. When mounted do not engage a hostile crowd with motorcycle or baton.
8. When dismounted maintain a reasonable distance from the crowd (recommend 20 feet).

H. Motorcycle Strike Team Formation

1. Standard
 - a. In-Trail
 - b. Double Stack
 - c. On-Line Skirmish
 - d. Vehicle Stops
 - e. Citizen Rescue
 - f. Rapid Deployment
 - g. Utility Escorts
2. With Contact Team
 - a. In-Trail
 - b. Double Stack
 - c. On-Line Skirmish
 - d. On-Line Skirmish (Leap Frog)
3. Motorcycle Only Formation
 - a. In-Trail
 - b. Double Stack
 - c. On-Line Skirmish
 - d. In-Trail Departure
 - e. Rear Departure
 - f. Raid Deployment

SWAT ACTIVATION CRITERIA

I. General

- A. The following guidelines are intended to eliminate the confusion and uncertainty involved in determining whether or not an incident requires the activation of the Special Weapons and Tactics Team (SWAT). Additionally, it is intended to reduce the chance of injury to deputies and investigators involved in Hostage, Barricade or High Risk Arrest/Search Warrant Services, by encouraging them to call for assistance from SWAT when circumstances warrant it.
- B. By establishing clear, concise, standardized guidelines for SWAT activation, we will eliminate the chance of SWAT not being called when needed, or being activated in situations not suited for the Team's expertise.
- C. For expediency, any sworn personnel may request SWAT during an ongoing field incident through the Emergency Communications Bureau's Department Commander. However, authorization to activate SWAT must come from the Bureau Commander of the Special Enforcement Bureau or their designee.
- D. When sworn personnel require the services of the SWAT Team, such as High Risk Arrest/Search Warrant Services, they should make the request through their Division's chain of command to the Homeland Security Division Commander or their designee.

II. Activation Criteria

- A. The Orange County Sheriff's Department SWAT Team has extensive training in a variety of disciplines including Hostage Rescue, Barricade Resolution, High Risk Warrant Service, Covert Entry, and Vehicle Assaults, i.e. automobiles, boats, planes, trains and other team tactics.
- B. SWAT is equipped with a wide variety of weapons and equipment necessary to complete these functions in the safest manner possible, protecting the lives of citizens, victims, law enforcement officers, and suspects. The following situations are specifically suited for the SWAT Team's capabilities:

- 1. Hostage Taking

- a. SWAT shall be activated in any hostage situation or a situation where there is reason to believe that a hostage situation exists.

2. Barricaded Suspect/Subject

- a. A barricaded suspect is any person who has committed a crime and is armed or reasonably believed to be armed with a weapon, or explosives, or any other destructive or dangerous device, who occupies and/or fortifies a fixed location, and violently, or by threat of violence, resists apprehension by law enforcement officers.
- b. A barricaded subject is any person who has not committed a crime and is reasonably believed to be armed with a weapon or dangerous device, who occupies a fixed location and refuses to come out.
- c. SWAT shall be activated for barricaded situations if one or more of the following situations exist:
 - The suspect is armed or is suspected to be armed.
 - The suspect is wanted for a felony or a violent misdemeanor.
 - The suspect has made threats against law enforcement officers.
 - The suspect has discharged a weapon at law enforcement officers.
 - The suspect has discharged a weapon inside or outside of the structure or vehicle.

3. Snipers

- a. SWAT shall be activated in any sniper situation or where the suspect is believed to be armed with a high powered weapon and situated in a distant or fortified location, which affords him/her a tactically superior position.

4. High Risk Arrests/ Search Warrants

- a. Working in conjunction with the Field Operations and Investigative Services Command, and with the foremost consideration for the safety and welfare of all law enforcement members and the community, SWAT will be

an investigative or operational resource available for the service of any high-risk arrest and/or search warrant service. If one or more of the following criteria exist or are believed to exist in the course of an investigation for an arrest/search warrant service, SWAT may be requested to serve the warrant:

- The suspect has a prior history of violence against law enforcement.
- The suspect has a prior history with automatic/assault weapons, explosives or booby-traps.
- Intelligence indicates that the suspect plans to force a violent and/or armed confrontation with law enforcement.
- The suspect is wanted for crimes involving gang violence.
- The target location is fortified with metal security doors, gates or other fortifications.
- The target location is monitored with audio or video surveillance equipment.
- Other situations, as necessary, causing officer safety concerns.

5. Officer Safety Concerns

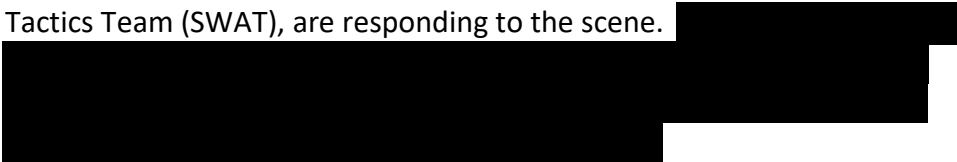
- a. SWAT may be activated in any other situation not specially covered by these guidelines, when a deputy or higher ranking sworn department member believes that an officer safety situation exists.

6. Special Weapons and Tactic – Tactical Support Element

- a. SWAT-TSE is comprised of SWAT personnel trained in handling critical incidents and will help assess the situation to determine if a more technical, tactical approach should be used to resolve the situation. This may include the Crisis Negotiation Team (CNT), Hazardous Devices Squad (HDS), and the Special Weapons and Tactics Team (SWAT).

RAPID DEPLOYMENT TACTICS

I. Introduction

- A. Violence on a school campus or business is an everyday occurrence. You watch the news and you hear about another student, teacher or worker getting killed or injured at a school or workplace somewhere in the United States. To deal with these types of violence at these locations, law enforcement in this country had to develop an “Extraordinary Deployment” plan. Immediate Action/Rapid Deployment is such a plan. It utilizes the initial responders, who are the first patrol officers to arrive at the scene of an “Active Shooter” incident, and they immediately deploy into the school campus or business to save as many lives as possible, while additional resources, such as the Special Weapons and Tactics Team (SWAT), are responding to the scene.
- 

II. Definition

- A. Immediate Action/Rapid Deployment may be defined as:

“The swift and immediate deployment of law enforcement resources to on-going life threatening situations where delaying deployment could otherwise result in death or great bodily injury to innocent persons.”

- B. Note: Immediate Action/Rapid Deployment tactics are not a substitute for conventional response to a barricaded gunman.

III. When to Deploy

- A. Aggressive Deadly Behavior.

1. The event is on-going and the suspect is actively engaged in causing death or great bodily injury. This may be the result of:
 - a. An “active shooter” incident.
 - b. An attack with edged weapons.
 - c. Placing and/or detonating explosive devices.

2. The incident location is believed to contain multiple victims:
 - a. Schools including daycare
 - b. Crowded parks
 - c. Playgrounds
 - d. Sporting events
 - e. High-rise structures, etc.

IV. Critical Elements

- A. Active shooter response has been described as a no-win situation. The overall objective is to save as many lives as possible as quickly as possible. Patrol deputies must be able and willing to deploy on an active shooter without the usual "Contact and wait for SWAT plan."
- B. Field supervisors must have the freedom to take control and deploy personnel.
- C. Arriving Supervisors will assume the command and control element until SWAT arrives.

V. Initial Response

- A. The initial responders are most likely to be patrol deputies and their actions are critical.
- B. Assess the situation:
 1. Determine if Immediate Action/Rapid Deployment tactics are appropriate and deploy as needed.
 2. Request appropriate:
 - a. Additional patrol personnel
 - b. Critical Incident Response Team (CIRT)
 - c. Special Weapons and Tactics Team (SWAT)

- d. Hazardous Devices Squad (HDS)
- e. Fire Department/Paramedics

- f. K-9

- 3. When possible establish an incident commander (IC). This is generally the responsibility of the supervisor or senior deputy on scene.
 - a. The (IC) will also establish Unified Command with other entities such as the Fire Department, surrounding agencies, etc.

C. Broadcast situation to responding units.

- 1. Last known location and number of suspects.
- 2. Types of weapons involved.
- 3. Type of location involved, i.e., school, office, mall, etc.
- 4. Safe approach route.
- 5. Incident Command Post location if possible.

VI. Assemble Contact and/or Rescue Teams

- A. [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

b. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

E. Equipment consideration

1. Patrol Rifle
2. Shotgun with slug ammunition
3. Ballistic vest and helmet
4. Radio
5. Individual First Aid Kits (IFAKs)

- 6. Flashlight
- 7. Raid jacket or visible identification for plain clothes personnel
- 8. Handcuffs / flexcuffs

VII. Entering the Incident Location

A. [REDACTED]

[REDACTED]

[REDACTED]

B. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

VIII. Searching for Victims

A. When entering a location to search for victims, the Rescue Team will proceed as follows:

1. [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

B. Evacuation:

1. [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

5. With the handler positioned between front and rear security, the evacuation will begin.

6. Once there is enough law enforcement personnel establish a safe corridor for the evacuees.

IX. Officer/Citizen Recovery Technique

A. 

B. Using the proper technique can reduce the recovery and evacuation time. Below are basic guidelines to follow when recovering a downed victim:

1. First handler will place the victim into a supine position and stand next to the victim's head.
2. Additional handler will position himself next to the victim's feet.
3. The handler positioned at the victim's head will reach under the victim's shoulder and lift the victim into a seated position. That handler will brace their knees against the victim's shoulder blades. This will keep the victim from falling to one side or the other.
4. The handler next to the victim's feet may assist with this process. Additionally, the handler will bring the victim's hands in towards the victim's waistline.
5. The handler next to the victim's head will squat and place his arms underneath the victim's armpits grasping and crossing the victim's wrist. Using the legs to lift, the handler will stand with the victim.
6. The handler next to the victim's feet will grasp the victim's ankles or legs and stand.
7. Both handlers will communicate that they are ready and, under the direction of the Team Leader, exit the location.

C. Additional Deputies

1. 


- 3. [REDACTED]
- [REDACTED]

X. What to Expect Upon Entry

A. The aforementioned scenarios bring with them a host of problems. These problems will include, but are not limited to the following:

- 1. Noise from alarms, people screaming, etc.
- 2. Confusion, victims hiding and frightened – not responding to law enforcement directions.
- 3. Carnage – possibly very young victims.
- 4. Fire sprinklers operating.
- 5. Encountering explosives:

- a [REDACTED]
- [REDACTED]
- [REDACTED]

XI. Use of Deadly Force

A. When the suspect’s behavior presents an immediate threat of death or great bodily injury to an innocent person, it may become necessary to use deadly force to stop that behavior. There is no exception to the law or policy. The following principles will apply:

- 1. Based on IDOL (Immediate Defense of Life).

2. Individual deputy makes the decision.
3. Utilize to stop the threat.
4. The law – “Objectively Reasonable.”

XII. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

XIII. When SWAT Arrives

- A. When tactical team personnel arrive on scene, they are generally better equipped and trained to resolve crisis situations; however, continued assistance by initial responders is critical. The actions should be taken as soon as practical:

1. Coordinate and relinquish contact responsibility.
2. Assist with containment responsibilities if necessary.
3. Assist with rescue teams if necessary.
4. Act as "Pathfinder" for SWAT:
 - a. Direct to last known location of suspect.
 - b. Report location of explosive.
 - c. Provide any pertinent information, such as suspect description, weaponry, etc.

XIV. Command and Control

A. Command Post (CP)

1. Establish out of the line of fire and outside of the inner perimeter.
2. Provide easy access to the target site.
3. Telephone capabilities.
4. Liaison officer or incident commander.

B. Staging Area

1. SWAT
2. HDS
3. Investigation
4. Uniformed personnel
5. Fire Department/Paramedics
6. Victims / casualty collection area
7. School officials, media, victims' families, etc.

8. Off-site reunification area.

C. Incident Command System (ICS)

1. Control and dissemination of accurate information.
2. Assign a logistics officer.
3. Assign an intelligence officer.
4. Public Information Officer.
5. Liaison officer between Department and victims' relatives.
6. Investigation perimeter and debriefing groups.
7. Area established for check-in/out within the staging area.

D. Multi-Agency Issues

1. Multi-Agency assignments, liaison officers, radio, frequencies, etc.
2. Coordinate search and recovery teams, areas to be searched, etc.
3. Advise fire department and ambulance companies safe approach route to the staging area.
4. Alert area trauma centers regarding the casualty situation.

XV. Summary

- A. The immediate and swift implementation of "Contact" and "Rescue" teams could possibly increase the likelihood of the suspect's apprehension and saving lives.

SAR DISTRESS ALERT POLICY

Background

The California Emergency Management Agency-Law Enforcement Division Governor's Office of Emergency Services – Law Enforcement Branch, serving as the California State Search and Rescue (SAR) Coordinator, is the recipient of and is responsible for coordinating SAR responses to various distress alerts that occur within this State. Specifically, Cal OES receives State notification and is responsible for coordinating State SAR responses to the following:

- ALNOT - "Alert Notification": Missing or overdue aircraft alerts
- ELT - "Emergency Locator Transmitter": Automatically or manually activated aircraft distress signal transmitter alerts
- EPIRB - "Emergency Position Indicating Radio Beacon": Automatically or manually activated vessel/boat distress signal transmitter alerts
- PLB - "Personal Locator Beacon": Manually activated personal distress signal transmitter alerts

Policy

Cal OES will respond to each report of a distress signal and/or missing or overdue aircraft as an emergency. While history has shown that the majority of ALNOT, ELT, EPIRB, and PLB alert missions are in fact false distress alerts, the emphasis shall be to coordinate responses to each incident as an actual emergency until proven otherwise.

Cal OES response will consist of notifications to and coordination with all relevant Federal, State, and local government jurisdictional agencies.

Note: Notifications and coordination from the Cal OES with all local government jurisdictions will commence at the Operational Area (OA)/County level.

(This Policy and Procedure document has been reviewed and accepted by the management of AFRCC, USCG, CAWG CAP, OCSD W/C, Control One, OCCOPSA and Cal OES LED)

Jurisdiction

Pursuant to the California Government Code (Emergency Services Act) and the California Law Enforcement Mutual Aid Plan, the Governor's California Emergency Management Agency (Cal OES) Law Enforcement Division (LED) is responsible for coordinating responses to SAR distress alerts within the State.

The State of California, Cal OES, having coordination jurisdiction over these types of SAR incidents within the State, operates in cooperation with the Air Force Rescue Coordination Center (AFRCC), the United States Coast Guard (USCG), and the California Wing (CAWG) of the Civil Air Patrol (CAP). The AFRCC is responsible for National Inland SAR coordination and operates under the National SAR Plan. The AFRCC provides assistance to the State of California by alerting and providing federal assets for response to inland SAR incidents. The USCG is responsible for Maritime SAR coordination and operates under the National SAR Plan. The USCG provides assistance to the State of California by providing federal asset response to Maritime SAR incidents and to non-Maritime SAR incidents on an as available basis. The CAWG CAP operates under the National SAR Plan and provides assistance to the State of California by providing aircraft and personnel to search for and locate the source of distress alert beacons and/or the location of missing or overdue aircraft. CAWG CAP resources are tasked as either a Federal resource of AFRCC or as a State resource of OES. Regardless of tasking avenues, all in-state, multi-county distress alert CAWG CAP mission efforts are in direct support to the State and are under the management control of the State (OES) jurisdiction.

The State of California (Cal OES) maintains jurisdiction on distress alert incidents as long as the source of the distress alert signal and or search location for a missing or overdue aircraft are likely to be within the State, involving multiple counties, yet a specific county/operational area (OA) location cannot be determined. Once the scope of the search effort narrows to a specific OA, the jurisdiction for the search incident transfers to that county's OA Law Enforcement (LE) Agency. It is at this point that Cal OES AFRCC, USCG, and CAWG CAP become an assistant to and will only operate in support of that jurisdiction. The jurisdictional OA LE agency may at this point elect to assume Incident Command and total SAR responsibility for the incident. Or, the OA LE agency may elect to operate a Unified Command in conjunction with Cal OES, AFRCC, USCG, and CAWG CAP in a combined SAR effort. Or lastly, the OA LE agency may request that OES, AFRCC, USCG, and CAWG CAP continue sole Incident Command SAR response efforts on behalf of the identified county.

Procedure

(ALNOT) Aircraft, Missing or Overdue "Alert Notification":

1. Upon a California State Warning Center (W/C) receipt of an ALNOT, or a report of an aircraft that is missing, overdue, or has dropped off radio/radar contact, from the Air Force Rescue Coordination Center (AFRCC), the Cal OES Emergency Notification Controller (ENC) will attempt to ascertain the aircraft tail number, a physical description of the aircraft such as make/model, number of engines, color, etc, departure and arrival points/times, number of persons on board and their identities, the aircraft owner's information,

and/or the aircraft's last known point from the AFRCC. If only a tail number is known, the ENC will continue to work with AFRCC and query CLETS for owner and aircraft information.

2. If the AFRCC has initiated an AFRCC "incident" or "mission", the ENC will assign an Cal OES LED/SAR mission number and provide it to the AFRCC. If not already completed by the Federal Aviation Administration (FAA) - Flight Service Stations (FSS), the AFRCC may initiate ramp checks at the departure/arrival points and at airports along the flight path and/or request assistance in doing so from Cal OES. The AFRCC will then activate the California Wing (CAWG) of the Civil Air Patrol (CAP) as appropriate and will begin to identify a CAWG CAP Incident Commander (IC) for the mission.
3. The ENC will then send a California Law Enforcement Telecommunications System (CLETS) message to all Watch Commanders/SAR Coordinators within the area of the State affected (This may be in addition to previous requests made to specific local law enforcement agencies for ramp checks etc., by the FAA FSS).
4. When CAP is alerted or activated, both AFRCC and CAP are under agreement to contact the W/C within 30 minutes of this notification to provide the CAP IC's identity and Point of Contact (POC) numbers.
5. The ENC will monitor the time and as soon as the CAP IC's POC numbers are received (within 30 minutes) the ENC will contact the Law Duty Officer (LDO) and provide a briefing of the ALNOT as well as all actions taken. The ENC will also identify the counties or jurisdictions affected, and provide the CAP IC's information.
6. The LDO will determine if contact with the potentially affected jurisdictional SAR agency(s), at the Operational Area/County level, and/or the CAP IC is necessary. This communication will identify the State's resources (CAP) response to local government jurisdictional agencies to assure that all affected agencies are fully aware of the incident and coordinating their efforts in a unified manner.
 - a. Some subjective factors to evaluate in determining levels of contact and coordination are weather conditions, aircraft capabilities, VFR verses IFR, pilot experience, pilot familiarity with the route, mountain pass altitudes along the route, etc.
7. Both the ENC and the LDO will keep each other apprised of any status changes throughout the duration of the incident.

8. The LDO will keep the mission report database updated as much as possible and in some rare cases may request that these updates be entered by the ENC.

(ELT) Aircraft “Emergency Locator Transmitter”:

1. Upon a W/C receipt of an ELT, from the AFRCC, the ENC will ascertain the approximate location of the signal, as well as any information associated with the receipt of that signal (Some newer ELT units transmit data such as the registered owner as well as GPS coordinates), from the AFRCC. The ENC will also identify the county(s) or jurisdictions affected.
2. The ENC will assign a Cal OES LED/SAR mission number and provide it to the AFRCC.
3. The AFRCC will then activate the CAP or may request that OES activate CAP.
4. The ENC will then contact the affected jurisdictional Operational Area County Sheriff’s Department’s 24 hour contact number and request to speak to the “Watch Commander” or “SAR Coordinator”. Once contacted, the ENC will brief them on the ELT signal and provide them with the details known and inform them that a CAP IC is in the process of being identified for the State or Federal response to the incident (Often very minimal information is known at this point and accuracy of distress alert signals received are questionable). The ENC will advise that once the CAP IC is identified, that they, the ENC, will call back to provide the IC’s contact information to facilitate unified response plans and to update information regarding the distress alert signal.
5. When CAP is alerted or activated, both AFRCC and CAP are under agreement to contact the W/C within 30 minutes of this notification to provide the CAP IC POC numbers.
6. The ENC will monitor the time and as soon as the CAP IC’s POC numbers are received (within 30 minutes) the ENC will re-contact the affected jurisdictional Operational Area County Sheriff’s Department’s “Watch Commander” or “SAR Coordinator” and provide them with the CAP IC’s name and contact numbers. This communication will identify the State or Federal resources (CAP) response to local government jurisdictional agencies to assure that all affected agencies are fully aware of the incident and coordinating their efforts in a unified manner.
 - a. The Operational Area (OA) Sheriff’s Department may not be the law enforcement agency with physical jurisdiction over the geographical location where the distress alert beacon is sounding. It may be a

municipal Police Department within that OA. Within the guidelines of the Law Enforcement (LE) Mutual Aid Plan, coordination is conducted from the State (Cal OES) to the OA LE level. The OA LE agency is expected to coordinate responses to these alerts within their counties, with their affected municipal LE, local government jurisdictions. But, if for any reason this coordination request with the OA is unsuccessful, the ENC shall immediately notify the LDO. The LDO will then contact the OA and attempt to facilitate communication between the OA and municipal jurisdiction to ascertain who will assume Incident Command or who will coordinate with State or Federal assets responding. If this occurs, both the ENC and LDO shall log all communications (times, persons spoken to, etc) into the RIMS report for follow up by the Law Enforcement Branch at a later time.

7. The LDO will contact the W/C each morning, during normal waking/working hours of each day, prior to the issuance of the LDO report as required, to check on any W/C handled distress alert missions and will conduct any follow up coordination necessary with these missions.
8. If the ENC does not receive the identity or contact information of the CAP IC from CAP or AFRCC within 30 minutes, in order to re-contact the jurisdictional OA Sheriff's Department, the ENC shall immediately notify the LDO. The LDO will then work to obtain this information and coordinate its dissemination.
 - a. Once notified, the local jurisdiction LE may choose to allow CAP to solely conduct the mission. If so, insure that they are updated as to any status changes, dispositions, etc. either by direct communication from the CAP IC or personally by the LDO.
 - b. The local jurisdiction LE may also choose to assume the mission with the assistance of CAP. If so, the LDO will insure that both the local jurisdiction SAR Coordinator/Watch Commander and the CAP IC are communicating and coordinating their respective response efforts. This coordination should be conducted from a joint incident command post staffed by both the local LE jurisdiction as well as liaison representatives from the CAP.
 - c. The local jurisdiction LE may also choose to assume the mission without the assistance of CAP. If so, the LDO will encourage accepting the assistance of CAP but will also insure that any decisions to assume the mission without the assistance of CAP is immediately communicated to the CAP IC, AFRCC, and W/C.

- d. The Cal OES MOU with CAWG CAP requires CAP to notify local LE directly when conducting searches for missing aircraft or distress alert signals in a specific jurisdiction. CAP is then required to advise the ENC that the notification was made and who was contacted.
9. The LDO will monitor the progress of ELT missions pending final disposition. As such, if a mission occurs after hours and all notifications are made by the W/C, the LDO will make follow up calls during normal working hours or daytime hours, prior to the issuance of the LDO report as required, to determine the status of the mission and to assure that coordination is being conducted between CAP (State Resources) and local government as well as determining any additional resource needs for the mission.
 10. Both the ENC and the LDO will keep each other apprised of any status changes learned throughout the duration of the incident.
 11. The LDO will keep the mission report database updated as much as possible and in some rare cases may request that these updates be entered by the ENC.

(EPIRB) Vessel/Boat "Emergency Position Indicating Radio Beacon:"

1. Rarely will the W/C receive a report of an EPIRB signal, as they are typically located on vessels that operating in the Maritime environment. Responses to these types of distress signals are routed directly to the United States Coast Guard (USCG). Occasionally an EPIRB distress signal may originate from a State inland waterway and/or a reservoir. These signals will be routed to the W/C. Upon a W/C receipt of an EPIRB, from either the AFRCC or USCG the ENC will ascertain the approximate waterway location of the signal, as well as any information associated with the receipt of that signal (Some EPIRB's are capable of transmitting data such as the vessel information as well as GPS coordinates), from the AFRCC.
2. The ENC will assign an Cal OES LED/SAR Mission Number and provide it to the AFRCC or USCG.
3. The AFRCC will then activate the CAP or may request that OES activate CAP.
4. The ENC will then contact the affected jurisdictional Operational Area County Sheriff's Department's 24 hour contact number and request to speak to the "Watch Commander" or "SAR Coordinator". Once contacted, the ENC will brief them on the EPIRB signal and provide them with the details known and inform them that a CAP IC is in the process of being identified for the State or Federal response to the incident (Often very minimal information is known at

this point and accuracy of distress alert signals received are questionable). The ENC will advise that once the CAP IC is identified, that they, the ENC, will call back to provide the IC's contact information to facilitate unified response plans and to update information regarding the distress alert signal.

5. When CAP is alerted or activated, both AFRCC and CAP are under agreement to contact the W/C within 30 minutes of this notification to provide the CAP IC's POC numbers.
6. The ENC will monitor the time and as soon as the CAP IC's POC numbers are received (within 30 minutes) the ENC will re-contact the affected jurisdictional Operational Area County Sheriff's Department's "Watch Commander" or "SAR Coordinator" and provide them with the CAP IC's name and contact numbers. This communication will identify the State or Federal resources (CAP) response to local government jurisdictional agencies to assure that all affected agencies are fully aware of the incident and coordinating their efforts in a unified manner.
 - a. The Operational Area (OA) Sheriff's Department may not be the law enforcement agency with physical jurisdiction over the geographical location where the distress alert beacon is sounding. It may be a municipal Police Department within that OA. Within the guidelines of the Law Enforcement (LE) Mutual Aid Plan, coordination is conducted from the State Cal OES to the OA LE level. The OA LE agency is expected to coordinate responses to these alerts within their counties, with their affected municipal LE, local government jurisdictions. But, if for any reason this coordination request with the OA is unsuccessful, the ENC shall immediately notify the LDO. The LDO will then contact the OA and attempt to facilitate communication between the OA and municipal jurisdiction to ascertain who will assume Incident Command or who will coordinate with State or Federal assets responding. If this occurs, both the ENC and LDO shall log all communications (times, persons spoken to, etc.) into the RIMS report for follow up by the Law Enforcement Branch at a later time.
7. The LDO will contact the W/C each morning, during normal waking/working hours of each day to check on any W/C handled distress alert missions and will conduct any follow up coordination necessary with these missions.
8. If the ENC does not receive the identity or contact information of the CAP IC from CAP or AFRCC within 30 minutes, in order to contact the jurisdictional OA Sheriff's Department, the ENC shall immediately notify the LDO. The LDO will then work to obtain this information and coordinate its dissemination.

- a. Once notified, the local jurisdiction LE may choose to allow CAP to solely conduct the mission. If so, insure that they are updated as to any status changes, dispositions, etc. either by direct communication from the CAP IC or personally by the LDO.
- b. The local jurisdiction LE may also choose to assume the mission with the assistance of CAP. If so, the LDO will insure that both the local jurisdiction SAR Coordinator/Watch Commander and the CAP IC are communicating and coordinating their respective response efforts. This coordination should be conducted from a joint incident command post staffed by both the local LE jurisdiction as well as liaison representatives from the CAP.
- c. The local jurisdiction LE may also choose to assume the mission without the assistance of CAP. If so, the LDO will encourage accepting the assistance of CAP but will also insure that any decisions to assume the mission without the assistance of CAP is immediately communicated to the CAP IC, AFRCC, and W/C.
- d. The Cal OES MOU with CAP CAWG requires CAP to notify local law enforcement when conducting searches for missing aircraft or distress alert signals in a specific jurisdiction. CAP is then required to advise the ENC that the notification was made and who was contacted.

(EPIRB) Vessel/Boat “Emergency Position Indicating Radio Beacon” (Continued):

9. The LDO will monitor the progress of EPIRB missions pending final disposition. As such, if a mission occurs after hours and all notifications are made by the W/C, the LDO will make follow up calls during normal working hours or daytime hours, prior to the issuance of the LDO report as required, to determine the status of the mission and to assure that coordination is being conducted between CAP (State Resources) and local government as well as determining any additional resource needs for the mission.
10. Both the ENC and the LDO will keep each other apprised of any status changes learned throughout the duration of the incident.
11. The LDO will keep the mission report database updated as much as possible and in some rare cases may request that these updates be entered by the ENC.

(PLB) Persons “Personal Locator Beacon”:

1. All PLB signals received within California will be routed to the W/C. Upon a W/C receipt of a PLB, either directly to the W/C workstation or via telephone from the AFRCC, the ENC will ascertain the approximate location of the signal as well as all data information transmitted (All PLB's are required to be registered with owner and contact information and this data is transmitted via the alert – some PLB's also transmit GPS coordinates). This registration data will be sent directly to the W/C workstation or can be forwarded via fax or e-mail from the AFRCC.
2. The ENC will assign an Cal OES LED/SAR Mission Number.
3. The ENC will then notify and fully brief the LDO of the PLB alert, all the data information transmitted, as well as identify the county or jurisdiction affected.
4. The LDO will then attempt to contact the registered owner/emergency contact information transmitted and determine if the signal is an actual distress or false alert.
5. If initial investigation supports that the beacon activation appears to be an actual distress alert, the LDO should attempt to obtain basic, preliminary, information such as trip plans, activity, number in the party, equipment and training, planned routes of travel, etc.
6. If initial investigations are inconclusive through an inability to contact those listed in the alert message or the status of the PLB bearer is unknown, the LDO shall presume it is an emergency and initiate an appropriate SAR response notification.
7. The LDO will then contact the affected jurisdictional Watch Commander or SAR Coordinator, at the Operational Area/County level, and brief them on the PLB signal. The LDO should offer state resource assistance, such as CAP, to assist in the search for the source of the signal. If federal assistance is needed, contact the AFRCC. OCSD Division Commander should contact OCSD/SRRU with GPS coordinates to initiate immediate tracking/identification of location.
8. Both the ENC and the LDO will keep each other apprised of any status changes learned throughout the duration of the incident.
9. The LDO will keep the mission report database updated as much as possible and in some rare cases may request that these updates be entered by the ENC.

10. The LDO and ENC will insure that the required PLB incident feedback form is completed and returned to the United States Mission Control Center (USMCC). AFRCC can assist with this process if necessary.

PRIVATE PROPERTY IMPOUNDS**I. INTRODUCTION:**

Legislative changes in 2007 regarding CVC 22658 et al, resulted in a series of previous civil violations becoming criminal violations.

Patrol deputies need to be informed of the details of the circumstances in order to decide if a violation of law has occurred. Additional information from the towing company may be needed at the time of the incident to confirm a violation of law.

II. PROPERTY OWNER/ ASSOCIATION RESPONSIBILITIES:

A person or agent in lawful possession of private property is required to display signs at all entrances to the property prohibiting public parking and indicating that the vehicle will be removed at the owner's expense. The sign will also contain the local traffic enforcement agency's name and telephone number. Additionally, the sign is required to list each tow companies name and telephone number that is a party to a written general towing authorization agreement with the owner or person in lawful possession of the property.

The owner/agent may not remove a vehicle that has been issued a notice of parking violation until 96 hours has elapsed.

If a vehicle is inoperable (lacks engine, transmission, wheels or any other major part), the owner/agent shall notify the local traffic law enforcement agency and wait 24 hours prior to removal.

If the owner/agent violates any of the provisions above, deputies may issue a notice of violation citation for CVC 22658(e)(2)- Owner/agent causing illegal removal of vehicle, an infraction.

III. TOW COMPANY/OPERATOR RESPONSIBILITIES:

During the course of the removal of a vehicle from private property, the owner of the vehicle or the owner's agent can request the immediate release of the vehicle if the vehicle has not left the property. If the tow driver refuses to comply, it is a violation of CVC 22658(g) – Failure to release vehicle, a misdemeanor.

The driver can charge up to one half the regular rates to uncouple the vehicle, known as a drop fee, if the vehicle is still on the private property. If the driver is stopped off the private property, the driver may “drop” the vehicle for the full regular rate or proceed to the storage facility.

Tow Operators are required to accept bank credit cards for payment at their storage facilities. Failure to accept a credit card is a violation of CVC 22658(k)(1)- Refusal of credit card, a misdemeanor.

Towing companies are required to obtain written authorization to remove a vehicle from private property by the property owner or agent, who shall be present at the time of removal. The exception is the immediate removal of a vehicle illegally parked in a fire lane, within 15 feet of a fire hydrant or obstructing the entrance/exit to the property. In those instances, the tow driver is required to take a photograph showing the vehicle in violation prior to removal.

Both the written authorization and/or photograph are to be retained by the company for a period of three years. The owner of the vehicle is entitled to a copy of the written authorization or photograph when they claim the vehicle. Failure of the tow company to do all of the above listed provisions is a violation of CVC 22658(l) – Violation of removal of vehicle, a misdemeanor.

The tow company is required to notify the local traffic enforcement agency within 60 minutes of the removal of a vehicle or within 15 minutes of the arrival at the storage facility- whichever is less. Failure to do so is a violation of CVC 22658(m) – Notice of Removal of Vehicle, a misdemeanor.

IV. ARRESTS:

When a deputy determines a misdemeanor violation has occurred, the deputy shall obtain a DR number and prepare an Initial Crime Report with the details of the offense. When the offense occurs in the deputy’s presence, he/she may issue a Notice to Appear citation for the violation including a narrative on a report continuation page.

If the violation that occurs in the deputy’s presence is an infraction, the deputy shall issue a Notice to Appear citation for the court of jurisdiction.

If additional information is needed such as documentation from a towing company, the deputy may complete an Initial Crime Report for the offense

outlining the elements of the violation. The Initial Crime Report shall be submitted to the supervisor for approval.

All documentation should indicate copies to the TRAFFIC BUREAU.

SECURITY BUREAU

I. Security Bureau

A. The Security Bureau has the responsibility of providing law enforcement and security services to County Agencies that have contracted for services. These Agencies include the Probation Department, Social Services Agency, Health Care Agency and particular buildings within the Civic Center Plaza. The Security Bureau's designated call sign is 18-36. The Security Bureau has Sheriff's Special Officers posted at the following locations:

1. County

- a. HOA Building #10 Civic Center Plaza, Santa Ana (714) 834-2250
- b. Tax Collector Building #11 Civic Center Plaza (714) 834-3533

2. Department of Child Support Services

- a. 1055 N. Main, Santa Ana (714)448-0636

3. Health Care Agency

- a. 405 W. 5th St., Santa Ana (714) 568-5792
- b. 1725 W. 17th St, Santa Ana (714) 834-7929
- c. 1200 N. Main, Santa Ana (714) 480-6630
- d. 2035 E. Ball Rd., Anaheim, Ste. 100A (714) 517-6140

4. Probation

- a. 909 N. Main, Santa Ana (714) 569-2072
- b. 331 City Dr. S., Orange (714) 935-7602
- c. 14180 Beach Blvd., Westminster (714) 448-1508
- d. 1535 E. Orangewood, Anaheim (714) 937-4519

- e. 32118 Paseo Adelanto, San Juan Capistrano (949) 248-3220

5. Sheriff's Headquarters / Brad Gates Building

- a. 550 N. Flower, Santa Ana (714) 647-4057
- b. 320 N. Flower, Santa Ana (714) 834-6311

6. Social Service Agency

- a. 6100 Chip, Cypress (714) 503-2211
- b. 12912 Brookhurst, Garden Grove (714) 741-7156
- c. 1505 E. Warner Ave., Santa Ana (714) 825-8641
- d. 2020 W. Walnut, Santa Ana (714) 567-7956
- e. 1928 S. Grand A, B & C, Santa Ana (714) 435-7365/(714) 435-5801
- f. 3320 E. La Palma, Anaheim (714) 575-2743
- g. 800 N. Eckhoff, Orange (714) 704-8001
- h. 301 City Dr. S., Orange (714) 935-6164
- i. Oranewood 401 City Dr. S., Orange (714) 935-6915
- j. 23330 Moulton Pkwy., Laguna Hills (949) 206-4003
- k. 115 Columbia, Aliso Viejo (949) 389-8203
- l. 1240 State College, Anaheim (714) 490-2367

- B. Most of the facilities are staffed during regular business hours with the exception of Oranewood, 401 City Dr. and the Juvenile Justice Center, 331 City Dr. which are staffed 24-hours a day.

- C. Each facility has a different set of “Post Orders”. The Post Orders detail the Sheriff’s Special Officer’s duties and responsibilities for that particular location.

II. Personnel

- A. The personnel currently assigned to the Security Bureau consist of one Lieutenant, two Sergeants, four Deputies and 53 Sheriff’s Special Officers.

- 1. Deputies

- a. One Deputy is permanently assigned to a fixed post at the Hall Of Administration. In addition to the post orders at the Hall of Administration, this Deputy’s duties include taking criminal counter reports at Sheriff’s Headquarters.
 - b. The other three Deputies are assigned to the field. They respond to any of the facilities to assist the Sheriff’s Special Officers with any type of law violation.

- 2. Sheriff’s Special Officers

- a. All of the Sheriff’s Special Officer’s positions are fixed posts and they report directly to their work location.
 - b. In addition to the post orders at each facility, Sheriff’s Special Officers duties include issuing parking citations and taking limited criminal and non-criminal reports.

ALTERNATIVE ENFORCEMENT VEHICLES

- I. Purpose
 - A. The purpose of this section is to outline the rules and regulations for the operation of Alternate Enforcement Vehicles within the department. In addition, this section will also cover training and maintenance of the vehicles.
- II. Scope
 - A. This section applies to all personnel assigned to the Field Operations Division who are trained in the use of Alternate Enforcement Vehicles, which are specifically identified in section III below.
- III. Vehicle Information
 - A. T-3 Patroller:
 - 1. Full Size T-3 vehicle with black tires, used exclusively outdoors
 - B. T-3 Vision:
 - 1. Smaller version on the T-3 vehicle with grey, non-marking tires, used exclusively indoors.
 - C. Patrol Bicycle:
 - 1. Standard patrol bicycle
 - D. All-Terrain Vehicle (ATV):
 - 1. Standard Patrol ATV
 - E. Utility Task Vehicle (UTV)
 - 1. Standard Patrol UTV
- IV. Personnel Use of Mobility Vehicles (T-3 Vision & T-3 Patroller)
 - A. Personnel will use the vehicles in an on-duty capacity for uniformed patrol.
 - B. Operators shall give way to pedestrian traffic, unless involved in an emergency operation, and then caution should be exercised.
- V. Rules of Operation
 - A. No person shall conduct **car stops** or other activities designed for regular patrol vehicles.

- B. Personnel shall not engage in activities other than those outlined for the T-3's (i.e. **NO** horseplay, racing, or stunts).
 - C. Personnel should use caution when operating the vehicles and maintain a safe speed for conditions and purpose of operations.
 - D. Personnel with **any** work restrictions are not authorized to use the T-3 vehicles for any purpose.
 - E. No person shall attempt to navigate a T-3 over a curb or other fixed obstacle.
 - F. Mobility vehicles are designed for only one operator at a time; no more than one person shall ride a mobility vehicle at a time.
 - G. Personnel that have been trained in the operations of the T-3 **will not** operate the vehicle on any public roadway at any time unless the employee is in possession of an "M1 or M2 endorsement" Vehicle Code §12804.9 (4) & (5)(A).
 - 1. Pedestrian crosswalks may be utilized for crossing a public roadway for entering patrol areas (i.e. John Wayne Airport).
- VI. John Wayne Airport
- A. T-3 "Vision" vehicles will be operated safely **inside** the terminal of John Wayne Airport.
 - B. T-3 "Patroller" vehicles will be operated safely **outside** the terminal of John Wayne Airport.
- VII. Bicycle Patrol Team
- A. Interested personnel, who are off probation, shall submit a request to their Division Commander to be considered, as an ancillary assignment, to be placed on the Bicycle Patrol Team. Interested personnel shall be evaluated by the following criteria:
 - 1. Recognized competence and ability by performance
 - 2. Special skills or training as it pertains to the assignment
 - 3. Good physical condition
 - 4. Willingness to perform duties using the bicycle as a mode of transportation
 - B. Personnel with any work restrictions are not authorized to use the bicycles for any purpose.
- VIII. Bicycle Patrol Supervisor
- A. The Bicycle Patrol Team supervisor will be selected from the rank of sergeant by the Field Operations Division Commander or his/her designee.

The Bicycle Patrol Team supervisor shall have responsibility for the following:

1. Organizing bicycle patrol training
2. Inspecting and maintaining inventory of patrol bicycles and program equipment
3. Scheduling maintenance and repairs
4. Evaluating performance of bicycle deputies
5. Coordinating activities with the Field Operations Division.
6. Other activities as required to maintain the efficient operation of the Bicycle Patrol Team.

IX. Care and Use of Patrol Bicycles

- A. Personnel will be assigned a specially marked and equipped patrol bicycle, attached gear bag, two batteries, and a charger.
- B. Bicycles utilized for uniformed bicycle patrol shall be primarily black or white with a SHERIFF decal (as required by Vehicle Code § 2800.1(b)(1)) affixed to each side of the crossbar or the bike's saddlebag. Every such bicycle shall be equipped with front and rear reflectors, front lights, and a siren/horn of at least 115 decibels (as required by Vehicle Code §2800.1(b)(4)).
- C. Bicycles utilized for uniformed bicycle patrol shall be equipped with a rear rack and/or saddle bag(s) sufficient to carry all necessary equipment to handle routine patrol calls including report writing, and citations.
- D. Each bicycle gear bag shall include a first aid kit, tire pump, repair tool, and tire tube. These items are to remain with/on the bicycle at all times.
- E. Each bicycle shall be equipped with a steady or flashing blue warning light that is visible from the front, sides, or rear of the bicycle, (Vehicle Code § 21201.3). Each bicycle shall also be equipped with a steady red light visible from the front, sides, or rear of the bicycle.
- F. Bicycle personnel shall conduct an inspection, based on their training, of the bicycle and equipment prior to beginning their shift on bicycle patrol to ensure the equipment is in proper working order. Personnel are responsible for the routine care and maintenance of their assigned equipment (e.g., tire pressure, chain lubrication, overall cleaning).
- G. If a needed repair is beyond the ability of the staff member, a repair work order will be completed and forwarded to the program supervisor for repair by an approved technician.
 1. Each bicycle will have scheduled maintenance to be performed by a department approved repair shop/technician.
- H. Electric patrol bicycle batteries shall be rotated on the assigned charger at the end of each tour of duty. During prolonged periods of non-use, each officer assigned an electric bicycle shall periodically rotate the batteries on the respective charges to increase battery life.
- I. Personnel shall not modify the patrol bicycle, remove, modify or add component except with the express written approval of the bicycle supervisor, or in the event of an emergency.

- J. Vehicle bicycle racks are available should the deputy need to transport the patrol bicycle. Due to possible component damage, transportation of the patrol bicycle in a trunk or on a patrol car push-bumper is prohibited.
 - K. Bicycles shall be properly secured when not in the staff member's immediate presence.
 - L. At the end of a bicycle assignment, the bicycle shall be returned clean and ready for the next shift.
- X. Bicycle Team Member Responsibility
- A. Personnel must operate the bicycle in compliance with the vehicle code under normal operation. Personnel may operate the bicycle without lighting equipment during hours of darkness when such operation reasonably appears necessary for officer safety and tactical considerations. Personnel must use caution and care when operating the bicycle without lighting equipment.
 - B. Personnel are exempt from the rules of the road under the following conditions (Vehicle Code § 21200(b)(1)):
 - 1. In response to an emergency call
 - 2. While engaged in rescue operations
 - 3. In the immediate pursuit of an actual or suspected violator of the law
- Notwithstanding the above exemptions, deputies shall at all times exercise due regard for the safety of all persons using the highway. (Vehicle Code § 21200(b)(2)).
- XI. All-Terrain Vehicles (ATV) and Utility Task Vehicles (UTV)
- A. Each ATV/UTV shall be equipped with a steady or flashing blue warning light that is visible from the front, sides, or rear of the ATV, (Vehicle Code § 21201.3). Each ATV shall also be equipped with a steady red light visible from the front, sides, or rear of the ATV.
 - B. Use of the All-Terrain Vehicles
 - 1. Deputies shall not modify the patrol ATV, remove, modify, or add components except with the express written approval of the Field Patrol Supervisor, or in the event of an emergency.
 - C. Personnel with any work restrictions are not authorized to use ATV/UTV vehicles for any purpose.
 - D. Beach Area Hazards or Off Highway Hazards
 - 1. Patrolling beach areas on ATV's or off highways on UTV's presents unique hazards for the operator. Deputies must use sound judgment in evaluating and adjusting for potentially hazardous conditions. A beach hazard is defined as anything either natural or man-made that has the potential to cause damage to property or injury to persons.
 - E. Routine Driving Considerations

1. Speeds on or near beach areas and off highways must be adjusted for conditions. Attempt to keep speeds below 15 MPH when within 50' of beach patrons in accordance with Vehicle Code § 38310, *Prima Facie Speed Limit* as it applies to off highway vehicles. **DO NOT** assume that beach patrons or pedestrians will hear or see a vehicle. **DO** assume that children will run in front of a vehicle. Children often times do not look, or may appear to make eye contact, but may still run in front of the vehicle.
 2. UTV's are for off highway use. If the UTV must travel on a highway to get to one location to another, distances will be kept to a minimum. A marked Sheriff's patrol car shall escort the UTV while utilizing its flashing amber overhead lights.
 3. If the UTV is being operated on closed streets for a special event (parades, fairs, celebrations, etc.), then an escort is not needed.
 4. When patrolling the beach or off highway, drive slowly. After stopping, always check under and around the vehicle before moving.
 5. Avoid driving through crowds or crowded areas whenever possible.
 6. Always activate the vehicle headlights when driving on the beach.
 7. When making turns, make left turns whenever possible. This will increase visibility for the operator.
 8. Avoid backing the vehicle if possible.
- F. At the end of an ATV/UTV assignment, the ATV/UTV shall be returned clean and ready for the next tour of duty.

G. Emergency Driving Considerations

Beach operation of an ATV (if properly equipped) during a Code-3 response poses additional risks not typical to Code-3 street driving. Although beach patrons should yield the right of way to a vehicle operating with red lights and siren, the operator should recognize the need for greater care and patience when doing so. Vehicle operators driving Code-3 on the beach must adhere to the OCSD Response to Calls (Lexipol 316) policy, and must exercise due regard when responding Code-3 in an emergency. Vehicle Code § 38305 Off Highway Vehicles *Basic Speed Law* states: No person shall drive off-highway motor vehicles at a speed greater than is reasonable or prudent and in no event at a speed which endangers the safety of other persons or property.

1. Considerations

- a. An emergency must exist (perceived, or actual).
- b. Use the lights and siren to give adequate warning.
- c. Speeds during Code-3 operation must be appropriate for conditions.
- d. Children may panic and run towards parents upon hearing the siren.

- e. Some may disregard a Code-3 response and demand right of way.
- f. Braking distance on sand will be increased as speed increases.
- g. Maneuverability on sand is severely compromised

XII. Uniforms and Equipment

A. Personnel Mobility Vehicles (T-3 Vision & T-3 Patroller)

1. Personnel shall wear the department-approved uniform and safety equipment while operating the department T-3 vehicle. Safety equipment includes department-approved helmet, and approved footwear.

B. Bicycle Patrol Team

1. Personnel shall wear the department-approved uniform and safety equipment while operating the department bicycle. Safety equipment includes department-approved helmet, riding gloves, protective eyewear, and approved footwear.

The bicycle patrol team uniform consists of the standard short-sleeve uniform shirt (i.e. Polo type) or other department-approved shirt with department badge and patches, and department-approved bicycle patrol pants or shorts.

- a. Optional equipment includes a radio head set and microphone. During cold weather, jackets are permitted to be worn.

C. All-Terrain Vehicles (ATV/UTV)

1. Deputies shall wear the department-approved uniform and safety equipment while operating the department ATV. Safety equipment includes department-approved helmet, riding gloves, protective eyewear and approved footwear. When operating UTV's Deputies shall wear department-approved uniforms with department badge and patches.
2. The ATV patrol vehicle uniform consists of the standard short-sleeve uniform shirt or other department-approved shirt with department badge and patches, and department-approved ATV patrol pants or shorts.
3. Personnel shall utilize the vehicle's seat belt safety equipment while operating the department UTV.

XIII. Training & Qualifications

A. Personnel Mobility Vehicles (T-3 Vision & T-3 Patroller)

1. All personnel intending to use a T-3 (Vision or Patroller) must attend and successfully complete a training course by a certified trainer prior to using the vehicle in any capacity.

B. Bicycle Patrol Team

1. Participants in the program must complete an initial department approved bicycle-training course after acceptance into the program. Thereafter bicycle patrol personnel should receive twice yearly in-service training to improve skills and refresh safety, health, and operational procedures. The initial training shall minimally include the following:
 - a. Bicycle patrol strategies
 - b. Bicycle safety and accident prevention
 - c. Operational tactics using bicycles
 2. Personnel will be required to qualify with their duty firearm while wearing bicycle safety equipment including their helmet and riding gloves.
- C. All-Terrain Vehicles (ATV)
1. Deputies must complete an initial department approved ATV-training course.
- D. Utility Task Vehicles (UTV)
1. Deputies must complete an initial department approved UTV Training course before operating a UTV.