

# Simi Valley Police Department

## PROCEDURES

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### **BUREAU ORDERS AND PROCDURES**

The procedures in this Manual are intended to supplement the Department's Policy Manual and guide members of the agency in the completion of their job duties. This Procedures Manual is a living document open for review and modification as deemed necessary.

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## Chapter 1 - Administration

## Department Administration

### 100.1 PURPOSE

The Department Administration is comprised of senior level executives whose mission is to guide its various bureaus, units and individual members by providing a clear vision and direction for the agency through principled leadership and effective planning,

### 100.2 STAFFING

A. Chief of Police - The principle leader of the Department responsible for planning, directing and overseeing the activities and operations of the Department including law enforcement, crime prevention and crime suppression programs; coordinating assigned activities with other departments and outside agencies; and providing highly responsible and complex administrative support to the City Manager.

B. Deputy Chief - Under the supervision of the Chief of Police is responsible for directing, managing, and coordinating the activities of Bureaus within the Department; assisting in criminal investigations and crime prevention; and providing complex administrative support to the Chief of Police.

C. Deputy Director of Critical Support and Logistics - Under the supervision of the Chief of Police is responsible for directing, managing, supervising and coordinating the activities of the Critical Support and Logistics Division within the Department, including the Records Bureau, Communication Bureau, Maintenance Unit, Fiscal Services Unit; supervising and directing assigned supervisory and professional staff; coordinating assigned activities with other areas of the Department and outside agencies; and providing complex administrative support to the Chief of Police.

D. Executive Officer - Under the supervision of sworn Executive management and holding the rank of commander, is responsible for a range of high level executive, staff, and project support services to Executive management including providing strategic advice, managing communications and implementing strategies to support the achievement of the Department's strategic and operational objectives.

E. Administrative Assistant - Under general direction, performs a wide variety of responsible and complex administrative, secretarial and clerical support duties in support of the Administration of the Department and the Chief of Police; and provides information and assistance to the public regarding departmental policies and procedures.

F. Office Specialist II - Under the supervision of the Administrative Assistant, performs a wide variety of clerical and administrative duties in support of the Administration of the Department, responds to requests from the general public; and types various documents and verifies data for accuracy.

## Chaplain Program

### 101.1 PURPOSE

The Simi Valley Police Department is committed to providing members at all levels with access to the clergy and to provide necessary support and comfort to the community in times of emotional and spiritual crisis. Police Chaplains are available to assist members of the department and the community in any of the variety of situations in which a religious counselor would be of benefit (e.g., death notifications, serious injury notifications, intra-family crisis situations, death of injury of members, etc.).

### 101.2 PROCEDURE

#### A. Requirements for Appointment to the Chaplain Program

1. All Chaplains shall be ordained or licensed members of the clergy in good standing or retired in good standing. Withdrawal of a religious organization's endorsement of a Chaplain brings immediate separation from duty with the Simi Valley Police Department.
2. All Supervising Chaplains shall possess a Master of Divinity Degree (or its equivalent) from an accredited university or seminary (this requirement does not apply to Assistant Chaplains).
3. Relates easily to people.
4. Maintains high spiritual and moral standards.
5. Manifests a broad base of experience and professional maturity, emotional stability, and personal flexibility.
6. Willing and able to respond to situations where a Chaplain's presence is needed.
7. Demonstrates a willingness to ride with field personnel.
8. Never convicted of a felony or offenses involving moral turpitude.
9. Successful completion of a background investigation.
10. Has a broad understanding of religious traditions and cultures.

#### B. Duties and Responsibilities of Supervising Chaplains

1. The Police Department will maintain at least one Supervising Chaplain whose responsibility will be to supervise and administer the Chaplain Program. All requests for a Police Chaplain will be made through the Supervising Chaplain or the Watch Commander. This directive does not apply to personnel requesting Chaplain services for personal needs. The responsibilities of the Supervising Chaplains are as follows
  - a. Make notification to families of citizens suffering serious injury and/or death. Department personnel will assist as needed.
  - b. Assist department officials in making notifications to families of officers who have suffered serious injury or death.

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### *Chaplain Program*

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- c. Respond to the Hospital emergency room and render needed assistance when an officer, other department member, or member of the community has been seriously injured or has died.
- d. Visit sick and injured department personnel and members of his/her family, either at their home or in the hospital.
- e. Assist in the planning, attend, and participate in funerals of active as well as retired members of the department.
- f. Conduct memorial services.
- g. Counsel department personnel with personal problems.
- h. Be willing to enter into training courses to enhance his/her effectiveness.
- i. Participate in public relations efforts.
- j. Schedule and attend staff meetings with the Assistant Chaplains to discuss mutual issues and programs.
- k. Provide liaison with other religious leaders in the City, including Hospital Chaplains.
- l. Make proper referrals in unique cases which require specialized attention.
- m. Complete a minimum of four (4) hours of ride alongs each month.
- n. Comply with the provisions of the Penal Code governing mandated reporting (11166 PC).

#### C. Duties and Responsibilities of Assistant Chaplains

1. The Police Department will endeavor to recruit and maintain up to five (5) Assistant Chaplains who will operate under the direction of the Supervising Chaplain. The duties and responsibilities of the Assistant Chaplains are as follows
  - a. Meet at least quarterly with the Supervising Chaplain to discuss program status and accountability.
  - b. Ride-along at least quarterly with field personnel.
  - c. Agree to be on-call as needed.
  - d. Be willing to meet with department personnel as requested.
  - e. Maintain logs of all Chaplain activity relating to the department.
  - f. Be willing to respond as requested by the Supervising Chaplain for the Watch Commander.

#### D. Chaplain Training

1. Within the first year of assignment, Chaplains shall attend and complete an accredited Police Chaplain Seminar or course of instruction.

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### *Chaplain Program*

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2. Chaplains are to also remain involved in ongoing continuing education programs as identified by the Supervising Chaplain.
3. Chaplains shall also read and study prescribed Police Chaplaincy textbooks as identified by the Supervising Chaplain.
4. As soon as practical after appointment as a non-sworn Police Chaplain, the new Chaplain shall ride-along with a Senior Police Officer for a period of twelve (12) hour, to be broken up into three (3) four-hour shifts.

#### E. Program Management

1. The Deputy Chief has functional supervision of the Chaplain Program: however, Supervising Chaplains will have direct access to the Chief of Police when necessary.
2. The Deputy Chief will appoint one Chaplain as the Supervising Chaplain and another as Assistant Supervising Chaplain.
  - a. The Supervising Chaplains will be responsible for the supervision of the Assistant Chaplains.
  - b. The Supervising Chaplains will maintain a current roster of the department's Chaplains, as well as a call-out rotation list and Chaplain Activity Log. They will make certain that the Watch Commander's Office is provided with all updates to the call-out rotation list.
  - c. The Supervising Chaplains shall conduct an annual performance evaluation for each of the non-sworn Assistant Chaplains, using the Police Chaplain Performance Evaluation Form. The Supervising Chaplains will receive an annual performance evaluation from the Deputy Chief.
3. The Supervising Chaplain and the Deputy Chief shall meet on a periodic basis for the purpose of coordinating and guiding the activities of the program.

#### F. Regulations and Procedures

1. Supervising Chaplains have the authority to charge telephone calls to the Department in cases where long distance calls are necessary in connection with Department business.
2. Chaplains shall not publicly criticize the action of any law enforcement officer, department official, fellow Chaplain, or departmental policy or action. Any Chaplain having a grievance is expected to take up the matter through proper official channels starting with the Supervising Chaplains.
3. Chaplains shall not release any information to the news media, insurance agencies, or attorneys regarding any case.

#### G. Chaplains' Roles

1. Counseling - Counseling is an important part of the Chaplains's work. When requested, the Chaplains are encouraged to provide counseling and consultation (according to their

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### *Chaplain Program*

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training, skills and time available) for department personnel and their families in personal, marital, family, job-related, and other problems. It is understood that such counseling will be on a short-term basis.

2. Confidentiality - Department employees who come to Chaplains for counseling should clearly understand that this is an "off the record" and privileged communication which will not be reported to Department Administration or have any bearing on his or her job status. This element of confidentiality is crucial to the overall effectiveness of the Chaplains in their rapport with department personnel. Confidentiality does not include information communicated by department employees to the Chaplains that employees may be a danger to themselves or others. In such cases, the Chaplains are to immediately report this information to the Administration or the Watch Commander.

a. A non-sworn Chaplain can assert the confidentiality privilege over confidential communications; however, he or she is not required to do so. In order for a statement to be privileged, the following elements must be met

1) A statement must be intended to be in confidence; and

2) A statement must be made to a member of the clergy who, in the course of his or her religious discipline or practice, is authorized or accustomed to hear such communications; and

3) Such member of the clergy has duty under the discipline or tenets of the church, religious denomination, or organization to keep such communications secret.

b. Unlike non-sworn Chaplains, a sworn Chaplain does not have the confidentiality privilege. Sworn Chaplains are law enforcement officials and their primary duty is to enforce the law. When members of the department disclose or admit to felony or misdemeanor crimes or serious mis conduct, the sworn Chaplain, as required by law and/or department policy, must immediately report the incident. Failure to do so shall result in immediate removal from the Chaplain Program and/or discipline.

c. Prior to appointment to the Chaplain Program, sworn Chaplains shall read and sign the "Sworn Police Chaplain Participation Agreement" indicating that they understand their obligation to report misconduct in accordance with department policy.

3. Referral - If, in a Chaplain's opinion a long-term counseling program is desirable for a particular department employee or family member, that individual may be referred to an appropriate community agency, to a therapist in private practice, or to the City's Employee Assistance Program (EAP).

#### H. Department Responsibilities

##### 1. Processing

a. Supervising Chaplains are issued police identification, badge, radio set belt holder, ballistic vest, and a jacket with appropriate insignia.

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### *Chaplain Program*

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- b. Assistant Chaplains are issued Police Volunteer identification, radio set belt holder, ballistic vest, and a jacket with appropriate insignia.
- c. The department will maintain a permanent ride-along release form on file for each Chaplain.
- d. Chaplains have authorization to ride at any time desired, provided
  - 1) They are an identified member of the Simi Valley Police Department's Chaplain Program.
  - 2) A completed ride-along form is on file with the department
  - 3) The Watch Commander is notified and aware that the ride-along is occurring and Chaplains will be given preference over other citizens in scheduling of ride-alongs.
  - 4) A Patrol officer is available.
- e. Chaplains may be issued a portable radio upon request for a tour of duty.
- f. Appropriate measures should be taken to not expose Chaplains to danger.

#### 2. Deployment

- a. Department Managers and Supervisors are encouraged to involve Chaplains in the event any of the following:
  - 1) Death notifications
  - 2) Dead body calls
  - 3) Accident fatalities (traffic or otherwise) involving major injuries and/or may witnesses
  - 4) Serious accident involving minors
  - 5) Suicide attempts
  - 6) Homicides
  - 7) Officer involved shootings
  - 8) SWAT and/or CNT involved situations
  - 9) Situations involving the activation of the Emergency Operations Center

#### 3. Service Requests When No Chaplain is On Duty

- a. Approval for call-in of a Chaplain must come from:
  - 1) Watch Commander
  - 2) Sergeant, Commander or Bureau manager of the assigned Bureau where the need has been established

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### *Chaplain Program*

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- b. Once the need for a Chaplain has been established, the Watch Commander/ Supervisor or Dispatcher shall place a call to the next available Chaplain on the rotation list, maintained in the Watch Commander's Office, until a Chaplain has been located.
- c. In the event officers, department employees, and/or members or their family desire to counsel with a Chaplain, they should place a telephone call to the Chaplain of their choice in order to secure an appointment.

## Funeral Policy

### 102.1 PURPOSE

The Simi Valley Police Department procedures for the management of the funeral of all sworn and civilian members of this department are outlined herein and through its attachments. These procedures shall apply to current sworn employees who have suffered an on-duty death or a death of any other manner. These procedures also incorporate protocols to address deaths of retired sworn employees, civilian employees as well as the death of an employee's family member. The department's level of participation in the funeral services or other needed support shall depend upon the expressed wishes of the family of the deceased.

### 102.2 PROCEDURE

- A. All applicable procedures for handling deaths and funeral arrangements are outlined in the Ventura County Law Enforcement Funeral Protocol Handbook [See attachment: Ventura County Sheriff Funeral Protocol.pdf](#) .
- B. Funerals should be handled using the established Incident Command System as would be used for any other unusual occurrence.
- C. The manner in which the death occurred along with the expressed wishes of the family of the deceased shall be the determining factor used for planning the details of the funeral.

## **Chapter 2 - Auxiliary Services Bureau**

## Auxiliary Services Bureau

### 200.1 PURPOSE AND SCOPE

A. The Auxiliary Services Bureau of the Simi Valley Police Department is the administrative resource of the department responsible to properly manage and maintain the department's Property Room and Temporary Holding facilities to eliminate and/or mitigate liability, and to investigate and recommend technological advancements for department adoption.

B. In order to effectively carry out its tasks, the Auxiliary Service Bureau has formulated Bureau Orders to establish operational procedures and guidelines, which are to be used in conjunction with the manuals published by the Simi Valley Police Department and City of Simi Valley.

### 200.2 RESPONSIBILITIES AND STAFFING

A. The Auxiliary Services Bureau (ASB) responsibilities include:

1. Evidence/Property Room [See attachment: Property\\_and\\_Evidence.pdf](#)
2. Temporary Holding Facility (Refer to Section 9 of the Simi Valley Police Department Policy Manual)
3. Technology Research and Development
4. Department Policy and Procedures
5. Special Projects

#### 200.2.1 STAFFING

A. The Auxiliary Services Bureau is led by Commander, reporting to the Deputy Chief, with supporting personnel as follows:

1. Sergeant
  - a. Property Officer
  - b. Property Technician

## Consumable Supplies

### 201.1 PURPOSE

The Auxiliary Services Bureau through the Property Room Staff is responsible for the receipt and distribution of consumable supplies (i.e., batteries, drug screen kits) in support of the Patrol Bureau.

### 201.2 PROCEDURE

- A. Consumable supplies shall be stored in the Patrol Report Writing Room.
  1. The Property Officer or designee shall periodically review the quantity of supplies available and if necessary obtain additional supplies. In all cases, refurbishing supplies should be done on Fridays.

## **Chapter 3 - Communications Bureau**

## Communication Bureau

### 300.1 PURPOSE

The mission of the Communications Bureau of the Simi Valley Police Department is to provide communication services and support to the public and the Police Department field personnel with the following objectives:

1. Timely response to requests for service and assistance.
2. Telecommunications support to Police Department personnel.
3. Dispatching appropriate emergency personnel and equipment to public needs.
4. Monitor and coordinate field operations of Police Department personnel.

### 300.2 PROCEDURE

In order to effectively perform its mission, the Communications Bureau has formulated Bureau Orders to establish operational procedures and guidelines which are to be used in conjunction with the manuals published by the Simi Valley Police Department and the City of Simi Valley.

## Organizational Structure

### 301.1 PURPOSE

The Bureau Order shall develop and maintain the organizational structure for Communications, define job descriptions and responsibilities and establish standards of accountability for Communication Bureau personnel

### 301.2 PROCEDURE

A. The Communications Bureau is divided into sections known as "Shifts ". The Shifts for Police Dispatchers and Communications Supervisors include but are not limited to:

1. Shift I - 2000 to 0600 hours (aka Mornings)
2. Shift II -0600 to 1600 hours (aka Days)
3. Shift III - 1600 to 0200

### 301.3 JOB DESCRIPTIONS

A. Communications Manager - Under the direction of the Deputy Director of Critical Support and Logistics, supervises the operations of the Communications Center, personnel assigned to the Bureau and performs related tasks as required:

1. The Communications Manager coordinates and oversees day-to-day operations; supervises and oversees training needs of Communications personnel; prepares work schedules to maintain sufficient coverage of shifts; monitors effectiveness of current Communications radio equipment, recommending changes as necessary; schedules maintenance for Communication radio equipment; and formulates and implements Communications policies and procedures and other duties as assigned.

B. Communications Supervisor - Under the direction of the Communications Bureau Manager, functions as the Dispatch Supervisor of personnel on duty in the Communications Center on an assigned shift.

1. Provide input with regard to training needs of personnel assigned to a shift, train new Dispatchers, perform as a Dispatcher as needed and assigned, lead the activities of personnel on an assigned shift, provide input for staff evaluation, and corrective actions, assist with various administrative tasks such as scheduling and staffing, accuracy of computer input, review work and work product of personnel on an assigned shift, ensure compliance with Department and City policies and procedures, local, state, and NCIC laws and regulations, assist in developing and conducting training programs in topics regarding Communications, accept and resolve minor complaints from the public, provide overall administrative assistance to the Communications Manager, operate and lead operation of the computer aided dispatch system, report equipment malfunctions and other duties as assigned.

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### *Organizational Structure*

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2. Communications Supervisors are administratively assigned to and receive direction from the Communications Bureau Manager. Operationally, Communication Supervisors respond to and receive direction from the on-duty Watch Commander/Supervisor.

C. Dispatcher - Under direction of the Communications Supervisor, charged with the responsibility to perform law enforcement communication support, assist the public and Police Department field personnel and to perform related work as required.

1. Receive incoming business and emergency telephone calls from the public. Provide assistance, information and direction to callers, dispatch appropriate law enforcement or emergency personnel to meet the needs of calls for service, supply telecommunications support to field and station personnel, maintain resource and support materials, responsible for Simi Valley Police Department CAD computer input regarding calls for service data and field activities, respond to requests for CAD information from field personnel, receive all 9-1-1 emergency requests, and when appropriate, make transfers, respond to field personnel resource requests, (i.e., emergency notification lists and I, monitor alarms in the Communications Center, prioritize calls for service, over sees field situations and available resources and personnel, maintain telecommunication manuals and logs, be familiar with City geography, landmarks and address numbering systems, map reading, keep Watch Commander/Supervisor and Field Supervisor informed on field situations and other duties as assigned.

2. Dispatchers are administratively assigned to and receive direction from the Communication Bureau Manager. Operationally, Dispatchers respond to and receive direction from the on-duty Watch Commander/Supervisor and the Communication Supervisor.

## Watch Guidelines

### 302.1 PURPOSE

The Communications Bureau establishes guidelines which, in conjunction with the Simi Valley Police Department Policy Manual, will be adhered to by all personnel working in the Communications Bureau.

### 302.2 PROCEDURE

A. Emphasis is placed on the following:

1. Officer Safety.
2. Dispatchers and Communications Supervisors are expected to be courteous to citizens and fellow employees. They are to treat others with respect.
3. Radio procedures are expected to be professional at all times and comply with FCC regulations.
4. Dispatchers and Communications Supervisors are expected to respond to the needs of the public and officers in an expedient and professional manner.

B. Dispatchers and Communications Supervisors shall answer the telephones in a prompt, professional manner.

C. Dispatchers and Communications Supervisors shall prioritize and respond to calls for service and requests.

D. Dispatchers and Communications Supervisors shall dispatch appropriate personnel to meet the needs of the situation promptly, Dispatchers and Senior Lead Dispatchers will monitor in progress calls for service and field situations.

E. Dispatchers and Communications Supervisors will be on time and prepared to start their assigned shift.

F. Dispatchers and Communications Supervisors will keep the Field Supervisors and Watch Commander/Supervisor informed of any emergency calls, major field situations or any unusual occurrence.

G. Dispatcher and Communications Supervisors will remain on-duty and in a working capacity until relieved by the oncoming personnel. Under no circumstances will they abandon the Communications Center until properly relieved.

H. The Dispatchers and Communications Supervisors who are completing their shift or working time on the radio will brief the oncoming personnel as to the status of each officer or field personnel on -duty, all currently working field situations, as well as background on the pending calls for service.

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### *Watch Guidelines*

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I. Dispatchers and Communications Supervisors are expected to be productively engaged with the agency's work while on paid time. Dispatchers and Communication Supervisors will display good work habits essential to achieve and maintain a reasonable focus on getting the work accomplished.

J. Dispatchers and Communications Supervisors are to leave their work area in a clean, neat condition free of debris, food and drinks.

K. Dispatchers and Communications Supervisors will attend daily Patrol Briefings as staffing permits.

L. Dispatchers and Communications Supervisors are expected to conduct their work in a manner which supports the agency's efforts to serve the public as effectively and safely as possible. When differences arise, personnel are expected to handle them professionally.

M. Dispatchers and Communications Supervisors will avoid patterns of complaints from personnel or the public regarding voice intonations, and/or expressions. Communications and interactions among personnel will be polite and professional. Actions or exchanges which tend to produce unnecessary stress or which tend to become barriers to the successful exchange of needed communication or information are prohibited.

N. Dispatchers and Communications Supervisors are expected to conduct their work in a manner which fosters positive public relations. Interactions with the public must be positive and effective. Dispatchers and Communications Supervisors must avoid behaviors which produce or are likely to produce complaints.

O. While dealing with the public, Dispatchers and Communications Supervisors will display genuine interest by using voice intonations usually associated with interest rather than curtness or disregard.

P. Dispatchers and Communications Supervisors will enforce Policy 801, Communications Bureau, which limits access to the Communications Center by unauthorized personnel.

Q. Dispatchers and Communications Supervisors will follow the chain of command.

## Monitoring Alarms

### 303.1 PURPOSE

The Communications Bureau personnel are required to monitor certain alarm systems in the Communications Center.

### 303.2 PROCEDURE

A. Dispatchers and Communication Supervisors working in the Communications Center shall, monitor the following alarm systems:

1. Fire/Smoke Detectors
2. Jail Alarm
3. Closed Circuit Security Monitors

B. When one of these alarms is activated, Communications Bureau personnel will take appropriate action to notify personnel to investigate the circumstances surrounding the activation. The Watch Commander/Supervisor will also be advised of any activation.

C. Communications Bureau personnel will reset the alarm once the incident surrounding the activation has been identified and resolved.

## Equipment Failure

### 304.1 PURPOSE

Communications Bureau personnel are required to monitor certain equipment while working in the Communications Center. Communications Bureau personnel will report the malfunction or deficiency of the equipment to the Communications Supervisor overseeing equipment, who will inform the proper maintenance repair personnel.

### 304.2 PROCEDURE

A. Communications Bureau personnel will promptly notify the appropriate vendor or responsible person with respect to any malfunction or equipment failure of the following vital pieces of equipment in the Communications Center

1. Telephones and 9-1-1 equipment
2. Radios
3. CLETS/VCJIS computer and printer
4. CAD computer system and printer
5. Alarms
6. Play-Back recorders
7. Scanners
8. Dispatch consoles and environment systems

B. Dispatchers and Communications Supervisors are expected to use and maintain agency equipment in a manner which is most likely to assure good working order and appearance.

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## Uniforms

### 305.1 PURPOSE

The Communications Bureau shall establish herein the uniform apparel that will be issued and worn while personnel are working in the Center. Additional equipment, apparel or modifications not specifically authorized by the Bureau Procedure are prohibited unless approved by the Deputy Director.

### 305.2 PROCEDURE

A. Class A Uniform - This uniform is applicable to all uniform personnel. It shall be worn when directed by the Chief of Police, Deputy Chief, Deputy Director, or Communications Manager. Class A uniforms may be worn at the Dispatcher's discretion in the following circumstances:

1. Court Appearances
2. Public Events
3. Interagency or Intergovernmental Meetings, Conferences, or Gatherings of an Official Nature
4. Funerals for Law Enforcement or Fire Personnel
5. The Class A Uniform consists of all of the following items of apparel:
  - a. Long sleeve uniform shirt with appropriate insignia
  - b. Uniform tie with tie bar (optional is the female crisscross bow tie)
  - c. Uniform trousers (wool only) or uniform skirt (hemmed between 1" below the knee to 1" above the knee)
  - d. White crew-neck T-shirt
  - e. With uniform pants, black dress shoes, black socks.
  - f. With uniform skirt, flesh or back color hose and plain black pumps (heels not to exceed 3")
  - g. Issued breast badge
  - h. Issued nameplate over right side breast pocket
  - i. Black leather belt
  - j. Service stripe for each five (5) years of service with any law enforcement agency. Service stripes are mandatory on the long sleeve shirt.
  - k. Rank insignia for Communications Supervisors will be a three (3) chevron silver pin to be worn on each collar

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## PROCEDURES

### *Uniforms*

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- I. Rank insignia for the Communications Manager will be a silver star to be worn on each collar
- B. Class B Uniform - This is the daily uniform while working in the Communication Center.
  1. Short sleeve or long sleeve black polo shirt with appropriate insignia
  2. Black 5.11 Strike BDU pants
  3. Black shoes, black socks
  4. Black leather belt
  5. Optional wearing: Black wool sweater with insignia, Black hooded sweatshirt with insignia, Black jacket with insignia
- C. All members will follow the department guidelines for grooming standards as detailed in Policy 1020, Personal Appearance Standards and the applicable sections of Policy 1021, Uniform Standards.

## Work Breaks

### **306.1 PURPOSE**

To assure adequate coverage and service to the community and field personnel, the Communications Bureau regulates the number of personnel that may be away from the Communications Center during work breaks. Exemptions to this Bureau Order may be authorized by the Communications Manager, on-duty Communication Supervisor, or Watch Commander/Supervisor.

### **306.2 PROCEDURE**

- A. The specific time limits and availability of meal breaks allowed for Communications Bureau personnel will be determined by the current Memorandum of Agreement.
- B. No more than one Dispatcher or Communication Supervisor will be away from the Communications Center during a work break, except as authorized.
- C. No work break will be authorized in conjunction with the beginning or end of watch.

## Primary Tasks

### 307.1 PURPOSE

The Communications Bureau establishes the primary tasks of specific positions within the Center. Exceptions may be authorized by the Communications Manager, Communications Supervisors, or the Watch Commander/Supervisor.

### 307.2 PROCEDURE

A. The primary Dispatcher position will be responsible for the operation of the radio, CAD, CLETS, and VCJIS computers, monitoring field personnel and situations, dispatching calls for service, and assisting with the telephones as activity permits.

B. The secondary Dispatcher positions will be responsible for answering the telephones, entering calls for service into CAD, providing support to the primary Dispatcher by completing requests from field personnel for auxiliary equipment or services and resource information requests, recording pertinent information into CAD logs and inputting of calls for service information into the department CAD computer.

C. The selection of which position will be worked during the shift will be resolved by the Dispatchers on duty. If the assignment of positions cannot be resolved, the positions will be selected by seniority or assigned by the Communications Supervisors.

D. The primary and secondary Dispatcher position will always be manned by a Dispatcher or qualified personnel. The third, and on the occasions when there is a fourth, Dispatcher position may be filled by members with call-taker abilities and the recognized ability to operate the CAD computer.

E. All Dispatchers and Communications Supervisors are expected to do their fair share of the work on the shift without regard for the type of call or assignment.

F. Dispatchers, Communications Supervisors and other members working the Center will come to one another's aid when assistance is needed or requested.

## Training New Members

### 308.1 PURPOSE

The Communications Bureau shall train new Dispatchers or members to work in the Center through a combination of and on-the-job, hands-on training, combined with a classroom setting. [See attachment: Communications Training Manual 2019 \(Master\).pdf](#)

### 308.2 PROCEDURE

A. When requested by the Communications Manager, Communications Supervisors or Dispatchers will train new Dispatchers or personnel that will be working in the Communications Bureau.

B. When training new Dispatchers or personnel that will be working in the Communications Bureau, the assigned Communications Supervisors or Dispatchers will complete a training manual for the person being trained and complete daily evaluations. If the training Dispatcher must be absent from the Center, they will reassign the trainee to be overseen by other Communications personnel. Whoever is overseeing the trainee for that period will complete the daily evaluation.

C. The Communications Supervisors or Dispatcher will complete a status report when requested, which outlines the progress and assessment of the trainee and forward the report to the Communications Manager and then to the Deputy Director.

D. The average length of the training period for a new Dispatcher without previous experience will be approximately eight (8) months. However, the length of the training period may be extended or reduced depending on the progress and needs of the trainee and the department, with approval of the Communications Manager and Deputy Director. The average length of the training period for lateral Dispatchers will be approximately five (5) months.

E. Meeting the needs of the trainees will be second only to the Communications Supervisors or Dispatcher handling their primary dispatching responsibilities.

F. The Communications Supervisors or Dispatcher's focus will be on training and job-related issues.

G. Communications Supervisors or Dispatchers will display a positive and professional demeanor.

H. Communications Supervisors or Dispatchers will teach, instruct and carry out department policies, procedures and orders in a consistent, professional manner.

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## Telephone/Customer Service

### 309.1 PURPOSE

The Communications Bureau requires members working in the Center to answer the telephones in a courteous, prompt fashion.

### 309.2 SECTION TITLE

A. The personnel working in the Communications Center will answer the telephones promptly.

B. The personnel working in the Communications Center will answer the 9-1-1 lines first, emergency lines to the department second and the business lines as quickly as possible.

C. In an effort to standardize the manner in which the incoming telephone calls are answered, members will conform to the following greetings as indicated for each set of phone lines:

1. 9-1-1 Lines - "9-1-1 Emergency. What are you reporting?" This language is set by state guidelines and there is no room for variation.
2. Seven (7) Digit Emergency Lines - "Police Emergency. This is (first name or last name)?" Providing your name promotes a comfort level and instant rapport with the caller.
3. Business Lines - "Simi Valley Police Department, this is (first name or last name)." You are the first point of contact on these lines after hours.
4. Inter-Department Extensions - "Police Dispatch, this is (first name or last name)."
5. Ringdown Lines - "Hi Fire, this is Simi PD."

D. The Communications Bureau goal is to provide a pleasant, friendly demeanor while answering the telephones. Often Center personnel are the only contact a citizen may have with our agency, or our City. Their opinion and attitude towards the department or City may be based solely on their contact with Communications Center personnel. Communications Bureau personnel will strictly adhere to these telephone greetings in a effort to improve our level of customer service and professionalism.

E. Communications Bureau personnel will make appropriate transfers of calls to be handled by other agencies or other personnel with in the department. Communications personnel will make every attempt to assist the callers and provide an answer to their dilemma or question. Bureau personnel need to be well versed on the multiple resources available for referrals and utilize these agencies when appropriate. When a caller needs to be referred to another agency, offer your name and for the caller to call back if they are not successful in reaching the referred resource.

F. Communications Bureau personnel will make every effort to answer all incoming calls as quickly as possible, checking with the caller to verify whether an emergency exists and if needed, placing the caller on hold rather than allowing the calls to continue to ring unanswered. When you return to the line, thank the caller for holding prior to continuing the conversation.

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### *Telephone/Customer Service*

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G. Communications Bureau personnel will make every effort to answer the caller's questions or requests for information as they apply to law enforcement. Personnel may, as time allows, respond to unrelated questions or request if they are aware of the information or it is easily obtained.

H. Communications Bureau personnel will, as time allows, educate the callers on what can be done, by law, Municipal Code, and/or department policy. Taking time to explain things defuses the situation and usually a callers's anger and/or frustration.

I. If a citizen calls in a suspicious vehicle or circumstances call and does not wish to be contacted by an officer, Dispatchers will offer the caller that they can telephone Communications back in 30 to 45 minutes to check the disposition of the call if they so desire.

J. Communications Bureau personnel will elicit complete information from the callers as needed for officer effectiveness regarding calls for service and for officer and citizen safety.

K. Communications Bureau personnel will classify calls properly. Misclassification of radio calls can be dangerous to both officers and citizens.

L. Communications Bureau personnel will transfer work-related telephone calls to voicemail for personnel not on duty or unavailable at the time of the telephone call.

M. Should Communications Bureau personnel receive a call from an individual identifying themselves as a family member of a department employee, the Dispatcher will attempt to locate the employee. If unsuccessful, or the person requested is not on-duty, the call should be directed to the Watch Commander/Supervisor.

N. If a call for service is held for thirty (30) minutes or more, a Communications Bureau personnel will call back the reporting party and advise them of the delay. A brief explanation of the reason for the delay will be provided and an approximation of when it is anticipated and officer may be available to handle the call for service. Personnel will document the return call in the CAD call comments.

O. Personal calls are to be kept to a minimum and will not interfere with the performance of Communication Bureau duties. Personal telephone calls are to be placed on the non-recorded, cordless telephone located at all the Dispatcher desks. Any charge incurred for personal telephone call must be billed to the employee's home phone number, calling card, credit card, or third number.

P. Communication Bureau personnel will comply with the City's telephone usage guideline delineated under Administrative Policy and Procedures, #A-009B.

## **CAD Computer**

### **310.1 PURPOSE**

The Communications Bureau shall ensure accurate and complete information is recorded in the department computer aided dispatch system (CAD). The purpose of entering the information into the computer system is to permanently record official department information. Among other needs, this information is used for the daily calls for service.

### **310.2 PROCEDURE**

A. Communications Bureau personnel will enter and complete CAD entries with accurate, complete, and pertinent information reflecting the calls for service and action taken by department personnel. Communications Bureau personnel will also enter accurate field/radio occurrences and information in the the CAD system.

B. Communications Bureau personnel will comply with the requirements of completing the information categories of the department CAD computer system with respect to calls for service as detailed in Policy 801, Communications Bureau, Section 801.2.1.

C. Communications Bureau personnel will enter the information into the department CAD computer up to their scheduled end of watch. This information will then be relayed to the oncoming Dispatchers, including the Communications Supervisors.

D. The Communications Supervisors on duty will review CAD computer input for accuracy and completeness of records and make modifications if required.

E. Communications Bureau personnel will promptly respond to computer data inquires and requests. If there is a delay for any reasons beyond the Dispatcher's or Communications Supervisors control, they will notify the requesting officer of the delay.

# Unauthorized Personnel in the Communications Center

## 311.1 PURPOSE

The purpose of this Bureau Order is to further detail the basic requirements as set forth in Policy 801, Communications Bureau, Section 801.2, Communications Center Security. This Bureau Order and Policy 801 are developed to ensure that Communications Bureau personnel can accomplish their tasks in an orderly fashion by allowing only authorized personnel access to the Communications Center.

## 311.2 PROCEDURE

A. Access to the Communications Center is at the discretion of the Watch Commander/Supervisor, Communications Manager, or on-duty Communications Supervisors, pursuant to the following:

1. The Communications Center is not to be used as an alternate report writing room, employee break room, or lunch room.
2. Officers in the station shall make records and other computer checks through the Records Bureau during regular business hours. When the Records Bureau is closed, Communications will handle such requests. In-house computer checks should be handled by the officer through the terminals provided outside of the Communications Center.
3. Communications trained personnel will be allowed to enter the Communications Center to assist the Dispatchers only at the request of the Communications Bureau Manager, Communications Supervisors, Dispatcher, or Watch Commander/Supervisor. In cases of overload or emergencies, the Communications Supervisors or Dispatcher may request assistance from other personnel and authorize their access to the Communications Center.
4. Communications related business should be handled over the telephone if possible. If an exchange of paperwork or documents is required, this may be accomplished via the Watch Commander's Office.
5. If an officer is required to make a long distance follow-up phone call, they may place the call from the Watch Commander's Office, Dispatch, or through their department issued cell phone.
6. Communications Bureau personnel are to avoid conversations or loud background noises and other activities that might interfere with safe dispatching.

## Training of Sworn Officers

### 312.1 PURPOSE

The Communications Bureau may train selected sworn police officers to work and assist in the Communications Center. Officers who have completed dispatch training may sign up and work overtime positions in the Center at the discretion of the Deputy Director, Deputy Chief, and the Communications Manager pursuant to the needs of the department.

### 312.2 PROCEDURE

A. When requested by the Communications Manager, Communications Supervisors or Dispatchers will train selected sworn police officers in the function and procedures of the Communications Center.

B. When training police officers in dispatch procedures, the trainer will complete a training manual for the officer being trained. The manual will include daily evaluations for each day of training. The trainer will complete a more extensive evaluation during the officer's sixty (60) hours of intern training.

C. Training Senior Lead Dispatchers or Dispatchers are required to keep the Communications Manager updated with respect to the progress of the officer's training.

D. The officer(s) will train until they have completed the materials and information to be covered in the training manual and have worked a sixty (60) hour internship with a qualified trainer. The time worked with each trainer is to be logged in the officer's training manual. The length of the training period may vary depending on the progress and needs of the officer being trained.

E. Officer training in Communications may be accomplished during their regular working hours, as time allows and with the approval of the Communications Manager and the Watch Commander/Supervisor. The training of regular Communications personnel will always take priority over officer training. Officers will not be allowed to train at the same time a Senior Lead Dispatcher or Dispatcher has a trainee.

F. Officers on probation will not be allowed to train in the Communications Center.

G. Officers interested in being trained to work in the Communications Center shall submit a memo of interest to the Communications Bureau Manager for consideration.

H. Once trained, officers will be allowed to sign up for posted Communications Bureau overtime positions; however, they may be overridden by a regular Dispatcher up to forty-eight (48) hours before the available shift.

I. Officers who have not completed the training program in Communications, but are familiar with the Communications Center Intelligent Work Stations and Computer Aided Dispatch system, may at the discretion of the Communications Manager, work the call-taker position with a fully trained Dispatcher.

## Television Use

### 313.1 PURPOSE

The Communication Bureau shall provide the most current, accurate information to the citizens of our community, command personnel and field personnel during major events such as natural disasters or civil unrest. This will be accomplished through the use of a variety of communications equipment including television monitor.

### 313.2 PROCEDURE

A. The use and availability of the television equipment will be pursuant to the following guidelines:

1. Communications personnel may, as call and field activity permits, watch television in the Communications Center. This privilege will be monitored by the on-duty Communications Supervisors, Communications Manager, and/or the Watch Commander/Supervisor. Subject matter will be of a general entertainment nature. Subject matter that may be viewed as offensive or distasteful is strictly prohibited.
2. The viewing and monitoring of programs will not interfere or disrupt the primary responsibilities of on-duty Communications members.
3. Volume on this equipment is to be at a reasonable level not to interfere with the radio traffic or telephone conversations.
4. The equipment is to be used by Dispatch and supervisor personnel only.
5. The use and viewing of this equipment must be pre-authorized and/or controlled by the Communications Manager, on-duty Communications Supervisors or the Watch Commander/Supervisor.

## Overtime Procedures

### 314.1 PURPOSE

A. The Communications Bureau shall maintain minimum deployment standards. When vacancies arise and posted overtime is not taken voluntarily, the Communications Supervisor will mandate overtime assignments in a fair and pre-established manner using the guidelines established in this Bureau Order.

B. The Communications Bureau will fill leave requests in the Communications Center with personnel assigned to the Communications Bureau. This will include Communications Supervisors, Dispatchers, Temporary or Part Time Dispatchers and Dispatch Trainees. When not fully staffed, the use of outside personnel may be considered if there are extended vacancies in the Communications Center, long term leaves due to illness or pregnancies, emergency situations, or at the request of the Communications Supervisor, the Communications Manager or Deputy Director. Every effort will be made to fill leave requests in the Communications Center with Regular, Temporary or Part-Time Dispatchers, or Dispatch qualified Officers.

### 314.2 PROCEDURE

A. The Communications Supervisor assigned to manage scheduling shall maintain a list showing the total number of overtime hours worked by each employee. The list will show a running total of the amount of overtime worked per deployment period. The list will be updated every week and posted in the overtime book. The list will last the duration of the Deployment Period. A new list will begin with each Deployment Period.

B. Mandatory overtime will be assigned in the following manner:

1. When posted overtime is not voluntarily covered and mandates are necessary, whenever possible, overtime will be mandated to the Dispatcher or Communications Supervisor who has worked the least amount of overtime since the beginning of the Deployment Period. Mandated overtime may be assigned in conjunction with a scheduled shift or on a regular day off (RDO).

2. Mandated overtime shall be assigned by the Communications Supervisor with the assignment of scheduling, the on-duty Communications Supervisor or the Communications Manager at least forty-eight (48) hours in advance, whenever possible. The employee's name will be placed on the overtime sheet under the "ordered" column. If the employee is on their day off and will not be working prior to the shift assignment, a phone call and text message will be made to that employee notifying them of the hours to be worked. The affected Dispatcher should reply acknowledging the order in.

3. In the case of a Dispatcher or Communications Supervisor calling in unavailable for their shift, personnel working the current shift may be held over or the next shift called in early. Whenever possible, the mandated period of time shall not exceed six (6) hours if in conjunction with a regular shift however, it could involve a full ten (10) hour or more shift on

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an RDO. If the Dispatcher or Communications Supervisor calls out for their shift, whenever possible call out four (4) or more hours prior to the start of your shift, so that adequate coverage may be found.

4. When overtime that is assigned to a Dispatcher or Communications Supervisor is not worked due to a trade or sick call out, the Dispatcher or Communications Supervisor will not be credited for those hours. Only actual overtime hours worked in the Communications Center will be calculated in each individual's total. Holiday overtime is also not calculated into the total hours worked. Determination of calculated hours will be at the discretion of the Communications Supervisor responsible for scheduling or the Communications Manager.

5. Overtime will not be mandated to an employee that has taken Annual Leave or Comp Time for their entire shift on the date coverage is needed. Overtime will not be mandated to an employee that has taken at least four (4) full days of Annual Leave or Comp Time consisting of at least one full day on each end of their scheduled days off.

6. Overtime will not be mandated to an employee on their scheduled days off immediately before or after their work week if they have taken the entire work week off on Annual Leave or Comp Time. Overtime will not be mandated to an employee who has been out on extended leave of absence, four (4) months or more for their first two (2) days back, so that employee can get re-acclimated.

C. Every effort will be made to fill submitted leave requests. Generally speaking requests of four (4) days or more will not be denied, if at all possible. Requests submitted for one full shift or less may be denied if adequate coverage cannot be secured. Requests of 40 consecutive hours or more should be submitted as early as possible but no later than one week prior to the requested time off.

D. The Communications Supervisor assigned scheduling duties or the Communications Manager may adjust the hours of a dispatcher who is currently working in order to cover Annual Leave vacancies. These arrangements must be agreed upon by those affected by the change.

E. Dispatchers will have first choice of covering any available posted overtime in the Communications Center. If the overtime is not taken, Department personnel who are trained to work in the Communications Center can sign up for the overtime.

F. If an overtime shift is only partially covered by a Dispatcher, Communications Supervisor or by trained department personnel who are authorized to work in the Center, any dispatch qualified personnel may sign up for the entire shift provided it is not within ninety six (96) hours of the start time of the vacancy. Notice will be given to the person who will not be working the shift by the person taking the overtime.

G. Absent exigent circumstances, personnel who have signed up to fill a vacancy in the Communications Center will be responsible filling the vacancy unless notification of the cancellation ninety six (96) hours from the start of the vacancy or longer has been provided. If the person who has signed up for the overtime would like to cancel within the ninety six (96) hours, they are responsible for filling the vacancy, not the scheduling Communications Supervisor. If the

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### *Overtime Procedures*

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time slot cannot be covered, the Dispatcher will be required to meet their obligation and work the posted hours they signed up for. As a courtesy, Communications personnel that must cancel after signing up for an overtime slot with notice of ninety six (96) hours or longer should notify the scheduling Communications Supervisor via e-mail of their unavailability. This applies to Dispatch qualified officers as well.

H. When a Dispatcher or Communications Supervisor on a shift has requested time off, every effort will be made to fill the vacancy and allow the time off request, with special attention to the first request submitted and requests of four (4) full consecutive days or more. Should a second person working the same hours or overlapping hours request time off, the time will be posted and efforts will be made to comply with the second employee's request; however, personnel will not be ordered or mandated to fill the second vacancy. The time off request will not be approved unless the position is filled voluntarily. Additionally, if a Dispatcher or Communications Supervisor on any other shift requests time off during the same period of time that the other person will be gone, requests will be handled on a first request basis. Regardless of which position is signed up for, the Dispatcher who requested time off first will be given first consideration. Securing one's own coverage does not guarantee time off under any circumstances.

I. There may be occasion where in only one employee can be absent from the Communications Center at a given time. Should any vacancy be filled on a voluntary basis by dispatch qualified personnel the request should be approved as long as the needs of the agency are met. Final decision will rest with the Communications Supervisor working the affected hours and the Communications Manager. If Communications Bureau personnel are in doubt as to whether a request for time off has been approved, the requesting employee is responsible for confirming with the Communications Supervisor on their shift, the scheduling Communications Supervisor or the Communications Manager prior to commencement of the time off.

J. When a Dispatcher or Communications Supervisor posts a time off request in the overtime book, they are to add the date the request was made to allow the determination of who requested time off first.

K. Every person accepting employment in the Communications Bureau was made aware of the requirements of working shift work, weekends and holidays. Should a holiday fall on a regular workday, Communications personnel should plan on working the holiday. If a dispatcher requires a particular holiday off, they should take that into consideration when selecting their shift at shift change. Overtime will not be mandated on holidays to cover a requested time off, regardless of the length of time off requested. For instance, if a Dispatcher submits a request for two (2) weeks off covering Christmas and New Year's. The dates surrounding the holidays may be approved; however, unless voluntarily covered three (3) days before Christmas Eve, Christmas Day and New Year's Day, and three (3) days after Christmas Eve, Christmas Day and New Year's Day, all recognized City holidays will not be approved if the coverage must be mandated to give a member the time off. This procedure will apply to recognized City holidays only. The exception to this policy will be if the holiday falls on a weekend but the City holiday falls on a different day (i.e., Christmas

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### *Overtime Procedures*

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on a Saturday, with the City holidays on Friday and Monday). For purposes of this procedure, the Communications Bureau will recognize the holiday on the day of the actual holiday.

L. Vacancies created by personnel attending Department authorized training or on a leave of absence will be filled and/or mandated before any other time off requests will be considered.

M. Communications Supervisors are required to routinely check the scheduling book for scheduling conflicts and/or errors and notify the Communications Supervisor responsible for scheduling as soon as possible. The Communications Supervisor discovering the problem shall attempt to remedy the problem.

N. Vacancies on shifts due to lack of personnel will need to be filled prior to time off requests, as the agency's needs must be met before other vacancies can occur.

O. On occasion, Dispatchers and Communications Supervisors may voluntarily elect to work more than 16 consecutive hours. Their ability to function, level of alertness and general demeanor will be monitored and evaluated by the Communications Supervisor on duty or by the Communications Manager as to whether or not they are fit for duty and may continue working. Obvious fatigue and/or displays of diminished skill level will result in the affected Dispatcher being relieved and sent home to rest.

P. No on duty Dispatcher is to arrive late for their shift or leave prior to their EOW without the approval of the time off from a Communications Supervisor or by the Communications Manager. End of Watch or beginning of Watch breaks, Code 7's or any other unrecorded absences are strictly prohibited.

Q. The directions outlined in this procedure are meant to function as guidelines for the more common situations. Regardless of the procedures in place, we are in an occupation that provides emergency services to the public, with this in mind the needs of the agency will be met at all times.

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## Dispatching Field Supervisors

### 315.1 PURPOSE

The Communications Bureau will ensure that Field Supervisors are aware of and are dispatched to specific high priority radio calls.

### 315.2 PROCEDURE

A. Communications Bureau personnel will dispatch a Field Supervisor to high priority radio calls, including those of the below listed nature. The Field Supervisor will be in addition to the officers assigned to handle the call for service. Communications personnel will record which Field Supervisor was dispatched, the time of their arrival, the time of their clearance and any other pertinent information they advise regarding the call. If a Field Supervisor has an extended arrival time or elects not to respond to a call after being advised. Communications personnel will document the information in CAD.

1. Dead Bodies
2. Felonies in Progress
3. Robbery Alarms
4. Scout alarm activations
5. Critical Missing Persons (e.g., young children, mental patients, elderly persons, etc.)
6. Suicides or Attempted Suicides
7. Barricaded Suspects
8. Hostage Situations
9. Bomb Threats
10. All Instances where significant force is known to have been used
11. Major Disturbances or Fights involving more than two people
12. Third responses to disturbing parties
13. Family disturbances involving weapons
14. On-Duty officer involved traffic collisions
15. Hazardous Material Incidents
16. Calls involving off-duty law enforcement personnel
17. Termination of any pursuit (vehicular or foot)
18. Any K9 deployment resulting in a bite
19. Major Traffic Collisions

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20. Officer involved shootings, accidental or otherwise

21. All request for Code 3 assistance

22. Other calls appropriate for a supervisor

B. in addition to the above enumerated calls, if a Field Supervisor responds to any other call for service or field situation, Communications personnel will record that a Field Supervisor is responding and any other pertinent information provided by the supervisor regarding the call.

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## Domestic Violence Calls

### 316.1 PURPOSE

The Communications Bureau shall consider acts of Domestic Violence as a crime, regardless of the relationship of the parties, to treat Domestic Violence victims with respect and dignity and to provide victims of Domestic Violence with any available assistance by law enforcement personnel. Communications Bureau personnel shall in addition to the guidelines established in this Bureau Order, comply with Policy 310, Domestic Violence and the Ventura County District Attorney's Domestic Violence Law Enforcement Protocol ( [See attachment: DV Protocol Executed Final Updated 092117.pdf](#) ).

### 316.2 PROCEDURE

A. Communications Bureau personnel who receive a Domestic Violence incident call will dispatch officers to every reported incident. Communications personnel will, when warranted, give a Domestic Violence call the appropriate priority and will dispatch the appropriate number of officers to the scene.

B. When speaking with a victim of Domestic Violence, dispatchers will not discuss the victim's desire to "press charges" or "prosecute." Any comment or statement which seeks to place the responsibility for enforcement action with the victim is inappropriate.

C. During the initial call for assistance, the call taker should ask the following questions to obtain the circumstances of the call:

1. Where is the emergency? What address? What apartment number? Call back number?
2. Has anyone been injured? If yes, is an ambulance needed?
3. Who is the suspect and is he/she present? If not, a description of the suspect and his/her whereabouts.
4. Are weapons involved or available? If yes, what kind?
5. Who am i speaking to? Are you the victim? If no, are you a witness?
6. What has happened? What is happening now?
7. Are there any children present? If yes, how many and where?
8. What is your relationship to the suspect?
9. Is the suspect under the influence of drugs or alcohol? If yes, what substance?
10. Does victim have a current restraining order? If yes, has the suspect been served with the order?
11. If possible, continue to gather additional information such as: Have the police been to the address before? Have they been involved in prior domestics, etc.?

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12. Communications personnel are not required to verify the validity of a protective order before responding to a request for assistance (Penal Code § 13702).

13. Obtain information regarding the person calling - name, address, phone.

D. The safety of Domestic Violence victims, whether the threat of violence is immediate or removed, should be the primary concern of dispatchers. Communications personnel shall advise victims to protect themselves in any way possible including, but not limited to, waiting for officers at a friend or neighbor's home or simply leaving the residence if the suspect may return.

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## Wireless 9-1-1 Calls

### 317.1 PURPOSE

The Communications Bureau shall establish procedures for answering, processing and expediting calls on the "9-1-1" telephone system. The Communications Center procedure for facilitating the handling of wireless 9-1-1 calls via cellular phones and Voice Over Internet Protocol (VOIP) shall be the same as answering priority as wireline "9-1-1" calls.

### 317.2 PROCEDURE

#### A. Types of Wireless 9-1-1 Calls

1. Phase I - When a Phase I 9-1-1 call is received in the Communications Center, it will include the following information:

- a. Caller's wireless phone call back number
- b. Location of the tower that is handling the call cell site address
- c. Identification of the wireless service provider responsible for the tower that is handling the call and contact number
- d. Directional antenna array information
- e. Class of service displays W911
- f. Thomas Bros map page and coordinates

2. Phase II - When a Phase II 9-1-1 call is received in the Communications Center, it will include the following information:

- a. The approximate location of the caller based on the longitude and latitude X, Y coordinates determined by the system. It can take up to fifteen (15) seconds for the system to determine the caller's location. If the caller's location is available, it will be displayed on the ALI screen.
- b. The X, Y coordinates are an estimate and the actual location of the wireless caller may not be exactly as indicated.
- c. The Federal Communications Commission requires that when a Phase II call does not generate a usable geographic location, the call should be delivered as a Phase I call and include the Phase I information.
- d. In the event Phase II information is not delivered with the initial data, the call-taker should wait approximately ten (10) seconds before initiating a re-bid by clicking the re-transmit key on the VIPER telephone system.
- e. When the location data is available, map coordinates of the caller will be displayed in decimal value.

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### *Wireless 9-1-1 Calls*

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f. The location determination system may display the two values that indicate the "confidence" and "certainty" of the location.

B. Calls for service received via wireless 9-1-1 will be answered, processed and expedited with the same level of urgency as wire line 9-1-1 calls for service. There will be some distinction when trying to resolve wireless 9-1-1 disconnects and hang-up calls. Wireless 9-1-1 disconnects and hang-up calls will be handled in the following manner:

1. Wireless 9-1-1 disconnect or hang-ups with telephone number displayed and no indication that there is an emergency, (i.e., caller statements, background noise, etc.), the call-taker will call the wireless telephone number once in an attempt to contact the caller and ascertain if assistance is needed.

a. If the wireless phone is busy or there is no answer and there is no indication of distress during the initial hang-up call, the call-taker will not make additional attempts to contact the caller. If the call back goes to voice mail, the call-taker will not leave a message.

b. If the call-taker makes contact with the wireless 9-1-1 caller, the call-taker will follow the established call handling procedures to determine whether a public safety response is necessary and will handle the call accordingly.

2. Wireless 9-1-1 disconnect or hang-ups with the telephone number displayed and an indication of an emergency (i.e., sounds of duress, etc.) - The call-taker will attempt to contact the caller twice, if necessary, and determine the nature of the incident and an accurate location for the appropriate public safety response.

a. If the call-taker makes contact with the wireless 9-1-1 caller, the call-taker will follow call established handling procedures to determine whether a public safety response is necessary, and if so, will process the call accordingly.

b. If the call does not require a law enforcement response, the call-taker will complete the call and disconnect.

c. If the wireless phone is busy or there is no answer and the call-taker does not have enough information to create a call for service (i.e., location and type of call) the call-taker is not required to make additional attempts to locate the caller. If the call back(s) go to voice mail, the call-taker does not have to leave a message.

d. If the call-taker has been unable to contact the caller and believes that there is clearly an emergency (i.e., background noise, statements, gunshots, etc.) and the situation requires additional follow-up, the call-taker should pursue additional extraordinary efforts to contact the caller. The extraordinary efforts may include:

1) Using the latitude and longitude to identify the area that the caller was calling from and dispatching a unit to that area.

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### *Wireless 9-1-1 Calls*

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- 2) Locating the wireless carrier. The call-taker can go to [www.cctec.com/Apps/NPA-NXX](http://www.cctec.com/Apps/NPA-NXX) and enter the area code in the NPA field and the prefix in the NXX field. This will provide the call-taker with the wireless carrier's name.
- 3) Contacting the wireless carrier via the 24/7 telephone number listed in the folder located in notepad. If required by the wireless carrier, the call-taker may need to submit the appropriate form, also located in the file cabinet.
- 4) Ask the wireless carrier to provide the location of the cell tower that the wireless caller last used.
- 5) Creating a call for service and dispatching at least one unit to the area of the cell tower location, if there is enough information available for the unit to respond safely and know what to look for (i.e., type of problem, description, etc.).
- 6) If possible, requesting the subscriber's name, home address, and wireline telephone number from the wireless carrier and calling the subscriber's number.
- 7) In extraordinary circumstances, dispatching a unit to the subscriber's home address.

#### 3. Silent Calls on Wireless 9-1-1

- a. In compliance with Public Law §§ 101 - 336 (aka American with Disabilities Act) all silent calls will be interrogated with a TDD/TYY to determine if the caller is attempting to report an emergency using a special communications device for hearing and/or speech impaired individuals.

#### 4. Cancellation

- a. Communication Bureau members may disregard a wireless 9-1-1 call if there is evidence that the call is one of the following situations:

- 1) Misdial. A call is classified as a 9-1-1 misdial when the caller stays on the line and admits to a misdial.
- 2) Unintentional 9-1-1 call. A call is classified as unintentional when the 9-1-1 call-taker can hear conversation, radio, etc. in the background and listened sufficiently and checked the TDD/TTY to determine that there is no indication of an emergency situation.
- 3) Children playing on the phone or prank 9-1-1 calls

- b. It is the Communication Bureau goal to make reasonable efforts to locate a wireless 9-1-1 hang-up caller who is in need of law enforcement assistance, while also assisting those callers who have called in and stayed on the telephone line to request our assistance.

## TTY Calls

### 318.1 PURPOSE

In order to provide equal service to all members of the community, the Communications Bureau requires personnel to answer and respond to all hearing and/or speech impaired callers in a manner that provides equal and direct access to emergency services and assistance as provided to voice callers.

### 318.2 PROCEDURE

A. TTY calls from the hearing and/or speech impaired community may be received on any telephone line in the Communications Center, including 9-1-1 lines. Communications personnel will become familiar with and easily recognize the transmitted Baudot tones emitted from TTY devices.

B. Generally Communications personnel or phone equipment will detect Baudot tones from callers using a TTY device to announce their call.

C. When Communications personnel receive a "9-1-1 disconnect" they will challenge the call with a voice greeting. If there is no response, they may activate the TTY function on their telephone equipment to transmit the initial preprogrammed greeting along with the "go ahead" indicator prior to disconnecting.

D. Communications personnel will then attempt to re-contact the caller at the telephone numbers displayed on the ANI/ALI by calling back. If the dispatcher is unable to make voice contact, they will activate the TTY function on their telephone equipment prior to disconnecting. If there is still no response and the dispatcher is unable to confirm there is not problem at the location, officers will be dispatched to the location to "check the welfare."

E. Once Communications personnel have determined they are receiving a call from a TTY caller, they will activate the TTY function on their telephone equipment and converse with the caller to determine the need for service. Should the call for service require a transfer to another agency, such as the Fire Department or emergency medical services, the dispatcher will make the appropriate transfer by asking the caller to hold, deactivating the TTY function and make the one-button transfer to the required agency. Once contact has been made with the secondary PSAP, Communications personnel will make a voice announcement of the nature of the call and the fact it is a TTY caller. Communications personnel will then confirm contact has been established and either disconnect if our agency is no longer needed or remain on the line and create a conference call between the TTY caller, our Communications Center and the other involved agency to continue questioning the caller and/or monitoring the call.

F. Communications personnel can communicate with TTY callers through the preprogrammed messages provided at each answering point or type free text through the use of the MAARS keyboards provided at each dispatch workstation.

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### *TTY Calls*

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G. Upon receipt of a call for service from a TTY caller, Communications personnel will enter a call for service into the CAD system. Personnel will indicate in the comment section that the call was received via a TTY device. This information will be conveyed to any police personnel responding to the call for service on Code Edward.

H. Communications personnel may continue to receive calls through the California Relay Service. Communications personnel can place a TTY call from any dispatch workstation or may utilize the California Relay System to place non-emergency calls to hearing and/or speech impaired citizens. Communications personnel will be familiar with the procedure on initiating a TTY call through department equipment as well as using the California Relay System.

I. In addition to the VESTA trouble monitoring capabilities, TTY equipment will be tested and maintained by Communications personnel, specifically a Communications Supervisor. Testing and inspection of the equipment will be performed on a monthly basis and test results recorded. Any problems with equipment or routine maintenance requirements will be promptly reported to the appropriate vendor for repairs. If Communications personnel become aware of a malfunctioning or inoperable piece of equipment, they will promptly report the problem to the appropriate vendor for repairs and/or replacement and notify the Dispatch Supervisor on duty.

J. Communications personnel will be trained and tested on the use and procedures for receiving and placing a TTY call. A review will be administered on a tri-annual basis during the course of each Deployment Period. Communications personnel will be re-tested and must demonstrate the ability to handle TTY calls and proficiency in use of the equipment required to respond to TTY callers by the assigned Communications Supervisor. Documentation of this testing will be forwarded to the department Training Coordinator to be placed in each member's training file. A copy will also be maintained by the Communications Supervisor assigned to manage the TTY Program.

K. Should the Communication Center have to be evacuated for any reason, Communications personnel are responsible for transporting the portable TTY device to the alternate PSAP or relocated Communications Center.

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## Text to 9-1-1

### 319.1 PURPOSE

To provide a standard and effective method of Text to 9-1-1 call processing.

### 319.2 PROCEDURE

A. The Communications Bureau will respond to Text to 9-1-1 messages when making a Voice to 9-1-1 call is not possible due to speech or hearing impairment or when the caller's physical safety would be in jeopardy. Text to 9-1-1 callers who are not hearing or speech impaired and whose requests do not constitute a true emergency will be advised to place a voice call back to a business line or 9-1-1.

#### 1. Daily Procedure

- a. Each dispatcher will log into the EMedia client at the start of his/her shift and remain logged in for the duration of the shift. At least 2 dispatchers will be logged in to EMedia per shift.
- b. Ensure volume is set to an audible level on the position's speakers that will alert the dispatcher of the arrival of an incoming text message. Volume cannot be set to silent.
- c. Ensure EMedia is open and operational throughout the shift
- d. Each dispatcher will sign out of the EMedia client after confirming they do not have an active session at the end of the shift.

#### B. Text to 9-1-1 Interrogation

1. Upon receiving a Text to 9-1-1 call, the dispatcher will use call interrogation methods in adherence with Procedure 309 (Telephone/Customer Service), Procedure 324 (9-1-1 Telephone System), and Procedure 325 (Wireless 9-1-1 Calls).
2. Multiple text sessions will be prioritized in the same manner as 9-1-1 voice calls. The highest priority Text to 9-1-1 call will be determined by the nature of the emergency. The dispatcher will respond to each Text to 9-1-1 message.
3. If the dispatcher is finding that the caller is slow to respond or is not answering questions fully the dispatcher should note this in the CAD call. If the caller has not made it clear they are hearing impaired or in danger the dispatcher may ask again to clarify if making a voice to 9-1-1 or voice to business line call is possible. The dispatcher will not provide phone numbers for non-emergency text to 9-1-1 calls.
4. Prior to a text to 9-1-1 call being released, a message should be sent to the caller indicating the session will be ended. The caller must text 9-1-1 again in a new session after a call has been ended. "Ending session, if you need more help contact 9-1-1."

#### C. Dispatch of Text to 9-1-1 Calls

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### *Text to 9-1-1*

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1. Text to 9-1-1 calls will be prioritized and dispatched by nature of the call, not how the call was received.
2. All scene safety and any other pertinent information will be relayed to responders as appropriate.
3. Information will be added to a text to 9-1-1 call at a slower pace than a voice call. The dispatcher will need to decide at what point the call will be dispatched to an officer. In some instances, a call for service may be dispatched at an earlier send point or with less information than usual due to the slower call interrogation, lack of information or lack of response from the caller. The officer should be made aware of this decision when the call is dispatched.

#### D. Non-English Speaking Callers

1. When a text to 9-1-1 call is received in a different language the dispatcher will attempt to use the Google Translate website to assist in the call interrogation process. The website is <https://translate.google.com>
2. The dispatcher should make every effort to confirm with the text to 9-1-1 caller which language s/he is using.
3. If unable to confirm the language or communicate effectively, the dispatcher shall utilize the Voiance Language line to have a translator attempt to place a voice call to the caller. The dispatcher shall advise the caller that a translator will be calling shortly.

#### E. General Information

1. If text to 9-1-1 services are down the texter will receive a bounce back message intended to alert the customer there is no text to 9-1-1 service available at this time and to make a voice to 9-1-1 call.

#### D. Responsibility

1. Dispatchers are not to use texting lingo, abbreviations or acronyms. All correspondence between the dispatcher and the text to 9-1-1 caller should be in full length sentences with punctuation.
2. The texter should be discouraged from using texting lingo, abbreviations or acronyms to eliminate any confusion however callers are not required to oblige.

NOTE: Every Text to 9-1-1 scenario cannot be addressed in this policy and dispatchers should make every attempt to treat text to 9-1-1 calls as any other call for assistance.

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## Significant Incident Notification

### 320.1 PURPOSE

The Communications Bureau shall establish a procedure for the notifications of Bureau personnel of significant incidents.

### 320.2 PROCEDURE

A. In the event of a significant incident, the Communications Bureau Manager shall, as soon as practical, notify the Communication Supervisors. The Communications Manager and the Communications Supervisors will then make a determination as to whether or not any additional notifications are necessary.

B. The Communication Bureau Manager and the Communications Supervisors shall use their best judgment in determining which incidents are worth of notification. Examples of incidents requiring notification may be, but not limited to, the following:

1. Deaths
  - a. Department Member
  - b. Local Elected Official
2. Major Injury (Department or City Member)
3. Major Injury to Local Elected Official
4. Arrests
  - a. Department Member
  - b. Local Elected Official
5. Accidents
  - a. Major Injury (Department or City Member)
  - b. Major Injury (Local Elected Official)
  - c. All Aircraft Accidents
  - d. Railway Accident
6. Officer-Involved Shootings (except accidental discharges w/o injury)
7. Special Enumerated Incidents:
  - a. Significant Hazardous Material Spills
  - b. Arrest or Clearances of Major Crimes
  - c. Crimes Against Person (Department or City Member)
  - d. Natural Disasters

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*Significant Incident Notification*

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e. Any Event Likely to Gain Significant Media Coverage

## Communication Center Maintenance

### 321.1 PURPOSE

The Communications Bureau shall set specific guidelines with regard to the cleanliness of the Communications Center and the Break Room.

### 321.2 PROCEDURE

- A. Communications personnel must keep drinks or liquids in a container with a secured lid to prevent spillage.
- B. Communications personnel are allowed have dry foods or snacks at their work station (e.g., nuts, cereals, candies etc.)
- C. Communications personnel must eat full, regular meals in the Break Room. Exceptions must be approved by the Communications Supervisors or Communications Bureau Manager.
- D. If any person in the Communications Center spills any food, drink or other substance, it must be cleaned up immediately to prevent stains or damage to equipment.
- E. Prior to the end of each shift, it shall be the responsibility of each Dispatcher of the Communication Bureau to make sure the Center and Break Room are clean and free from debris or trash.
- F. The refrigerator will be cleaned out of all foods on pre-determined dates so as to prevent moldy and unsanitary foods to sit in the refrigerator. Communications personnel are to dispose of any items they bring into the Break Room that are no longer usable or consumable.

## Unusual Occurrences

### 322.1 PURPOSE

The Communications Bureau shall establish procedures to ensure an effective Bureau deployment during unusual occurrences within the City limits.

### 322.2 PROCEDURE

A. An unusual occurrence is any major situation within the City that requires significantly more personnel than are currently on duty. When this occurs, a tactical alert or department mobilizations may be instituted.

1. Notification will be made to the Communications Bureau Manager as soon as possible. Off duty personnel will be called in to attain necessary manpower or specialization. The on-duty Watch Commander/Supervisor will be responsible for facilitating the call in.
2. Generally, all on-duty personnel will be held over, and if at all possible, personnel will be relieved after a sixteen (16) hour maximum shift.
3. If the major incident, citywide emergency or unusual occurrence occurs during the hours of 0600 to 1800, even if it is their regular day off, all Communications Bureau personnel assigned to work day shift shall immediately respond to the Communications Center for assignment. All Communications Bureau personnel that are assigned to work during the hours of 1800 to 0600, even if it is their regular day off, shall immediately respond to the Communications Center for assignment.
4. Whenever possible, Dispatchers will be allowed eight (8) hours off prior to reporting for the next shift.
5. All Annual Leave and Comp Time will be canceled.
6. All days off will be canceled.

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## Liability Training Plan

### 323.1 PURPOSE

The Communications Bureau shall ensure that all personnel trained to perform their duties in a manner that will prevent unnecessary liability exposure to themselves and to the department. All topics covered in this training will be devoted to the concept of preventing and avoiding problems prior to occurrence. This training will concentrate on teaching Communications personnel proper conduct which will limit liability exposure.

### 323.2 PROCEDURE

A. In order to accomplish the goals of this plan, it is necessary to train all Communications Bureau personnel in the following areas listed below.

1. The Communications Supervisor working each shift will be responsible for presenting the training that is required annually and for each Deployment Period for their shift.
2. The training topics that are required to be covered during each Deployment Period will be given on a weekly basis throughout the four (4) month period until all the topics are covered.
3. The training can be given in the Communications Center as time permits or the Communications Supervisor can schedule a thirty (30) minute training class before or after the shift, if needed, to adequately cover the material. The Communications Supervisor that is assigned to document the training data will be required to keep a record documenting the dates and times when the training took place. A training schedule for the year, along with training bulletins, Bureau Orders and department policies will be kept in the record.
4. It is the responsibility of the Communications Supervisors providing the training to ensure that each member full understands the training being presented.

B. Annual Training:

1. CLETS Security
2. Outside Employment, Policy 1018
3. Payroll Procedures, Policy 1017
4. Harassment Free Work Environment, City Policy 33

C. Deployment Period:

1. All Communications Bureau Orders
2. Manual System for Dispatch Center/Alternate PSAP
3. City Geography
4. TTY System
5. 9-1-1 Telephone System

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6. Policy 307, Vehicular Pursuits
7. Policy 320, Standards of Conduct
8. Policy 310, Domestic Violence
9. Policy 321, Information Technology Use
10. Policy 323, Media Relations
11. Policy 326, Outside Agency Assistance
12. Policy 333, Limited English Proficiency Services
13. Policy 334, Communications with Persons with Disabilities
14. Policy 801, Communications Bureau
15. Employee Assistance Program (EAP)
16. Miscellaneous Training Topics Related to Each Shift

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## Emergency Medical Dispatching

### 324.1 PURPOSE

The Communications Bureau shall process medical emergency medical calls in the most efficient, expeditious manner available to the public. This shall be accomplished in cooperation with the Ventura County Protection District Dispatch Center.

### 324.2 PROCEDURE

A. Communications Bureau personnel shall answer 9-1-1 calls in the following manner, "9-1-1 emergency, what are you reporting?"

B. Upon confirmation that the caller is reporting a non-criminal medical emergency, the dispatcher shall immediately transfer the call to the Fire Department Dispatch Center, creating a conference call with all three parties. Once the Communications Bureau member has confirmed that the caller and Fire Dispatch have made contact, the dispatcher can disconnect or monitor the call for any assistance the department may provide. The Fire Department's Dispatch Center provides EMD pre-arrival instructions.

1. Upon confirmation that the caller is reporting a criminal medical emergency, the Bureau member will obtain preliminary caller information; crime committed, suspect information, location or last known direction of travel,; and any officer safety information in a expeditious manner, The dispatcher will then connect the caller with the Fire Department Dispatch Center creating a conference call between all three calls. The dispatcher can then disconnect or continue to monitor the call.

2. Fire Dispatch will proceed with the pre-arrival EMD instructions while the Communications Bureau personnel monitor the call.

3. Caller disconnection shall be confirmed with both the Communications Center and Fire's Dispatch Center.

4. The Communications Bureau personnel will, for criminal medical emergency calls, enter the call information into the department's CAD system and ensure proper personnel are dispatched to the call for service.

C. Any requests for medical services, regardless of the nature, are to be transferred to the Ventura County Fire Protection District Dispatch Center.

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## Dispatching Calls for Service

### 325.1 PURPOSE

The Communications Bureau shall be responsive to the community and dispatch calls for service in a timely manner, with due regard for the urgency of the call, nature of the call, officer safety, availability of resources, commitment of existing resources and the current workload. When in doubt, a call for service shall be broadcast without hesitation to any available resource.

### 325.2 PROCEDURE

#### A. Dispatching Calls for Service:

1. Emergency calls for service are to be dispatched to the closest known, available field unit(s)
2. Routine or non-emergency calls will be dispatched as soon as practical. Beat responsibility, traffic and specialty assignments are important, but not at the expense of prompt delivery of service to the public.
3. Generally, patrol officers are assigned to handle patrol calls and traffic officers are assigned to handle traffic calls. However, patrol officers or traffic officers may be assigned to handle any call for service. Service to the public will come first and be the top priority.
4. Traffic personnel will be held to the same standard as patrol in that all personnel on duty will not be unavailable due to a meal break at the same time. If more than one traffic officer is on duty, at least one unit will always be available for any traffic related call that may arise. Typically, as with patrol, officers' meal breaks should not be interrupted except for significant calls for service.
5. Jurisdictional concerns will not be the subject of discussion until after preliminary service is rendered. Post-incident, or once the scene has been stabilized, should it be determined that the case should be referred to another jurisdiction, the case will then be referred for follow-up and appropriate action. Discussion of this nature, whether the case should be referred to a different Bureau within the department or an outside agency will only take place once the initial service has been rendered.

#### B. Responding to CHP Request for Service:

1. As a matter of policy, the California Highway Patrol (CHP) will first attempt to dispatch their calls for service in our jurisdiction to the East Ventura County units, which are stationed in Moorpark. If those units are unavailable, CHP will request assistance from our department. If we are unable to assist, the call will go to the Point Mugu CHP units. If that unit is unavailable, West Valley Division will be contacted. The CHP also documents each effort, including the status and response. The CHP considers traffic hazards and debris on the State Route 118 as high priority calls.

#### C. Dispatcher Guidelines

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### *Dispatching Calls for Service*

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1. The following guidelines apply to requests for support and assistance from law enforcement jurisdictions, including CHP. These guidelines are for the more common calls for assistance. They also assume that our department has the requested resources available. If the resources are not available, the Watch Commander/Supervisor should be contacted for appropriate direction.

- a. Request for backup - Dispatch the appropriate backup as soon as possible.
- b. Request for traffic hazard assistance, assistance with or check for a traffic collision, assistance with or check for a stranded or disabled motorist - Dispatch the available resources to handle the call in a timely manner.
- c. Requests for assistance with the investigation of criminal offenses occurring on the freeway within our jurisdiction - Dispatch the appropriate local resource and/or facilitate the response of the appropriate jurisdiction. Advise the Watch Commander/Supervisor when appropriate.
- d. Requests for prolonged assistance such as staffing closure of SR 118 or covering calls for service on the freeway in our jurisdiction while another agency is handling a major incident such as a train derailment or aircraft crash, seek approval of the Watch Commander/Supervisor prior to any extended commitment of resources.
- e. Requests for assistance on calls for service that all fall under the CHP jurisdiction within our city limits transfer the call for information to CHP for their handling, with the understanding that the call may come back with a request from the CHP for assistance. If that occurs, handle the call as indicated.
- f. While traffic enforcement on the freeway falls under the jurisdiction of the CHP, many of our citizens routinely travel SR 118. As such, when resources are available and we have the skill and equipment, we respond to reasonable requests for service from outside agencies, including the CHP. We will attempt to balance the need to provide public service with which agency should and can provide that service in a timely manner. When in doubt, err in the decision to provide service.

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## 9-1-1 Telephone System

### 326.1 PURPOSE

The Communications Bureau shall establish a standard procedure for answering, processing and expediting telephone calls on the "9-1-1" telephone system. The purpose of this procedure is to keep "9-1-1" telephone lines free for emergency calls.

### 326.2 PROCEDURE

A. The "9-1-1" telephone system provides a universal number "9-1-1", for use in summoning law enforcement, fire or medical assistance in emergencies. If the call for service is for fire or medical assistance, the call will be transferred to the appropriate agency by use of a direct transfer button. Law enforcement personnel are required to stay on the line until a positive connection is established between the caller and agency to which the call is transferred.

B. "9-1-1" calls have priority over all other incoming telephone calls.

C. Abuse of the "9-1-1" system can occur if the public expects to be able to report non-emergency situation by calling "9-1-1." It is critical that "9-1-1" lines be kept free to receive emergency calls; therefore, in order to keep the "9-1-1" lines clear, the following procedures shall be adhered to:

1. Communications members shall answer all incoming calls with the phrase, "9-1-1 emergency, what are you reporting?" The Simi Valley Police Department will not be identified as the agency receiving the call.
2. Non-emergency calls for police service or assistance will not be taken on "9-1-1" lines, regardless of time of day or current workload. If the call is not an emergency, the caller shall be told to contact the Simi Valley Police Department directly, not on "9-1-1." Should callers ask for the phone number, the caller shall be referred to the telephone directory or operator assistance. Communications personnel shall be courteous but firm in their compliance with this procedure.
3. Emergency calls for medical assistance or fire-related emergencies will immediately be transferred to the Ventura County Fire Protection District Dispatch Center. The Communication member will acknowledge the caller and then push the direct transfer button connecting the caller to the Fire Dispatch Center. Bureau members shall remain on the line until they hear a positive connection between the caller and Fire Dispatch personnel. workload permitting, dispatchers shall remain on the line until they hear the nature of the medical emergency. If the emergency requires police response (crime involved, suspicious circumstances, etc.) dispatchers will enter a call for service and dispatch the call accordingly. Communications will, workload permitting, remain on the line to monitor the call and continue to question the caller with the Fire Department. If the medical emergency is non-criminal but is immediately life-threatening requiring the fastest possible emergency response (e.g. cardiac arrest, baby not breathing, etc.) Officers will not be dispatched on routine fire or ambulance follow-up call unless specifically requested by Fire or Medical personnel.

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### *9-1-1 Telephone System*

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4. Law enforcement emergency calls in surrounding jurisdictions and on state highway 118 or 23 will immediately be transferred to the appropriated agency. The dispatcher will acknowledge the caller and then push the direct transfer button connecting the call to that agency. Dispatchers will remain on the line until they hear a positive connection between the caller and the agency involved. If the emergency is immediately life threatening requiring the fastest possible emergency response, the dispatcher will enter a call for service and dispatch the appropriate number of officers.

D. Communications Bureau members shall not call the "9-1-1" number except in emergencies.

E. Records of "9-1-1" logs shall be maintained.

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## Dispatching Traffic Related Calls

### 327.1 PURPOSE

The Communications Bureau shall be responsive to the community and dispatch traffic related calls for service in a timely manner with due regard for the urgency of the call, nature of the call, available resources and current workload. The following are guidelines to assist with the dispatching of traffic related calls.

### 327.2 PROCEDURE

A. As always, the goal of the Communications Bureau is to dispatch calls as quickly as possible with the idea of providing the highest possible level of service to the public

B. The dispatchers will make every effort to abide by these guidelines; however, they will have the flexibility and discretion to ensure calls for service are dispatched effectively and efficiently. The Field Supervisor and Watch Commander/Supervisor will maintain the overall responsibility for activities of the Watch and give direction when appropriate.

#### 1. Collisions

a. All collisions; injury, non-injury, hit and runs, and belated calls will be assigned to Traffic members to handle. Traffic members shall include Accident Investigator (AI) and Motor units. Accident Investigators have the primary responsibility for investigating collisions followed by the Motor officers. If all Traffic units are committed, Patrol will respond and stabilize the collision scene pending availability of a Traffic unit. When no Traffic Bureau members are available or on duty, Patrol personnel will handle traffic collisions. When appropriate, Traffic members may be called in to handle major collisions.

b. Dispatchers are not required to evenly disperse collisions between Motor officers. Calls shall be dispatched as efficiently as possible.

c. Collisions will be assigned to Patrol officers only when all Traffic Bureau members are not available; however, Patrol personnel may be dispatched to handle the Code 3 response if they are the closest unit to collisions of a more serious nature. Traffic members will be cleared from Code 7 or the station to handle collisions.

#### 2. Disturbing Vehicle and Parking Complaints

a. Patrol Bureau members will have primary responsibility for handling disturbing vehicles, speeding vehicles and similar complaints. Traffic Bureau members will be responsible for handling parking issues when a Police Services Officer (PSO) is not available. Patrol Bureau members may handle these calls when Traffic resources are not readily available. Readily available will be defined as an estimated time of arrival of fifteen (15) minutes or more.

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b. If any traffic personnel are in the area of the complaint, they will advise Communications of their location and handle the call.

3. Patrol Calls for Service

a. The intent is that each Bureau be assigned to handle its own responsibilities, but all units will be eligible for responding to emergency calls. Generally, unless there is an emergency call and a Patrol officer is not available, Traffic personnel will not be assigned patrol calls. Traffic officers may be dispatched to handle and be used to back and assist on patrol calls.

b. If no Patrol officers are available to back on a patrol call, Traffic officers may be assigned as the assisting and/or backing officer. Patrol Bureau members may also be used to assist Traffic Bureau members.

c. If Traffic Bureau members are in the area of a patrol call requiring more than one unit and they are available to assist, they will advise Communication of their location and assist on the call.

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## Airborne Events

### 328.1 PURPOSE

The Communications Bureau shall establish procedures to respond to airborne events in the most efficient, expeditious manner possible. This shall be accomplished in cooperation with the North American Aerospace Defense Command (NORAD). Recognizing that "9-1-1" centers are likely to receive the first notification of air events that may threaten national security, NORAD has coupled with dispatch centers to assist with these calls that may require their response. This procedure is designed to reduce the time between the onset of an event and notification to NORAD, which will in turn enhance NORAD's ability to appropriately and effectively respond to these critical events.

### 328.2 PROCEDURE

#### A. Emergency Call From an Airborne Aircraft

1. Upon receipt of an emergency call from a passenger or a crew member onboard an aircraft reporting a hijacking or other violent potential terrorist event, dispatchers will attempt to do the following:

a. If additional staff is available, keep the caller on the phone while other Bureau members begin to notify NORAD. The western states sector for NORAD is listed in Verastern CAD Notepad under "N." The primary number is (253) 982- 4311 and the alternated number is (253) 982-4310.

b. The call-taker should attempt to get the following information from the caller:

- 1) Caller's telephone number
- 2) Name
- 3) Flight Number
- 4) Airline
- 5) Departure Airport
- 6) Destination Airport
- 7) Seat Number

c. The call-taker should ask the following questions to try and determine the circumstance:

- 1) Do you know the intentions of the individuals?
- 2) Do you know if they plan on using the aircraft as a bomb or missile?
- 3) If so, do you know the possible target?

d. The call-taker should try to maintain contact for as long as possible to determine what is happening on board the aircraft. if appropriate, dispatchers can consider initiating

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### *Airborne Events*

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a 10-33 to reduce activity in the Communications Center allowing a call-taker to be committed to the call.

e. Once in contact with NORAD, if technologically possible, ask if they would like to be conferenced in and continue to monitor the call and assist in any way possible. If their response is no, continue to obtain information from the caller such as:

- 1) how many individuals are involved?
- 2) Do they have any weapons or bombs?
- 3) Are they in control of the cockpit?
- 4) Are they holding any hostages?
- 5) Has there been any violence so far?
- 6) Is anyone injured or dead?

f. If they are not conferenced in, provide this information to the NORAD representative as it becomes available.

g. As soon as time permits, notify the Watch Commander/Supervisor of the incident.

#### B. Suspicious Airborne Object or Aircraft

1. Upon receipt of a call reporting a suspicious flying object or aircraft, dispatchers will attempt to do the following:

a. Attempt to determine if this is a legitimate call requiring NORAD interventions. Only incidents with a high index of suspicion should be reported to NORAD.

b. Try to obtain the caller's name, telephone number and then try to obtain the following information to determine the circumstances of the call:

2. A general location of the object or aircraft.
3. Direction of travel or heading?
4. Approximately how high above the ground?
5. How fast is it moving?
6. How many objects were there?
7. What did it look like?
8. If it was an aircraft, was it a plane or helicopter?
9. High wing or low wing?
10. What color was it?
11. Could you tell if it has jet or propellor engines?
12. How many engines did it have?

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13. How big was it?
14. Did it have any distinguishing marks such as a tail number?
15. What time did you see it?
16. What was the object/aircraft doing that was suspicious?
17. If there is little information available or a low index of suspicion, dispatchers should notify the closest airport control tower of the information rather than NORAD. The two closest airports with control towers are:
  - a. Oxnard Airport Tower - (805) 382-1570
  - b. Burbank/Bob Hope Airport - (818) 764-8592
18. If there is a higher level of suspicion, contact NORAD for directions.

C. Crop Dusting Aircraft

1. if a crop dusting aircraft is observed spraying over a populated area or other special activity, particularly if there is a large group or gathering, the dispatcher should obtain as much information as possible and contact NORAD.

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## ESP Tracking Alerts

### 329.1 PURPOSE

The Electronic Satellite Pursuit (ESP) is a cash recovery and apprehension tool for robbery protection, generally used by financial institutions. The ESP provides GPS location information of the cash taken and thus the location of the suspect(s). The Communications Bureau shall monitor the ESP tracker, available though the Internet in the Communications Center at [www.ESPtrackingalerts.com](http://www.ESPtrackingalerts.com). Login information will be contained in notepad feature through the CAD system.

### 329.2 PROCEDURE

A. The Electronic Satellite Pursuit Tracker (ESP) shall be logged on at all times by dispatch personnel and kept minimized on the stand-alone workstations.

B. When an Activation Occurs:

1. An audible sound will be heard when an ESP has been activated.
2. The tracker screen will display the address, phone number, and business name where the activation occurred along with a map displaying the current location of the ESP. A white exclamation point inside a red circle indicates a device has been removed from its base plate and is transmitting a signal.
3. Communication Bureau personnel will generate a call for service when notification is received that an ESP has been activated.

C. Dispatching

1. The dispatcher will sound three alert tones prior to broadcasting the call.
2. The dispatcher will activate Code E and immediately broadcast the call. For example, "2P2, 2P3, 2P4, 2S1 respond Code 3 to a 211 TOM in progress at Bank of America, 2830 East Cochran Street, standby for further."
  - a. The code "211 TOM" will indicate to the units that there is a robbery in progress and the business has an ESP device installed that has been activated and is transmitting a signal.
  - b. A 10-33 will be initiated on Channel 1
  - c. Dispatchers and field units should refrain from using words such as tracker or tracker device and simply use the word "suspect" when providing updates or referring to the changing locations of the ESP.
4. Dispatchers will monitor the ESP to get the most current location and continue to broadcast the current location of the ESP to field units on Code E For example, "Suspect is now traveling eastbound on Cochran Street from the location."

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5. Dispatchers will make a call to the business when requested to do so by the responding units.

a. Once contact has been made inside the business, dispatchers will confirm to whom they are speaking and obtain their description. Then when advised to do so, ask the employee to exit out of the location as directed by the officer.

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# Tactical Dispatch Program

## 330.1 PURPOSE

It is the policy of the Department to resolve critical incidents in the safest manner possible. To discharge this policy, the Communications Bureau has established the Tactical Dispatch Program. The Tactical Dispatchers respond with the SWAT/CNT Team to critical incidents.

## 330.2 PROCEDURE

### A. Administrative Control

1. The Tactical Dispatch Team is a functional component of the Communications Bureau. As such, they fall under the administrative command of the Deputy Director of Critical Support and Logistics. When activated, they are functionally commanded by the Incident Commander.
2. Participation on the Tactical Dispatch Team is a voluntary and ancillary assignment for all personnel, and the team members primary assignment in dispatch shall be given priority over team activities, with the possible exception of team activations or critical incident responses.
3. The Tactical Dispatch Team will report to the Communication Bureau Manager who is responsible for the administrative and operational management of the Team members and activities.
4. Whenever possible, Dispatchers selected to participate on the Tactical Dispatch Team will have a minimum of 2 years of police dispatching experience.

### B. Team Management

1. The Team Leader shall be a full time Dispatch Supervisor. Team Members will report to the Team Leader and then to the Communications Bureau Manager.

### C. Activation of the Team

1. The Watch Commander is ultimately responsible for the decision to activate the SWAT/CNT Teams.
2. Tactical Dispatch Team members will be considered "on-call" status while off duty. This status is voluntary and uncompensated. Tactical Dispatchers shall have a response time of less than one hour to the station. Tactical Dispatchers will respond to any call out immediately.
3. If, due to exigent circumstances, a Tactical Dispatch Team Member is unable to respond to an activation, he/she will notify the Tactical Dispatch Team Leader or the Watch Commander and advise them of the reason.
4. The Tactical Dispatch Team Members will have the ultimate responsibility for coverage of their regular shift work hours, or any overtime shifts they have signed up for that occur within an activation time frame. Based on this requirement two Tactical Dispatchers will respond to any incident, as staffing permits, unless three or more are specifically requested by the SWAT Incident Commander or supervisor overseeing the event.

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### *Tactical Dispatch Program*

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#### D. Training

1. Newly assigned Tactical Dispatchers will attend a 40 hour Tactical Dispatch Course. Team Members that have completed the course will attend the Advanced Tactical Dispatcher Course when available.
2. Team Members will participate in the joint SWAT/CNT Quarterly Training.

#### E. Equipment

1. It is the responsibility of each Tactical Dispatcher to maintain, in good working order, all issued equipment. This includes, but is not limited to portable radios and bullet proof vests.
2. Tactical Dispatch Team members are required to have all issued equipment with them during any SWAT/CNT deployment or training.

## **Chapter 4 - Investigative Services Bureau**

## Investigative Bureau

### 400.1 PURPOSE

The Mission of the Detective Bureau of the Simi Valley Police Department is to conduct thorough investigations of assigned activities, with the following objectives; arrest and prosecution of offenders, recovery of stolen property and the seizure of contraband. Additionally, in association with these activities, the Detective Bureau has been charged with the filing of criminal complaints with the judicial system.

### 400.2 PROCEDURE

In order to effectively carry out its mission, the Detective Bureau has formulated Bureau Orders to establish operational procedures and guidelines which are to be used in conjunction with the policy manual of the Simi Valley Police Department, the City Administrative Manual, the City Employee's Manual, and appropriate employee Memorandums of Agreement.

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## Organizational Structure

### 401.1 PURPOSE

The Detective Bureau of the Simi Valley Police Department shall define herein an organizational structure for the Bureau, to include job descriptions and responsibilities, and standards of accountability for Bureau personnel.

### 401.2 PROCEDURE

A. The Detective Bureau is divided into two sections, which may be further divided into details as necessary. The two sections include:

1. Major Crimes Unit
2. Property Crimes Unit

B. The Major Crimes Unit is responsible for the investigation of crimes against persons, which includes but is not limited to; homicide, robbery, rape, crimes against children, extortion, felonious assault, kidnappings, and missing persons.

1. The Major Crimes Section is comprised of four details:

- a. The Homicide Detail is responsible for the investigation of homicides, felonious assaults, missing persons, kidnappings, and similar offenses.
- b. The Robbery Detail is responsible for the investigation of robberies, grand theft persons, person type hate crimes and similar offenses.
- c. The Sexual Assault Detail is responsible for the investigation of sexual assaults, crimes against children, unfit homes, child stealing, and similar offenses.
- d. The Crime Scene Investigation Detail, when assigned by a Detective Bureau supervisor; is responsible for the processing of significant or major crime scenes for physical evidence and to conduct limited processing and analysis of physical evidence. The Crime Scene Detail is also responsible for other duties as assigned.

C. The Property Crime Section is responsible for the investigation of property crimes, which includes but is not limited to; burglary, arson, auto theft, receiving stolen property and similar offenses.

1. Detectives assigned to the Property Crimes Unit will be responsible for all of the details listed below. When staffing permits, detectives may be assigned to a specific specialty area. These Detectives will generally be responsible for all assigned crimes occurring within their specialty area. However, they may be assigned to investigate any type of crime, including Violent Crimes, when the needs of the Bureau dictate.

- a. Autos & Arsons
  - 1) Auto Theft Investigations

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- 2) Bomb Investigations
- 3) Arson Investigations
- 4) Vehicle Burglary and Related Investigations
- 5) Vehicle Related Property Crimes
- 6) Property Type Hate Crimes
- 7) Selected High Profile Investigations

#### b. Pawns & Weapons

- 1) Pawn Shop/Second Hand Dealer Follow-up
- 2) Pawn Record Administration
- 3) 496 Investigations
- 4) Firearm/Dangerous Weapon Cases
- 5) Swap Meet Cases

#### c. Burglary & Theft

- 1) Commercial Burglary & Theft Cases
- 2) Residential Burglary & Theft Cases
- 3) School Property Crimes
- 4) Back-up Court Officer

#### d. Economic Crime

- 1) Embezzlement
- 2) Frauds
- 3) Check/Credit Card Cases
- 4) Computer Crimes

e. The Court Detail is responsible, with specific exceptions, for filing all criminal cases initiated by the Department with the Ventura County District Attorney's Office. The Court Detail is also responsible for the transportation of physical evidence to and from the Ventura County Sheriff's Department Crime Laboratory, The District Attorney's office and the courts.

- 1) Criminal cases of significant importance or complexity, and those to be reviewed by specialized Units of the District Attorney's Office (e.g., Career Criminal Unit, Homicide Unit and Sexual Assault Unit), will generally be presented for filing by the assigned Detective.

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2) Cases to be filed with other agencies (e.g., L.A. City Attorney, L.A. District Attorney, A.B.C., U.S. Attorney General, etc.) will generally be presented for filing by the assigned Detective.

#### **401.3 JOB DESCRIPTIONS**

A. Commander - Under the direction of the Deputy Chief, to command the Detective Bureau and performs related work as required.

1. Duties:

a. Responsible for the timely investigation of all crimes and incidents assigned to the Detective Bureau; oversees case dissemination, control of covert operations, and prompt reporting and submission of all cases to the District Attorney; acts as departmental representative to the District Attorney, and regional information networks; coordinates Police Department participation in multi-agency investigations; directly supervises or conducts sensitive criminal internal and external investigations; prepares, monitors, maintains Detective Bureau Budget; and reviews, evaluates Bureau procedures and performances.

2. Qualifications:

a. As delineated in Section of Policy on position specifications for Sworn personnel.

3. Training:

a. Completion of the Commission on California Police Officer Standards and Training (POST) Management of Criminal Investigations course.

b. Completion of the POST Internal Affairs course.

c. Completion of the POST Homicide course.

B. Sergeant - Under the direction of the Detective Commander, to supervise personnel assigned to the Detective Bureau and performs other work as assigned.

1. Property Crimes and Major Crimes Unit Supervisor:

a. Case Review

b. Assignment of cases

c. Case Management

d. Complaint request Evaluation (CRE) review

e. Annual Employee Training plan

f. Employee training request processing

g. Section related purchasing

h. Performance Evaluations

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- i. Conduct weekly Bureau Briefing and provide specified training
  - j. Active involvement in Investigations
  - k. Citizen Complaint follow-up
  - l. Purging of Section related files and materials
  - m. Periodic Employee Vehicle Inspection
  - n. Investigation of Alleged Employee Criminal conduct
2. Property Crimes Supervisor:
- a. Direct supervision of assigned Property Crimes Detectives, Court Liaison Officer, and Bureau Volunteer(s).
  - b. Preparation of "Worthless Document" Reports (NSF cases from D.A.'s office).
  - c. Department Compliance with D.A. case follow-up requests
  - d. Case filing and tracking
  - e. Prosecution Management program
  - f. Bureau equipment inventory
  - g. Fiduciary Elder Abuse referral evaluation
3. Major Crimes Supervisor:
- a. Direct supervision of assigned Major Crimes Detectives, Crime Scene Investigator, and Compliance with Missing person/Runaway procedures
  - b. Child abuse and Elder abuse referral evaluation
  - c. "Soft" interview room maintenance
  - d. Serious Habitual Offender Program (SHOP) Coordinator
  - e. Investigation of Officer involved shootings
  - f. Process petitions to seal Juvenile arrest records Department Representative, County Multi-Disciplinary Interview Committee (MDIC)
  - g. Department Representative, County death review committee
  - h. Qualifications:
    - 1) As delineated in the policy on position specifications for Sworn Personnel.
  - i. Training:
    - 1) Completion of the POST Management of Criminal Investigations course
    - 2) Completion of the POST Technical and Job specific courses as appropriate (i.e., Homicide Investigation, Officer Involved Shootings Investigations, etc.)

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C. Detective (Police Officer) - Under general supervision conducts and initiates investigation of suspected criminal activities and does other work as required.

1. Duties :

a. Review arrest and crime reports, re-interview victims and witnesses, process crime scenes, interview suspects, examine and interpret evidence, conduct surveillance and undercover operations, obtain and serve search warrants, file complaints and obtain arrest warrants, apprehend suspects, prepare crime reports and supplemental reports, recover and return stolen property, serve subpoenas, assist the District Attorney's Office in the prosecution of cases, assist Patrol Officers in conducting investigations, attend regional investigator meetings, and give public presentations on crime related topics.

2. Qualifications:

a. Must have demonstrated skills in oral and written communication, investigative techniques, knowledge of laws and court decisions, reading comprehension, deductive logic, tact and diplomacy.

3. Abilities:

a. Must have demonstrated skills in oral and written communication, investigative techniques, knowledge of laws and court decisions, reading comprehension, deductive logic, tact and diplomacy.

4. Special Traits:

a. Must be thorough, tenacious, flexible, and able to work under stressful situations, which may involve severe time constraints. Must be willing to work at any time of the day when necessary, including extensive overtime, and be subject to call-ins at any time when directed by their supervisor.

5. Training:

a. Completion of a POST Basic Investigators course.

b. Completion of POST Technical and Job specific courses related to the assignment.

D. Crime Scene Investigator - Under general supervision, conduct crime scene investigations and perform other duties as assigned.

1. Duties:

a. Respond to requests for evidence collection services where additional expertise and/or equipment is needed; prepare reports and sketches in relation to the collection of evidence; and prepare evidence for court presentation. Maintain Crime Scene Investigation equipment.

2. Qualifications:

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a. Knowledge of laws and procedures relating to rules of evidence, identification and collection techniques for varied types of evidence.

#### 3. Abilities:

a. Must have the ability to work under varied and strenuous conditions while maintaining objectivity; learn and apply new evidence processing techniques as they are developed; work with other Bureaus and Agencies at a crime scene, in preparing for court and in storing and disposing of evidence; and to operate various pieces of evidence collection equipment.

#### 4. Special Traits:

a. Must have the ability to work under varied and strenuous conditions while maintaining objectivity; learn and apply new evidence processing techniques as they are developed; work with other Bureaus and Agencies at a crime scene, in preparing for court and in storing and disposing of evidence; and to operate various pieces of evidence collection equipment.

#### 5. Training:

a. Completion of a POST Crime Scene Investigations course (similar to that presented at California State University of Long Beach).

b. Completion of advance Crime Scene Investigations courses.

E. Court Liaison - Under general supervision, files misdemeanors and felony criminal complaints and arrest warrants with the District Attorney's Office, as well as the courts and performs other work as required.

#### 1. Duties:

a. Directs the preparation of criminal complaint packages for presentation to the District Attorney's Office; evaluates criminal complaints as to compliance with District Attorney's filing standards; presents criminal complaints and warrant declarations to the District Attorney's Office; receives, distributes, reviews and returns requests by the District Attorney's Office for follow-up investigation; completes certain requested follow-up investigations when necessary; reviews rejections by the District Attorney's Office and makes appropriate recommendations; files completed complaints with the court system; obtains subpoenas; coordinates the processing of physical evidence with the Sheriff's Department Crime Laboratory; and transports sensitive communications between the Police Department and the District Attorney's Office, the courts and the Sheriff's Department.

#### 2. Qualifications:

a. Knowledge of various criminal laws, rules of evidence and court decisions related to arrest, search and seizure, the criminal justice system, and District Attorney filing

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standards; possess better than average skills in reading comprehension, writing and deductive logic; and be able to exercise tact and diplomacy.

3. Abilities:

a. Must have the ability to work efficiently under minimal supervision, and deal effectively with persons under a variety of circumstances.

4. Special Traits:

a. Must be tenacious, flexible and able to work under stressful situations with severe time constraints. Must be willing to travel 80 to 100 miles a day up to five (5) days per week (on some occasions, may be required to use own vehicle on mileage reimbursement from the City). Must also be willing to work irregular hours and overtime as necessary.

5. Training:

a. Attend training courses related to the assignment.

## Administrative Reports

### 402.1 PURPOSE

The Office of the Chief of Police has directed that the Detective Bureau submit periodic activity reports.

### 402.2 PROCEDURE

A. The Detective Commander is responsible for ensuring completion and timely submission of all required administrative reports.

B. The following periodic administrative reports are required:

<u>Type</u>	<u>Due Date</u>	<u>Attachment</u>
Annual Budget	Annually - Memo Response	N/A
Mid-Year Budget	Annually - Memo Response	N/A
Monthly Report Significant Events	End of Month	
Bi-Annual Statistical Recap	June 30 and December 31	

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## Detective Orientation

### 403.1 PURPOSE

It is the policy of the Detective Bureau to establish and provide orientation procedures and guidelines for officers newly assigned to the Detective Bureau.

### 403.2 PROCEDURE

A. Upon initial assignment to the Detective Bureau, the Bureau Commander and new Detective's direct line supervisor will immediately meet with the new Detective and explain the structure, organization, philosophy and chain-of-command of the Bureau.

1. To be included in that discussion is the following:
  - a. Code of Conduct (Bureau Order 406)
  - b. Performance Standards (Bureau Order 407)
  - c. Time and Attendance (Bureau Order 408)
  - d. Appearance Standards (Bureau Order 409)
  - e. Use of City Vehicles (Bureau Order 410)
  - f. Security, Appearance and Maintenance (Bureau Order (411)
  - g. Investigative Standards (Bureau Order 412)

B. New Detective's will immediately upon their assignment to the Bureau be issued a Bureau Order Manual (with latest revisions) and shall be responsible for complying with all the policies and procedures contained therein.

C. New Detective's shall be issued the following equipment by their immediate supervisor:

1. Keys
2. Work Station/Cubicle
3. Vehicle
  - a. The Detective is responsible for the above, described equipment and all other equipment issued in the Bureau. The equipment is not to be abused and shall be kept in good working order.

D. The new Detective's immediate supervisor will as soon as practical, schedule the Detective to attend appropriate training as required by the Training Policy.

E. New Detective's shall be assigned by their immediate supervisor to accompany the Court Liaison for one week. During that time, the new Detective will become familiar with the following procedures:

1. Case review.

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2. Case preparation for filing.
3. Case login and records check at District Attorney's Office.
4. District Attorney complaint review.
5. Complaint filing at Court Clerk's office.
6. Issuance and filing of arrest warrants.
7. Walk-through procedure for arrest warrants.
8. In addition to the above, the Court Officer will introduce the new Detective to the current Felony and Misdemeanor Review Deputies.
  - a. At this time, the new Detective may discuss with the appropriate filing Deputy, D.A. filing criteria and other issues relating to the new Detective's area of assignment.

F. New Detective's will be assigned by their immediate supervisor to meet with the Crime Scene Investigator, so that they can become familiar with the following procedures and equipment:

1. Hands-on basic latent fingerprint search and lifting techniques.
2. Training in the area of the Detective Bureau's cameras.
3. Familiarization with the Department's in-house facilities and capabilities for specialized collection techniques for various types of physical evidence.
  - a. This familiarization will include the capability of the Police Department's laser, Evidence Processing Facility, and Crime Scene Vehicle.

G. New Detective's will, as soon as practical, meet with their immediate supervisor at which time the following subject areas will be explained:

1. Case management procedure.
2. Case file management procedure.
3. Writing and use of search warrants.
4. District Attorney notification and call-out.
5. Cellular Phone usage and procedures
6. Scout alarm usage and procedure.
7. Fax machine usage and procedure.
  
8. Detective Equipment Room supplies and sign-out procedure
9. Use of covert recording equipment
10. Use of cellular phones.

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H. New Detective's will as soon as practical, receive training on the State/NCIC computer through Versadex. This training will include the following:

1. Vehicle registration inquiry (both in and out of state).
2. Wants and warrants on persons, property and vehicles.
3. Driver license information inquiry (both in and out of state).
4. Probation information inquiry.
5. Custody information inquiry.
6. Rap sheet request procedure and inquiry (both C.I.I. and F.B.I.)

I. New Detective's will as soon as practical, contact the Simi Valley Police Department's Senior Account Clerk and order new and approved Simi Valley Police Department business cards to include the title of "Detective".

J. All new employees, whose duties necessitate spending extended periods of time in the Evidence Processing Facility (E.P.F.), shall be provided with, and become familiar with, the Department's Chemical Hygiene Plan and Safety Procedures.

## Court Liaison

### 404.1 POLICY

It is the policy of the Detective Bureau to establish the proper procedure to be followed in the filing of criminal complaints with the District Attorney's Office, the courts, and to aid the Court Liaison in establishing the proper procedure to be followed in handling evidence transported to and from the Ventura Crime Lab.

### 404.2 PROCEDURE

A. Review arrest log to determine all adult subjects arrested in the last 24 hours.

1. All cases must be filed by 10 a.m. on the morning of a suspect's arraignment, which is within 48 hours of detention.
  - a. Exception: All arrests from Friday morning to Monday morning and court holidays.
2. Run an inquiry through the VCJIS computer system to obtain custody information.
  - a. Obtain appearance date and booking number by using the following format:
    - 1) Log into VCJIS, go into: Sheriff, Inquiry, IMS inquiry (Inmate Management System) and search by booking number or defendant's name. This will advise if subject is still in custody. "Click" "Complete View" for charges, release information, date, time and location of appearance and booking number if needed.

B. Complaint filing # Felonies:

1. All felony arrests are reviewed and filed in Ventura.
2. Complaint filing packet includes:
  - a. One copy of arrest report
  - b. One copy of crime report
  - c. One copy of CII and L1.
  - d. One copy of lab reports where alcohol and/or drugs are involved when tests have been completed.

C. In#custody cases

1. Must be presented and reviewed by District Attorney prior to 48 hours from time of arrest and no later than 10 a.m. on the day of arraignment.

D. Misdemeanor complaint filing

1. All misdemeanor complaints are reviewed in the District Attorney's Office and then filed in Ventura Court.

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a. Exception: Violations of 25662 B&P,,, and 12500 (a) VC (infractions) do not have to be reviewed by the District Attorney's Office and may be filed directly in Simi Court.

b. 647(f) P.C. is filed directly in Ventura Court and a citation must be attached to the case packet.

2. Misdemeanor complaint filing packet includes:

a. Two copies of arrest report

b. Two copies of crime report

c. Two copies of C.I.I. and L1.

d. One copy of lab report where alcohol and/or drugs are involved when tests have been completed.

E. Non#custody cases (bail, O.R., citation)

1. Follow the same procedure as an in#custody case.

a. Exception: Time factor # While in#custodies must be filed within 48 hours from time of arrest, out#of#custodies should be filed 14 days prior to time of appearance.

F. Felony warrants

1. Felony warrant declarations must be reviewed at the District Attorney's Office.

2. Contents of warrant package:

a. Original warrant declaration signed with blue ink

b. One copy of crime report, which will have copies of warrant declaration attached

c. One copy of C.I.I. and L1

d. One copy of lab report where alcohol and/or drugs are involved

G. Misdemeanor warrants

1. Misdemeanor warrant declarations must be reviewed by the District Attorney's Office.

2. Contents of warrant package:

a. Original warrant declaration signed with blue ink

b. Two copies of crime report, which will have copies of warrant declaration attached

c. Two copies of C.I.I. and L1

d. One copy of lab report where alcohol and/or drugs are involved

H. Procedure following review of a case with the District Attorney:

1. When a criminal complaint is filed the Court Liaison will:

a. Return a copy of the District Attorney "Complaint Request Evaluation" form

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- b. Return a copy of the signed complaint including the "file date stamp"
  - c. Enter the filing information into RMS
2. When a complaint is filed and a warrant is issued:
- a. Return a copy of the District Attorney "Complaint Request Evaluation" form.
  - b. Return a copy of the signed complaint including the "file date stamp."
  - c. Enter the filing information into RMS
3. When the District Attorney refuses to issue a complaint:
- a. Return a copy of the District Attorney "Complaint Request Evaluation" form
  - b. Return a Complete case packet
  - c. Enter the case rejection notice into RMS and complete an 849(b) PC form and deliver to the arrested person
- I. If any person other than the Court Liaison presents a case to the District Attorney's Office for issuance of a warrant, that person will be responsible for completing all necessary steps as outlined in II.F, G., and H and then providing all information to the Court Liaison for entry into RMS.
- J. It is not unusual for the District Attorney's Office to delay the filing of a case until additional follow#up is complete. When this situation occurs, the Court Liaison will return the Complaint Review Evaluation whether the suspect is in custody or not
- K. District Attorney Follow#up Requests and Other Correspondence
1. Log:
- a. All District Attorney follow#up requests (Complaint Review Evaluations) will be recorded in the Prosecution Management System by the Court Liaison.
  - b. Information to be recorded:
    - 1) Date follow#up request received
    - 2) GO Number
    - 3) Case Officer
    - 4) Case Officer Supervisor
    - 5) Date of initial request
    - 6) Date of second request
      - a) Due date
    - 7) Date of final notice
      - a) Due date
    - 8) Date follow#up report received

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#### 2. Distribution of District Attorney follow#up requests. (Complaint Review Evaluation):

##### a. Initial request

- 1) Case Officer
- 2) Case Officer's Bureau Commander
- 3) General Offense file

##### b. Second notice

- 1) Case Officer
- 2) Case Officer's Bureau Commander
- 3) Deputy Chief

##### c. Final notice

- 1) Case officer
- 2) Case officer's Bureau Commander
- 3) Deputy Chief

#### 3. Other District Attorney correspondence regarding criminal investigations:

- a. All correspondence between the District Attorney's Office and the Police Department, regarding criminal cases, is confidential information.
- b. Complaint Review Evaluations will at all times be placed in the GO file.
- c. All other like correspondence from the District Attorney's Office, including written requests for evidence, will also be placed in the GO file.
- d. Confidential case memos from the District Attorney's Office will also be placed in the GO file unless otherwise directed by a Detective Bureau Supervisor.
- e. Under no circumstances will any correspondence from the District Attorney's Office be copied along with the corresponding investigative report.

#### L. Transporting evidence/property to the Crime Lab and District Attorney's Office. THIS SUBSECTION UNDER REVIEW BY PROPERTY PERSONNEL FOR UPDATING TO RMS PROCEDURES

1. It is the responsibility of the Court Liaison Officer to transport and deliver evidence in criminal cases and other property such as mug photos, to the crime lab and/or District Attorney's Office.
2. No evidence or property, unless otherwise approved by a Detective Bureau Supervisor, will be delivered to the District Attorney's Office unless the request is in writing.
3. Property Room personnel will maintain an Evidence Continuity Report in the Records Management System of all evidence and property leaving the evidence/property room.

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The following information on the Evidence Continuity section of the Records Management System:

- a. Date and time the evidence is removed from the Evidence Room
- b. Description of the evidence (attached as part of the Evidence Continuity section).
- c. GO number to which evidence is associated:
- d. To whom/where evidence is to be delivered:
- e. Signature or digital signature of the person who accepts the evidence or property and date received
  - 1) The evidence/property will not be delivered unless the accepting person signs for it.
  - 2) If no one is able or willing to sign for the evidence/property, the Court Liaison Officer will transport the evidence/property to Simi Valley Police Department and check it back in.
  - 3) Any paper document or receipt will be imaged into the RMS
- f. Signature or digital signature of person who picks up evidence/property for return to Simi Valley Police Department
- g. Date of pick up
- h. Signature or digital signature of the person to whom evidence/property is returned
  - 1) This person will most always be the Property staff.
4. Date property returned.

M. In the event another Officer or employee, other than the Court Liaison Officer, transports evidence/property to the Crime Lab or District Attorney's Office, they will be expected to follow all guidelines outlined under Step L.

## Administrative Technician

### 405.1 PURPOSE

The Detective Bureau has established duties and responsibilities for the Administrative Technician assigned to the Bureau.

### 405.2 PROCEDURE

#### A. Supervision

1. The Administrative Technician assigned to the Detective Bureau shall be under the supervision of the Detective Bureau Commander.

#### B. Duties

1. The duties of the Administrative Technician assigned to the Detective Bureau shall include:
  - a. Case Filing statistics on a bi-annual basis
  - b. Run audit reports for older cases without dispositions, track their location and follow up with Court Officer on progress.
  - c. Prepare case packets in absence of Court Liaison.
  - d. Assist Detective Bureau personnel with database searches and research for criminal cases and Bureau projects.
  - e. Subpoena Control (See attachment A)
  - f. Produce copies of 911 calls / radio transmissions for dissemination to the District Attorney's Office.
  - g. Type as needed reports, Bureau Orders, letters, etc. for the Bureau.
  - h. Prepare letter cases for Detectives
  - i. Forward Reports to other jurisdictions with letter from our Agency
  - j. Transcribe interviews for Detectives as needed.
  - k. Stock Bureau Supplies (Including coffee supplies for City meetings)
  - l. Schedule Detective Conference room for Department meetings.
  - m. Answer, transfer, and take messages for the Detective and Special Operations Bureaus.
  - n. Distribute mail and faxes to the Detectives.
  - o. Requests from the Special Operations Bureau.

#### C. Reference

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[See attachment: SUBPOENA Instructions.pdf](#)

## Code of Conduct

### 406.1 PURPOSE

The Detective Bureau has established a Code of On-Duty Conduct, which in conjunction with Department Policy 320, Standards of Conduct, is to be adhered to by all Detective Bureau personnel.

### 406.2 PROCEDURE

A. No Detective shall knowingly or willingly make deliberate misrepresentations, falsifications or omissions, of material facts on the official records required by the Department or any other criminal justice agency; nor shall a Detective make a false statement to their superiors when questioned, interviewed, or in submitting a report, or withhold information obtained in the course of the Detective's duties. No Detective shall fabricate, withhold or destroy evidence of any kind, except as otherwise provided by law.

B. No member of the Detective Bureau shall relay any information, which may enable persons guilty of any criminal or quasi-criminal act to escape arrest or punishment, or which may permit such persons to dispose of or conceal any money, goods, or other valuables unlawfully obtained.

C. Members of the Detective Bureau are to routinely interact with other members of the Police Department and are to share information, which may be of mutual benefit in apprehending offenders and recovering stolen property. However, members of the Detective Bureau must recognize that there is the necessity to keep information concerning specified investigations confidential within the Bureau or a specific section within the Bureau and to impart information concerning these investigations only to those whom they have been instructed to do so.

D. Personnel shall not receive any article whatsoever as a gift or as the result of purchase or trade, from informants, suspects, prisoners, persons recently arrested, or known gamblers, prostitutes or other persons of questionable character or ill repute, or persons whose vocations may profit from information obtained from the police.

E. No persons assigned to the Detective Bureau shall use controlled substances except as prescribed by and under the direction of a licensed physician. No Detective will simulate using or ingesting controlled substances during undercover operations or at any other time.

F. Personnel assigned to the Detective Bureau shall not consume intoxicants at any time while on duty, except when necessary to carry out a duty assignment and with prior supervisory approval.

It will be incumbent upon each Detective to maintain a clear mind and at all times be capable of performing the required duties of a Police Officer.

G. Detectives, while working with other law enforcement agencies, find that those Officers are conducting themselves in such a manner or performing their duties in such a way that it conflicts, with policies or orders, rules or regulations, or local, state or Federal laws, the Detective will, as soon as possible, notify his supervisor of the conflict before continuing his assignment.

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H. No Detective shall make commitments to a prisoner or his legal counsel regarding the prosecutorial action to be taken without the knowledge and approval of the Bureau Commander and/or a Bureau Supervisor and concurrence of the District Attorney's Office.

I. No Detective shall contact a judge of the court on matters of an official nature without the knowledge of the Bureau Commander or a Bureau Supervisor.

J. Detectives will not intercede on behalf of a defendant to obtain a complaint rejection, a reduction in charges or the dismissal of charges unless the circumstances are exceptional, and then only after consultation with and approval of the prosecutor. Contact with the prosecutor for this purpose will be made only after approval from a Bureau Supervisor and Bureau Commander.

K. If during an investigation it is learned that a federal, state or local law enforcement agency is working on the same case or is using the same undercover operator that is being used by the Detective Bureau, the Detective shall immediately report the information to a Bureau Supervisor.

The Bureau Commander or his designee will contact the proper agency and make whatever arrangements are necessary, either to work on the case as a joint investigation, arrange for one of the two agencies to withdraw from the investigation or any other appropriate working relationship.

L. Detective Bureau personnel are not to discuss a criminal case with a defense attorney without the prior notification and approval of the District Attorney's Office.

## Performance Standards

### 407.1 PURPOSE

- A. The Detective Bureau shall identify and establish performance standards, which are to be followed and maintained by all Detective Bureau personnel.
- B. For the purpose of this Bureau Order, a performance standard clearly identifies the level of performance expected of those personnel working within the Bureau.

### 407.2 PROCEDURE

#### A. Performance Standards:

1. An officer selected to work within the Detective Bureau must first have demonstrated a pattern of exceptional investigative ability and must maintain that profile while in the Bureau.
2. Detectives must be thorough, tenacious and most importantly possess excellent writing skills and interview / interrogation skills.
3. Detectives must have the ability to work with minimal supervision.
4. Detectives must be team players and must get along with other Officers and fellow employees.
5. The position of Detective is generally considered a day time assignment, (Monday through Thursday, 0700 - 1700 hours or Tuesday through Friday 0700-1700 hours); however, Detectives must be willing to work at any time when necessary including overtime and be subject to call-ins when directed by their supervisors.
6. Detectives must maintain a reputation for punctuality and integrity.
  - a. An honest day's work is expected of every member of the Detective Bureau; and, no personal business is to be conducted during on-duty hours.
7. Detectives must also possess outstanding interpersonal communication skills and exercise a continued practice of dealing effectively with all members of the Police Department as well as with other law enforcement agencies, District Attorney's Office staff; and, all levels of the community at large, including but not limited to City administrators and political figures.
8. Detectives must completely and thoroughly investigate all cases assigned to them consistent with the Standards of Investigations as outlined in Detective Bureau Order 413, Standards of Investigations.
9. Detectives must also recognize; and, will be expected to practice active and self-initiated prioritization of assigned cases.
  - a. Some cases will take priority over others; meaning that, Detectives will on occasion be required by supervisors to drop what they are doing and pick up a critical case and immediately begin its investigation.

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### *Performance Standards*

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#### B. Accountability:

1. Every Detective assigned to the Detective Bureau will be held accountable for conforming to the standards established in this Bureau Order.
2. In addition to established criteria, Detectives will be rated and evaluated on the standards outlined in Section 407.2 A.1 - A.9 of this Bureau Order.

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## Time and Attendance

### 408.1 PURPOSE

In order to effectively schedule personnel, the Detective Bureau has established regulations regarding time and attendance by Bureau personnel.

### 408.2 PROCEDURE

#### A. Work Hours:

1. All Detective Bureau personnel are expected to work the number of hours specified by their Memorandum of Agreement.
2. Normal working hours for Detective Bureau personnel are 0700 hours to 1700 hours, Monday through Friday. With the alternate work schedule, half the employees will be off on Monday and the balance on Friday. Detectives are entitled to a paid 30 minute meal break, per the MOA, when assigned to the alternate work schedule.
3. Adjustment of workdays and hours
  - a. Detective Bureau personnel may temporarily adjust their workdays and hours in order to meet the needs of the Bureau.
  - b. Any adjustment of workdays and hours must have the prior approval of the employee's supervisor.
  - c. When adjusting workdays and/or hours, the employee must ensure that the adjustments are consistent with the related Memorandum of Agreement.
    - 1) Failure to work the correct number of hours will require the employee to make up the difference with annual leave time.
  - d. Members of the Detective Bureau may be asked by their supervisor(s) to adjust their workdays or hours to accommodate training, special assignments, or other related purposes.
  - e. The Bureau Commander may also require Detective personnel to change their work schedules consistent with the provisions outlined in the current Memorandum of Agreement.
4. Special assignments:
  - a. Employees working irregular hours must have the prior approval of their supervisor and will keep their supervisor(s) informed of their expected working hours.

#### B. Overtime:

1. Detective Bureau personnel who need to work in excess of regularly scheduled work hours will obtain authorization from their supervisor prior to working the overtime.

#### C. Time Off

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### *Time and Attendance*

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1. Detective Bureau employees shall obtain prior supervisory approval when requesting time off for other than illness or family emergency.

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## Appearance Standards

### 409.1 PURPOSE

A. While Detective Bureau personnel are normally expected to conform with Policy 1020, Personal Appearance Standards and Policy 1021, Uniform Regulations, there may be situations dictated by the employee's assignment or specific investigation which necessitates that the employee deviate from the General Order.

B. Any deviation from these department policies will require the approval of the employee's supervisor as stated in this Bureau Order.

### 409.2 PROCEDURES

#### A. Major Crimes and Property Crimes Personnel

1. Personnel assigned to the Major Crimes and Property Crimes Section are expected to comply with the appearance standards set forth in the established policy.

2. In specific investigations, which require a covert operation such as a surveillance or undercover program, the assigned personnel may dress in clothing appropriate to the investigation.

a. Any change to such clothing will require the prior approval of the employee's supervisor.

3. Detectives who are called in to work during off-duty hours, weekends, or holidays will wear clothing appropriate to the related working conditions (coat and tie, slacks, sport shirt, sweaters, wind-breakers, heavy jackets, etc.).

4. Detectives may wear any uniform that has been approved by their Bureau Supervisor and Commander.

#### B. Crime Scene Investigation:

1. The Crime Scene Investigator may wear casual slacks and a coordinating shirt.

2. The Crime Scene Investigator may wear an approved utility uniform.

3. The Crime Scene Investigator may wear a laboratory style coat while engaged in crime scene and evidence processing activities.

#### C. Restrictions:

1. The following restrictions apply to the use of clothing in covert operations.

a. For safety reasons, apparel such as shorts, sandals, etc., are not to be worn except when the nature of the operation necessitates such apparel, and prior approval has been obtained from the employee's supervisor.

b. During any court proceeding, the employee is expected to dress in businesslike attire (suit or sport coat and slacks with a dress shirt and tie. blouse, slacks, skirt or dress).

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#### D. Availability of Alternate Clothing and Uniform

1. All sworn personnel assigned to the Detective Bureau are expected to have available for immediate use in their locker the following:
  - a. A change of clothing appropriate for use in covert operations.
  - b. A complete class B uniform with required accessories.

## Use of City Vehicles

### 410.1 PURPOSE

In order to facilitate the duties of specific assignments within the Detective Bureau, some members may be authorized to take a City vehicle to their residence under the conditions outlined herein.

### 410.2 PROCEDURE

A. A Police Department employee who is assigned to the Detective Bureau may be authorized to take a City owned or leased vehicle home under the following conditions:

- (a) The employee is subject to call concerning a specific investigation and the employee's immediate response is required; or
- (b) The employee is engaged in investigative activities which, due to location and/or the time required for travel, would not be conducive to the employee traveling to the police facility to obtain or return a vehicle; or
- (c) The employee is required to attend a meeting, court, conference or training program which, due to its location and/or time required for travel, would not be conducive to the employee traveling to the police facility to obtain or return a vehicle.
- (d) Any use of a City owned or leased vehicle pursuant to the above policy will require the prior approval of the employee's supervisor.

B. Detective Bureau personnel with approval for on-going take-home vehicle status include: major crimes supervisor, homicide detectives, all task force detectives, and narcotics detectives.

### 410.3 CROSS REFERENCE

City Policy C 1- Use of City Vehicles

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## Security, Appearance and Maintenance

### 411.1 PURPOSE

The Detective Bureau has developed the following guidelines to ensure the security, sanitary appearance and proper maintenance of its premises.

### 411.2 PROCEDURE

#### A. Security of the Detective Bureau:

1. Between the hours of 1800 and 0700, Monday through Friday, and all hours on weekends when the Cardkey security system is active, all access doors to the Detective Bureau are to remain closed.
  - a. Exceptions to this directive shall be limited to those occasions when off-hour staffing is necessary.
2. Acquisition and use of Detective Bureau equipment shall conform to Detective Bureau Order titled - "Detective Bureau Equipment."
3. The Detective Bureau file storage room is to remain locked at all times except for that time necessary to access materials contained therein.

#### B. Detective Bureau Appearance

1. Pictures, decorations, memorabilia, etc., shall be in good taste, professional in appearance, and confined to the inner areas and surfaces of individual cubicles and offices.
  - a. Exceptions to this directive require approval of the Bureau Commander.
2. Apparel may not be hung on the outer walls of individual cubicles. Clothes trees are provided and shall be used for this purpose.
3. The coffee station shall be kept clean and orderly.
4. Newspapers and like material will be regularly disposed of so as to prevent accumulation and clutter.
5. Equipment and supplies shall be kept in or returned to designated areas of storage when not in use.

#### C. Detective Bureau Maintenance

1. Bureau personnel are expected to use and treat equipment and furnishings with care so as to minimize damage, undue wear and tear, and promote longevity.
2. Upon noticing equipment and furnishings to be in a state of disrepair or in need of routine maintenance, Bureau personnel shall initiate corrective action through established channels.
3. Bureau personnel noticing any adverse condition within the Detective Bureau shall report that condition to their immediate Supervisor or the Bureau Commander.

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## Fictitious Identifications

### 412.1 PURPOSE

The Detective Bureau has developed the following procedure for the issuance of fictitious identifications to be utilized in covert operations.

### 412.2 PROCEDURE

#### A. Acquisition of fictitious California driver's license:

1. Only sworn personnel of the Simi Valley Police Department may obtain a fictitious California driver's license.
2. Approval for obtaining a fictitious California driver's license will be obtained from the Detective Bureau Commander prior to making any application to the Department of Motor Vehicles. Upon receiving approval, a letter requesting the fictitious California driver's license for the approved requestor will be sent to the Department of Motor Vehicles, Division of Driver Safety & Licensing, Attn: Records Manager, Correction Area, P.O. Box 942890, Sacramento, CA 94299-9890. The letter will be signed by the Chief of Police.
3. Any presentation of the fictitious California driver's license with the intent to conceal the bearer's true identity will be only while acting within the scope of an official investigation being conducted. Any time the fictitious California driver's license is presented during the course of an investigation, the bearer will notify his immediate supervisor of the circumstances surrounding the incident.
4. The fictitious California driver's license will be surrendered and returned to the Department of Motor Vehicles when any of the below occur:
  - a. Upon completion of the undercover assignment(s) for which it was used.
  - b. Termination of the bearer from the Simi Valley Police Department.
  - c. If the bearer's true license is suspended, revoked, or expired.
  - d. When the fictitious license expires.

#### B. Additional Fictitious Documentation:

1. Fictitious identification and/or documentation other than a driver's license, may be obtained when necessary upon approval of the Detective Bureau Commander.

#### C. File Retention:

1. The original file of all fictitious license and/or fictitious documentation will be maintained in the office of the Chief of Police.
2. These files will be purged in a manner consistent with City Policy.

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## Standards of Investigations

### 413.1 PURPOSE

In order to ensure consistent quality and standards of investigations, the Detective Bureau has established procedures for conducting criminal investigations.

### 413.2 PROCEDURE

#### A. Caseload

1. Cases assigned to a Detective on a follow-up in the RMS case management queue are the responsibility of the assigned Detective to thoroughly investigate in a timely manner, consistent with the provisions of this and other Bureau orders.
2. A major factor in each Detective's annual Performance Evaluation Report will be the handling of their assigned caseload.
3. Unless otherwise directed by a Bureau supervisor, investigating the assigned caseload shall be the Detective's first priority and responsibility.
  - a. Personnel shall receive primary task direction from their immediate supervisor and/ or other Bureau orders specific to their position.
  - b. This provision is not intended to prohibit Detectives from performing other tasks (e.g., assisting outside agencies, assisting patrol officers, attending meetings, etc.), but is intended to provide direction to Detectives for their individual time and workload management practices.
4. Detective Bureau supervisors shall monitor the caseload throughout the Bureau to ensure equitable distribution of work.

#### B. Investigative Steps

1. In all assigned cases, the assigned Detective shall complete the following investigative steps applicable to the incident, or ensure that they have been completed.
  - a. Interview victim
  - b. Interview all known witnesses or identified persons reportedly having knowledge of the incident.
  - c. Collect and preserve all available physical evidence.
  - d. Conduct an area or neighborhood check for witness (es).
  - e. Ensure entry of all identifiable stolen property in appropriate computer databases.
  - f. Contact, interview, and arrest identified suspect(s), if possible.

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- g. In cases involving unidentified suspects but partial suspect information (e.g., partial names, physical descriptions, vehicle descriptions, etc.) ensure that all Department computer files are searched for suspect information.
2. In all assigned cases in which a suspect is identified; and, identifiable latent prints or DNA evidence exist, the Detective shall pursue all reasonably available steps to obtain a fingerprint exemplar or DNA sample from the suspect and cause comparisons to be conducted.
3. In the following crimes in which there is no suspect but in which identifiable latent prints or DNA exist, the Detective shall cause the latent prints to be submitted to the State of California Department of Justice for analysis by the Automated Latent Print system or CODIS.
- a. Homicides
  - b. Rape
  - c. Arson
  - d. Burglary
  - e. Robbery
  - f. Attempted murder
  - g. Other crimes where it would be appropriate.
4. An A.P.B. Teletype and/or crime flyer will be sent in the following cases:
- a. All homicides
  - b. All robberies
  - c. All rapes
  - d. Arson exceeding \$10,000 loss or in which other than minor injuries result.
  - e. Sex crimes; except those involving only intra-family acts and except 314.1 P.C.
  - f. All assigned in-custody cases in which it is likely that the suspect(s) has committed other crimes in other jurisdictions.
  - g. Other cases wherein it would be appropriate.
5. The format of A.P.B. teletypes shall be:
- a. Crime: (indicate "in-custody" if applicable)
  - b. Date/Time:
  - c. Victim:
  - d. Location:
  - e. Suspect:
  - f. Suspect vehicle:

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- g. Weapon:
  - h. Loss:
  - i. M.O.:
  - j. Refer: (include Detective's name, telephone number and GO#)
6. A computer generated sketch or artist's rendition will be completed in all assigned cases in which a victim or witness can provide sufficiently accurate and detailed descriptive information to make such a sketch or composite a valuable investigative aid.
- a. The original artist's sketch shall be booked into Evidence.
7. In all cases in which a composite or sketch is prepared, a "Police Bulletin" shall be prepared and distributed pursuant to the Bureau Order titled "Dissemination of Crime Information".
- a. One copy of the bulletin shall be forwarded to Records to be included in the Master report file.
  - b. The bulletin will be distributed to all sworn members of the agency via e-mail
8. In all assigned cases involving pawn able property, local pawn records shall be checked.
9. In assigned property crime cases in which the total property loss exceeds \$10,000 or in which the individual pawn able items exceeding \$5,000 value are taken, D.O.J. pawn records shall be checked.
10. In missing person's cases wherein the individual has not been located within 30 days of the date of disappearance, and in which the disappearance has been determined to be involuntary, the missing person's dental records shall be submitted to the D.O.J.
11. In all unsolved homicides, except those in which a definite suspect has been identified, and efforts are underway to locate and arrest the suspect, a report will be sent to the D.O.J. Unsolved Homicide file, using the appropriate D.O.J. form.
12. In all assigned cases in which legal cause exists to search a suspect's residence or other location for stolen property, and when it is reasonable to assume the property may be there, such a search will be conducted.
- C. Detectives shall review incoming updates related to their assigned area on a frequent, regular basis (at least weekly) to keep familiar with crime patterns and for similar cases matching the M.O. of local crimes.
- D. Detectives shall document all investigative steps taken, even those yielding no results.
- E. The purpose of this Bureau Order is to establish minimum investigative standards. Detectives are encouraged and expected to employ those lawful investigative steps and procedures appropriate in each assigned case.

## Aggravated Assault Investigation

### 414.1 PURPOSE

A. It is the policy of the Detective Bureau to establish and maintain procedures for the conduct of aggravated assault investigations.

B. The Detective Bureau is responsible for the follow-up investigation of all felony crimes against persons.

C. In the event a Police Officer is assaulted resulting in major or life-threatening injury, the Detective Bureau is responsible for the entire investigation of the incident.

### 414.2 CRIMES

A. The Detective assigned to investigate aggravated assault cases shall be thoroughly familiar with the following Penal Code Sections:

1. Part 1, Title 5 -        - **Crimes Against Executive Powers of State**
  - a. 69 P.C.        -     Resisting Executive Officer
2. Part 1, Title 16       -     Punishment for Unsuccessful Attempt to Commit Crime
  - a. 664 P.C.       -     Attempt to Commit Crimes
  - b. 653f(a)       -     Solicitation to Commit Certain Crimes
  - c. 653f(b)       -     Solicitation to Commit Murder
3. Part 1, Title 8,  
Chapter 2                -     **Mayhem**
  - a. 203 P.C.       -     Mayhem
  - b. 204 P.C.       -     Punishment - Mayhem
  - c. 205 P.C.       -     Aggravated Mayhem
4. Part 1, Title 8,  
Chapter 3                -     **Kidnap**
  - a. 207 P.C.       -     Kidnap
  - b. 208 P.C.       -     Punishment - Kidnap
  - c. 209 P.C.       -     Kidnap For Ransom
5. Part 1, Title 8,  
Chapter 3.5             -     **Hostages**
  - a. 210.5 P.C.    -     False Imprisonment (Hostage)

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6. Part 1, Title 8,

Chapter 5 - **Attempts to Kill**

- a. 217.1 P.C. - Assault or Attempt Murder Upon Government Officers
- b. 218 P.C. - Train Wrecking
- c. 219 P.C. - Acts Resulting In Wrecking
- d. 219.1 P.C. - Hurling Missile At Vehicle Operated By Common Carrier
- e. 219.2 P.C. - Hurling Missile At Vehicle Or Water Craft

7. Part 1, Title 8,

Chapter 6 - **Assaults With Intent To Commit Felony**

- a. 220 P.C. - Assault With Intent To Commit Rape (Bureau Order 207)
- b. 222 P.C. - Administering Stupefying Drugs With Intent To Commit Felony

8. Part 1, Title 8,

Chapter 8 - **False Imprisonment**

- a. 236 P.C. - False Imprisonment Defined
- b. 237 P.C. - Punishment

9. Part 1, Title 8,

Chapter 9 - **Assault and Battery**

- a. 240 P.C. - Assault Defined
- b. 241 P.C. - Punishment
- c. 241.1 P.C. - Punishment For Assault Against Custodial Officer
- d. 241.2 P.C. - Punishment For Assault While On School Property
- e. 241.3 P.C. - Assault Against Transportation Worker or Passenger
- f. 241.4 P.C. - Assault Against School District Security Officer
- g. 241.6 P.C. - Assault Against School Employee
- h. 241.7 P.C. - Assault Against Juror
- i. 242 P.C. - Battery Defined
- j. 243 P.C. - Punishment for Battery
- k. 243.1 P.C. - Battery Against Custodial Officer
- l. 243.2 P.C. - Battery On School Property
- m. 243.3 P.C. - Battery Against Transportation Worker

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- n. 243.4 P.C. - Sexual Battery
- o. 243.5 P.C. - Battery On School Property During School Hours
- p. 243.6 P.C. - Battery Against School Employee In Retaliation
- q. 243.7 P.C. - Battery Against Juror
- r. 244 P.C. - Assault With Intent to Disfigure
- s. 244.5 P.C. - Assault With Stun Gun Or Taser
- t. 245 P.C. - Assault With A Deadly Weapon
- u. 245.2 P.C. - Assault With A Deadly Weapon Against Transportation Worker
- v. 245.3 P.C. - Assault Upon Custodial Officer
- w. 245.5 P.C. - Assault With A Deadly Weapon On School Employee
- x. 246 P.C. - Shooting At Occupied Dwelling
- y. 246.3 P.C. - Discharge Of Firearm In Negligent Manner
- z. 247 P.C. - Discharge of Firearm At Occupied Aircraft
- aa. 247.5 - Discharge of Laser At Aircraft
- 10. Part 1, Title 11.5 - **Criminal Threats**
  - a. 422 P.C. - Terrorist Threats

**414.3 PROCEDURE**

A. Generally, unless the assault committed upon the person causes a life-threatening injury, Detectives will not be called in during off hours to handle a felonious assault.

B. When Detectives are assigned to handle an assault investigation, they will work with the handling Patrol Officer, if applicable, in ensuring that the following basic investigative steps are or have been taken.

1. The crime scene has been secured to prevent loss of evidence and contamination.
2. A crime broadcast has been made to include:
  - a. Time of occurrence.
  - b. Location of occurrence.
  - c. Suspect description (sex, race, age, height, weight, hair color and length, eye color, facial hair, clothing, unusual characteristics).
  - d. Weapon used, if any.
  - e. Vehicle used, if any.

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- f. Last location last seen, direction of travel and time delay (from then to time of the broadcast).
3. A preliminary interview with the victim has been conducted.
4. The Crime Scene Investigator has been notified and is responding to process the crime scene (if needed).
5. A walk-through of the crime scene is conducted.
6. Protect trace evidence on the victim from loss and contamination.
  - a. This includes victim's clothing, which may contain valuable evidence such as gunshot residue, tears or cuts from sharp instruments, blood, etc.
7. Victim's clothing has been collected.
8. Identification and/or preliminary interview of all witnesses or persons having knowledge of the assault.
9. Neighborhood checks have been conducted.
10. Briefing item has been completed (if suspect outstanding).
11. Ensure that handling Officer completes preliminary crime report outlining the following:
  - a. Description and information included in initial crime broadcast.
  - b. Initial appearance and impression of victim.
  - c. Appearance/condition of body and clothing.
  - d. Mental and emotional condition.
  - e. Victim statement.
  - f. Investigative actions.
  - g. Physical evidence discovered at scene.
  - h. Neighborhood/area check for witnesses.
12. The victim has received appropriate notification as to victim assistance programs, to include the name and phone number to the Victim Advocate's Office

C. Victim Interview

1. May have to be conducted at hospital.
2. Non-stressful.
3. Quiet and without interruptions (if possible).
4. The interview should be very comprehensive; covering all circumstances surrounding the assault, to include activity directly leading up to it and a detailed chronological description of the assault itself.

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D. Crime Scene Investigation

1. Conducted by Crime Scene Investigator (Unless otherwise directed)
2. Crime Scene Investigator shall comply with Detective Bureau Order 313; in addition to the following guidelines:
  - a. Conduct crime scene walk-through.
  - b. Photograph scene.
  - c. Be methodical and have a plan for going through the scene and collecting the evidence.

E. Identify and locate the suspect.

1. Check local suspect and known offender files (if applicable).
2. Check 290 P.C. Registrant files (if applicable).
3. Check Department of Justice files (if applicable).
4. Prepare composite or artist sketch (if applicable).
5. Transmit A.P.B./M.O. teletype (attach copy to report).

F. If suspect arrested.

1. Upon the arrest of a suspect, the handling Detective is responsible for ensuring that the following steps have been completed:
  - a. Take photographs of the suspect as he appeared at the time of arrest.
  - b. Collect suspect's clothing.
  - c. Search for trace evidence.
  - d. Detect/document/photograph all injuries on suspect's body.
  - e. Hair samples (if applicable).
  - f. Saliva swab (if applicable).
  - g. Blood sample (for typing).
  - h. Blood/urine sample (for intoxicants).
  - i. Take photographs of the suspect for future photo line#up showings.

G. Interview of suspect.

1. Select appropriate location.
  - a. Controlled stress.
  - b. Free from interruptions/distractions.
2. Record interview (mandatory).

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- a. Test equipment first.
  3. Miranda Admonishment/Waiver.
    - a. Determine if necessary.
    - b. Use pre-printed admonishment.
  4. If suspect initially denies crime.
    - a. Obtain narrative account of activities over a lengthy period of time (at least a full day prior to and following the assault).
    - b. Obtain minute-by-minute account of suspect's activities during time of the assault (make him be specific).
    - c. Determine if suspect knows the victim or admits any prior connection to victim.
    - d. Determine if suspect admits being at crime scene at any time.
    - e. After the suspect is firmly committed to his alibi, challenge his statement.
  5. If suspect admits crime.
    - a. Obtain detailed description of crime.
    - b. Consider videotaped walk-through of crime
    - c. Ask about other unreported/unsolved crimes.
    - d. Assess suspect's mental capacity and sobriety.
  6. Investigate alibis immediately after interview.
  7. Seek consent to search suspect's home/vehicle.
- H. Search suspect's residence and vehicle.
1. Ensure that the search is legal.
    - a. Informed involuntary consent.
    - b. Consent must be on tape or in writing
    - c. Search warrant.
    - d. Parole
  2. Search for:
    - a. Clothing worn during assault.
    - b. Weapons used during assault.
    - c. Any reference to victim.
    - d. Evidence of other crimes.

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- e. Notebook or diary.
- I. Prepare comprehensive investigative reports.
- J. Consider stand-up line-up if needed.
- K. File the case with the District Attorney's Office.
  - 1. Unless otherwise directed, the handling Detective is responsible for filing all felony assault cases in person with the Ventura County District Attorney's Office.

**414.4 CROSS REFERENCE**

Bureau Order 412, Standards of Investigations

**Bureau Order 604, Conducting Line-ups**

Bureau Order 420, Crime Scene Investigation Protocol

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## Burglary Investigation

### 415.1 PURPOSE

It is the policy of the Detective Bureau to establish and maintain procedures for the conduct of burglary investigations.

### 415.2 PROCEDURE

A. The following types of burglaries may be assigned to a Detective providing solvability factors warrant additional follow-up.

1. Commercial burglaries
2. Residential burglaries
3. School burglaries
4. Vehicle burglaries
5. Serial-type burglaries: Including, residential, school or vehicular.

B. Burglaries that have not met established criteria may be inactivated upon supervisor review, in which case a courtesy letter will be sent to the victim. [See attachment: Follup-up letter.pdf](#)

C, Investigative Steps

1. Review all preliminary reports and confirm the following has been completed:
  - a. All possible physical evidence has been collected and preserved.
  - b. All witnesses contacted and interviewed.
  - c. Neighborhood checks completed.
  - e. Teletype sent on identifiable stolen property.
2. Prepare briefing item when:
  - a. Suspect information exists
  - b. Significant trademark present
  - c. Serial crime
3. Query the in-house computer for similar type burglaries.
4. Initiate area broadcast via C.L.E.T.S. requesting information on similar crimes should a significant pattern exist.
5. If appropriate, confer with the patrol officer who conducted preliminary investigation for an in-depth briefing.
6. Re-interview victim and all witnesses.
7. Review incoming teletypes for similar crimes.

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8. Contact informants. (It is imperative that the burglary Detective cultivate and develop as many informants as possible.)

9. Attempt to locate stolen property:

a. Check daily Crime Analysis printouts for pawned property.

b. If named suspect information exists, contact DOJ-Pawn detail and “flag” suspect(s) name.

10. If suspect information exists:

a. Complete background information on suspect; to include:

1) C.I.I. history

2) F.B.I. history

3) DMV check

4) Wants and Warrants

5) Current parole and /or probation status

6) In-house computer checks:

a) Arrests

b) Citations

c) Street Checks

7) Check in-house Known Offender File

a) Complete background information on suspect

b) Attempt to locate suspect (arrest and/or interview suspect)

c) If probable cause exists, obtain arrest and/pr search warrants

11. If latent prints exist:

a. Cause latent list to be compared with fingerprints of known or possible suspects who have print cards on file with this or other governmental agencies.

b. In cases where there are no suspects, but in which identifiable latent prints exist, the Detective shall cause the latent prints to be entered into the Automated Fingerprint Identification System.

**D. Suspect In Custody**

1. If suspect(s) in custody, the assigned Detective is responsible for the custodial handling of the suspect(s) in assigned Detective cases.

2. Ensure that photographs of the suspect(s) are taken. Ensure suspect fingerprints are obtained.

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3. Send an area broadcast via C.L.E.T.S. if it appears likely that the suspect has committed other burglaries in other jurisdictions.
4. Interview of suspect:
  - a. Always question suspect(s) about other burglaries, other burglars, “fences” and other criminal activity in general.

E. Reports

1. The Detective shall complete all required reports in a timely fashion.
2. Detective shall document all investigative steps on the case as a follow-up or supplemental report in Versadex.

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## Grand Theft/Embezzlement Investigation

### 416.1 PURPOSE

It is the policy of the Detective Bureau to establish a procedure for the conduct of Grand Theft and embezzlement investigations.

### 416.2 PROCEDURE

A. With rare exception, embezzlement shall be treated as a theft as far as the conduct of its investigation is concerned.

1. Vehicle embezzlements will be handled by the Property Crime Unit.
2. Embezzlements from financial institutions will be handled by the Property Crime Unit.
3. Embezzlements from retail equipment rental businesses will be handled by the Property Crime Unit.

#### B. Investigative Steps

1. Review all preliminary reports and confirm the following has been completed:
  - a. All possible physical evidence has been collected and preserved.
  - b. All witnesses contacted and interviewed.
  - c. Neighborhood checks completed.
  - d. Teletype sent on identifiable stolen property.
  - e. M/O Teletype sent if appropriate.
2. Prepare briefing item when:
  - a. Suspect information exists.
  - b. Significant trademark present.
  - c. Serial - type crime.
3. Query our in-house computer for similar type burglaries.
4. Confer with Patrol Officer who conducted preliminary investigation for in-depth briefing.
5. Re-interview victim(s) and all witnesses.
6. Review incoming teletypes for similar crimes.
7. Contact informants. (The Property Crimes Detective should cultivate, develop and register as many informants as possible.)
8. Attempt to locate stolen property:
  - a. Check daily crime analysis printouts for pawned property.

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9. If suspect information exists:
  - a. Contact DOJ Pawn Detail and "flag" suspect's name.
  - b. Compile background information on suspect, to include:
    - 1) C.I.I. history.
    - 2) F.B.I. history.
    - 3) D.M.V. check.
    - 4) Wants and warrants.
    - 5) Current parole and/or probation status.
    - 6) In-house computer checks:
      - a) Arrests
      - b) Citations
      - c) Field interview reports
      - d) Known offender file.
  - c. Locate suspect.
  - d. If no P.C. for arrest - conduct non-custodial interview.
    - 1) Tape record if possible.
    - 2) Consider having suspect come to the station for quality-taped interview.
  - e. If P.C. for arrest exists, arrest suspect and transport to station.
  - f. Interview suspect on tape.
    - 1) Advise suspect of Miranda rights from Department issued card.
    - 2) If no waiver is received, immediately discontinue suspect interview.
    - 3) If waiver is received, question suspect(s) about other thefts, burglaries, other thieves, burglars (fences) and other criminal activity in general.
  - g. Photograph and print suspect.
    - 1) Take photographs for future photo line-up.
  - h. Locate and recover stolen property.
  - i. Obtain arrest and/or search warrants if necessary.
  - j. Send an area broadcast via C.L.E.T.S. if it appears likely that the suspect has committed other thefts or burglaries in other jurisdictions.
10. If latent print lifts exist:

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- a. Cause latent lifts to be compared with fingerprints of known or possible suspects who have prints on file with this or other governmental agency.
  - b. In cases where there are no suspects, but in which identifiable latent prints exist, the Detective shall cause the latent lifts to be entered into the Automated Fingerprint Identification System.
11. If suspect is in custody:
- a. Thoroughly search the suspect for possible stolen property on his person.
  - b. Ensure that the suspect is photographed and printed.
    - 1) Consider photographs for possible photo line-up.
  - c. Interview suspect(s).
    - 1) Interviews shall be tape-recorded.
    - 2) Advise suspect of Miranda rights from Department issued card.
    - 3) If no waiver is received, discontinue suspect interview.
      - a) If waiver is received, question the suspect(s) about other thefts, burglaries, thieves, burglars, fences, and other criminal activity in general.
    - 4) Locate and recover outstanding stolen property.
    - 5) Check current parole and/or probation status on suspect for search terms.
    - 6) Obtain search warrant if necessary.
    - 7) Send an area broadcast via C.L.E.T.S. if it appears likely that the suspect has committed other burglaries in other jurisdictions.
12. Reports
- a. The Detective shall complete all required reports in a timely fashion.
  - b. The Detective shall document all investigative steps as a follow-up or supplemental report in Versadex.
  - c. The Detective will file the case with the District Attorney's Office.

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## Robbery Investigation

### 417.1 PURPOSE

A. It is the policy of the Detective Bureau to establish and maintain procedures for the conduct of robbery investigations.

B. Detectives are responsible for the follow-up investigation of all robberies, including Penal Code § 487(C).

### 417.2 PROCEDURE

#### A. Preliminary Investigation

1. The reviewing Detective Supervisor shall ensure that the preliminary investigation contains the following:

- a. Interview victim.
- b. Interview or identification of all witnesses or person having knowledge of the robbery.
- c. Neighborhood checks have been conducted.
- d. All physical evidence has been properly collected and marked.
- e. Complete description of suspect(s) has been obtained.
- f. A press release has been prepared.

2. Deficient preliminary investigations should be returned to the handling officer for completion.

#### B. Follow-up Investigation

1. The assigned detective is responsible for follow-up of all leads, and the preparation of the case for filing with the District Attorney's Office.

- a. Ensure that a briefing item has been placed in the briefing book.
- b. Ensure that a teletype has been sent on stolen property.
- c. Ensure that if a financial institution is the victim, that the F.B.I. has been notified.
- d. Re-interview victim(s).
- e. Re-interview witnesses.

f. A composite sketch (Identi-Kit, artist or computer generated) will be completed in all assigned cases in which a victim or witness can provide sufficiently accurate and detailed suspect description information.

1) The composite sketch shall include any identifying code number.

2) In all cases in which a composite or computer-generated drawing is prepared, a police bulletin shall be prepared and distributed

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- g. Review all physical evidence.
  - 1) In cases where latent prints are obtained, ensure that the Department of Justice (CAL ID) computer system is utilized.
- h. Send "MO" teletype to neighboring jurisdictions.
- i. Review incoming teletypes for similar MO.
- j. Check Parole Books for similar suspect descriptions and/or MO.
- k. Contact State Parole to ascertain if there have been any recent State prisons releases.
  - 1) Contact the local Probation Department to determine if there have been any recent releases to our area or any known suspects with similar descriptions or MOs.
- l. Contact neighboring police departments to ascertain if they have had similar crimes.
  - 1) Attempt to get pattern of suspect(s) activity.
- m. Have the Crime Analysis Unit check for similar MOs in our city.
- n. Check for recent stolen vehicles at or around the crime scene.

**C. Arrest of Suspect**

1. Upon the arrest of the suspect, the Handling Detective is responsible for ensuring that the following steps have been taken:
  - a. Have all applicable physical evidence compared to the arrestee.
  - b. Send teletype to neighboring jurisdictions to advise that suspect is in custody.
  - c. Obtain search warrant when necessary.
  - d. Depending on circumstances, do a photo and/or stand-up line-up.
  - e. Complete a press release
  - f. File the case with the District Attorney

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## Sexual Assault Investigation

### 418.1 PURPOSE

It is the policy of the Detective Bureau to establish and maintain procedures for the conduct of sexual assault investigations.

### 418.2 PROCEDURE

A. Detectives shall be responsible for the follow-up investigation of all sexual assault cases as defined in Department Policy 601, Sexual Assault Investigations.

#### B. Preliminary Investigation (Fresh Crime)

1. Generally, a Detective Supervisor will be notified by the Watch Commander when a sexual assault has been reported.

a. The Watch Commander may or may not notify Detectives if the sexual assault is a belated report (greater than 72 hours following occurrence) but will refer it to Detectives for follow-up investigation.

2. When a Detective is called into the station to handle a sexual assault investigation, they will work with the assigned Patrol Officer in assuring that the following basic investigative steps are or have been taken.

a. The crime scene has been secured to prevent loss of evidence and contamination.

b. A crime broadcast has been made to include:

1) Time of occurrence

2) Location of occurrence

3) Suspect description (sex, race, age, height, weight, hair color and length, eye color, facial hair, clothing, unusual characteristics)

4) Weapon used, if any

5) Vehicle used, if any

6) Last location seen, direction of travel, and time delay (from time of occurrence to the time of the broadcast).

c. A preliminary interview with the victim has been conducted.

d. The Crime Scene Investigator has been notified and is responding to process the crime scene (if needed).

e. A walk-thru of the crime scene is conducted.

f. Protect trace evidence on the victim from loss and contamination.

1) Collect victim's clothing immediately (if applicable)

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2) Consider immediate medical legal examination (rather than after the victim interview)

a) Coordination and transportation for medical/legal examination is part of the Patrol Officer's responsibility. In all cases wherein the County's Multi-Disciplinary Interview Center (M.D.I.C.) is utilized; the handling Detective will assume responsibility.

g. Identification and/or interview of all witnesses or persons having knowledge of the sexual assault.

h. Neighborhood checks have been conducted.

i. Briefing item has been completed (if suspect outstanding).

j. Ensure that handling Patrol Officer completes a preliminary crime report outlining the following:

1) Description and information included in initial crime broadcast

2) Initial appearance and impression of victim

3) Appearance/condition of body and clothing

4) Mental and emotional condition

5) Victim statement

6) Investigative actions

7) Physical evidence discovered at scene

8) Explain any delay in reporting

9) Neighborhood/area check for witnesses

10) Legal/medical exam (if applicable)

11) Scene sketch (if applicable or requested)

C. If sexual assault is a delayed report (greater than 72 hours)

1. Determine if there is a possibility of evidence existing at the crime scene.

a. If so, locate scene, secure it, and arrange with Crime Scene Investigator for processing.

2. Determine if there is a possibility of trace evidence remaining on/in the victim's body and if so follow procedure outlined in Section II.A.2.f.

3. Locate and collect clothing worn by victim at time of assault.

D. Victim Interview

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1. Whenever it becomes necessary to interview and/or conduct a legal medical examination of a sexual assault victim, the M.D.I.C. will be contacted. The handling Officer or Detective will brief the Center on the case in order to determine whether or not the Center will be activated. In all cases where the M.D.I.C. is to be utilized, the Center will be responsible for coordinating the response of all necessary personnel.

2. In all cases where the M.D.I.C. is not utilized, the handling Officer/Detective will be responsible for the victim interview. Although this Bureau Order suggests that the victim interview occur first, followed by the crime scene search and then the medical/legal exam, individual cases may require a different order of investigation. Aspects of the victim interview to consider include the following.

- a. Select appropriate location, non-stressful, quiet and without interruptions.
- b. Record interviews, first testing equipment for proper function.
- c. Prepare the victim for the interview. Areas to be covered should be explained, as well as why they need to be covered. Encourage the victim, utilizing a professional approach while conveying experience and maturity. Explain the purpose for taping the interview.
- d. During the course of the interview, determine:

1. The victim's activity prior to the attack.
2. Location of attack.
3. Was the victim engaged a regular (habitual) activity at the time/location of the attack?
4. Does the victim believe she was randomly or specifically selected? Why?
5. How was the victim approached by the suspect? By a ruse, through enticement, by force, etc
6. Did the sexual assault occur at the same place the victim was originally contacted, or did the suspect force her to go somewhere else?
7. Words spoken by suspect, especially use of particular dialect, slang, technical/professional terms.
8. Type of sexual conduct (order or priority by suspect).
9. Suspect's ability to achieve/maintain an erection.
10. Whether or not suspect ejaculated.
11. Did suspect clean himself afterwards? With what?
12. Manner of victim's release (if applicable)
13. Manner of suspect's departure (if applicable).
14. Suspect description, including any odors and whether suspect was circumcised.

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15. If this is not a fresh report, who did the victim first tell about the assault? When was this person told?
16. Most recent consensual intercourse and identity of partner (if applicable).
17. Did victim inflict any injury to suspect?

E. Medical/Legal Exam

1. In all cases where the M.D.I.C. is not utilized, the handling Officer/Detective is responsible for arranging for a Medical/Legal examination of the victim and/or suspect. On most occasions, the assigned Patrol Officer will transport the victim to the hospital for the legal/medical exam; however, the Detective, when called in or otherwise assigned to handle the sexual assault investigation, shall be responsible for ensuring that the legal/medical is conducted at an appropriate facility.

a. The assigned Detective, depending on the circumstances, may also choose to arrange for the legal/medical exam and transport the victim to the facility for the exam.

2. All legal/medical exams are to be conducted at the Simi Valley Hospital unless the victim specifically requests some other approved facility.

a. The victim has a right to the physician of her choice.

3. Legal/medical process

a. Collection of victim's clothing (if applicable).

- 1) Collect clothing worn during the sexual assault
- 2) If victim changed right after the assault, collect the clothing she changed into.
- 3) Package all articles of clothing separately
- 4) Label all packages properly
- 5) Collect clothing even if laundered

b. Sex crime evidence kit shall be used.

- 1) Make sure it is sealed prior to using
- 2) Complete all labeling on package exterior
- 3) Ensure that samples are properly collected
  - a) Head hair combed and pulled
  - b) Pubic hair combed and pulled
  - c) Saliva sample
  - d) Blood sample
  - e) Swabs and slides (vaginal, rectal and oral as necessary)

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- f) Vaginal aspirant
- g) Miscellaneous foreign object
- 4) Ensure proper labeling of all evidence containers
  - a) Source/location of item
  - b) Donor's name
  - c) Date/time of collection
  - d) Collector's name
  - e) Initials
- c. Physician's observations and findings.
  - 1) Physician should be briefed by Officer/Detective prior to examination
  - 2) Discuss findings with physician
    - a) Sperm found?
    - b) Trauma found? (Internal as well as external)
    - c) Findings consistent with victim's statement?

F. Crime Scene Investigation

1. Conducted by Crime Scene Investigator.

- a. Conduct crime scene walk-thru.
- b. Photograph scene.
- c. Be methodical and have a plan for going through the scene and collecting the evidence.
- d. Collection of bedding (if applicable).
  - 1) Collect as a unit, preserving the layering
  - 2) Collect objects on top of the bed with the bedding
  - 3) Fold bedding in on itself to preserve trace evidence
- e. Other surfaces (if applicable).
  - 1) Try to collect entire object
  - 2) Try to cut out relevant areas (include control area)
  - 3) Seek specialized assistance (if needed)
- f. Look for items the suspect may have used to clean himself or the victim.
- g. Check for latent fingerprints.

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- h. Look for lubricants used by suspect.
  - i. Identify point and method of entry and exit.
  - j. Check probable escape routes.
3. Properly preserve physical evidence.
- a. Package in paper.
  - b. Label all containers.
  - c. Freeze biological samples as soon as possible.
- G. Identify and locate the suspect.
- 1. Check local suspect and known offender files (if applicable).
  - 2. Check 290 P.C. Registrant Files (if applicable).
  - 3. Check Department of Justice files (if applicable).
  - 4. Prepare artist sketch (if applicable).
  - 5. Transmit BOLO/MO teletype (provide to Records for scanning to case file)
- H. If suspect arrested
- 1. Upon the arrest of the suspect, the handling Detective is responsible for ensuring that the following steps have been completed:
    - a. If fresh arrest within 24-48 hours of crime.
      - 1) Take photographs of the suspect as he appeared at the time of arrest.
      - 2) Collect suspect's clothing.
      - 3) Have medical/legal exam conducted.
        - a) Search for trace evidence
        - b) Combed/pulled head hair
        - c) Combed/pulled pubic hair
        - d) Saliva sample
        - e) Blood sample (for typing)
        - f) Blood/urine sample (for intoxicants)
        - g) Penis swab
        - h) Detect/document/photograph all injuries on suspect's body
        - i) Take photographs of the suspect for future photo line-up showings
    - b. If older arrest.

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- 1) Take photographs of the suspect in the condition they appeared at time of arrest.
- 2) Collect clothing that matches the clothing description given by victim.
- 3) Detect/document/photograph any injuries consistent with victim's statement.
- 4) Collect biological samples consistent with victim's statement.
- 5) Take photos of suspect for future photo line#up showings.

#### I. Interview of Suspect

1. Select appropriate location.
  - a. Controlled stress.
  - b. Free from interruptions/distractions.
2. Record interview (mandatory).
  - a. Test equipment first.
3. Miranda admonishment/waiver.
  - a. Determine if necessary.
  - b. Use pre-printed admonishment.
4. If suspect initially denies crime.
  - a. Obtain narrative account of activities over a lengthy period of time (at least a full day prior to and following the sexual assault).
  - b. Obtain minute-by-minutes of suspect activities during time of the sexual assault (make him be specific).
  - c. Determine if suspect knows the victim or admits any prior connection to victim.
  - d. Determine if suspect admits being at crime scene(s) at any time.
  - e. After the suspect is firmly committed to his alibi, challenge his statement.
5. If suspect admits crime.
  - a. Obtain detailed description of crime.
  - b. Ask about other unreported/unsolved crimes.
  - c. Assess suspect's mental capacity and sobriety.
6. Investigate alibis immediately after interview.
7. Seek consent to search suspect's home/vehicle.

#### J. Search suspects' residence and vehicle

1. Ensure that the search is legal.

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- a. Informed and voluntary consent.
  - b. Search warrant.
  - c. Parole (name of Officer and date of consent).
2. Search for:
- a. Clothing worn during assault.
  - b. Weapons used during assault.
  - c. Any reference to victim.
  - d. Evidence of other crimes.
  - e. Notebook or diary.
  - f. Sexual - oriented literature and items.
- K. Prepare comprehensive investigative reports
- L. Consider stand-up line-up if needed.
- M. The handling Detective is responsible for filing all sexual assault cases in person with the Ventura County District Attorney's Office.

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# Homicide Investigation

## 419.1 PURPOSE

The investigation of homicides is the most critical criminal investigation the Detective Bureau is assigned to perform. The sanctity of human life, and Simi Valley Police Department's commitment to the preservation of life and the protection of citizens, require that homicide investigations receive priority and be conducted in a manner consistent with the state-of-the-art of professional law enforcement practice.

## 419.2 PROCEDURE

### A. Scope

1. This policy shall be followed in all investigations of homicides (the killing of one human being by another human being), suspicious deaths, missing person and kidnapping cases in which it is reasonably suspected that the victim may have been killed, and deadly force incident investigations conducted by Detective Bureau personnel.

### B. Philosophy

1. The investigation of a death is different from most other types of scientific work. When certain mistakes or omissions are made, they cannot be corrected; thus, further work on the case, however well done, may be of no value in solving the crime or prosecuting the suspect. The Homicide Detective has the responsibility of resolving the most serious act one human being can inflict against another. Therefore, a homicide detective carries a heavy responsibility when called upon to investigate a death, for he stands in the dead person's shoes to protect his interests against those of the person(s) responsible for his death.

2. Successful homicide investigations and prosecutions require an absolute commitment to thoroughness and meticulous attention to detail, since it is almost always impossible to return to a scene and re-do the work if something was missed during the initial investigation.

Therefore, every case falling within the scope of this policy shall receive the same attention, and be investigated in the same manner, as a confirmed murder in which prosecution of a suspect is anticipated. Only when the investigation has determined that the death was not a murder shall these philosophies and procedures be relaxed.

3. It is impossible to provide for every death situation and every course of investigation. The adoption and implementation of these procedures shall not preclude the use of initiative, and innovative and aggressive techniques appropriate to a particular situation or investigation.

### C. Responsibility

1. The Detective Bureau is responsible for the entire investigation of homicides and suspicious deaths. Therefore, the following procedures shall be followed when on-duty Detectives learn that a homicide or suspected homicide has been reported:

a. Detectives in the field shall immediately respond to the scene.

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- 1) Detectives shall assume control of the investigation, securing the scene and directing the efforts of other officers.
  - 2) Control of the scene shall be relinquished to the first Detective Bureau Supervisor or Homicide Detective on the scene.
- b. Detectives in the station shall ensure that an on-duty Detective Bureau Supervisor is immediately notified.
- 1) The following Supervisor notification sequence will be implemented until a supervisor is contacted:
    - a) Major Crimes Sergeant
    - b) Property Crimes Sergeant
    - c) Detective Commander
  - 2) If none of these personnel are available, the Senior Detective in the station shall call in any available off-duty Homicide Detectives.
- c. In the absence of Homicide Detectives, their Sergeant, the Property Crime Sergeant, and the Bureau Commander, the first detective on scene shall be responsible for the investigation until arrival of a homicide detective or other direction from a Detective Bureau Supervisor:

#### D. Authority

1. The detective assigned to the investigation is responsible for the control and conduct of the investigation. This detective has the authority to direct other detectives and Bureau personnel assigned to the investigation to conduct specific tasks and perform duties related to the investigation.
2. In the absence of a Bureau Supervisor, the Detective assigned to the investigation is authorized to call in off-duty Detective Bureau personnel, to request assistance from other Bureaus, and to request assistance from other agencies as necessary.
3. As necessary, and in the absence of a Bureau Supervisor, the Detective assigned to the investigation is authorized to employ the services of a necessary specialist (e.g., forensic psychologist to assist in suspect interview/evaluation, forensic physician, etc.) if the work to be performed by the specialist must be done immediately.

#### E. Medical Examiner Notification

1. An on-scene Detective Bureau Supervisor, or the Detective assigned to the investigation, shall notify the Medical Examiner's Office as soon as practical of the homicide or suspected homicide. The Detective shall notify the Medical Examiner's representative at the time of the call, if a medical examiner (physician) as well as an investigator is requested at the scene.

#### F. District Attorney Notification

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### *Homicide Investigation*

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1. As soon as practical, when a homicide is known or suspected to have occurred, the on-scene Detective Bureau Supervisor, or the assigned Detective, shall notify the appropriate Deputy District Attorney according to established District Attorney notification procedures.

2. The role of the District Attorney's Office is to provide advice in legal issues. The responsibility for the conduct and control of the investigation remains with the assigned Detective.

3. If a Deputy District Attorney (or D.A. investigator) is not requested but responds to the scene anyway, he shall be allowed to observe the investigation and all reasonable requests of these personnel shall be accommodated if they will not interfere with or unnecessarily delay the investigation.

#### G. Command Staff Notification

1. The Deputy Chief, or in the event he cannot be reached, the Chief of Police, shall be notified of a homicide as soon as possible by the Bureau Commander, assigned Sergeant, or assigned Detective.

#### H. Press Release

1. As soon as practical, a press release shall be issued pursuant to department policy.
2. Unless circumstances dictate otherwise, the Media Relations Bureau will be responsible for the release of information to the media.

#### I. Chaplain Notification

1. Unless circumstances preclude or render one unwanted, a department Chaplain should be requested to respond if there are family members or others present who could receive support or emotional assistance from a Chaplain.

### **419.3 PROTOCOL**

#### A. Note Keeping

1. Note taking is the very foundation of a good death investigation. Accurate, comprehensive and chronological notes not only coordinate the investigation, but allow the Detective to present the strongest possible case in court, sometimes years later.

2. Note taking should begin with the Detective's first notification of the homicide or case.

a. Date and time received

b. Who notified the Detective?

c. Case number, date and time first reported to or discovered by the Police Department; name, address and phone of person reporting or discovering.

#### B. Radio Procedure

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1. During the initial/preliminary investigation of a homicide, all Detective Bureau personnel working on the investigation shall make radio broadcasts of all arrivals, departures, etc. This provides an accurate time log of initial activity and can assist in preparation of later reports.

#### C. Initial Notification of Detective

1. The assigned Detective, (hereafter referred to as "Case Agent") at the time of the notification, shall:

- a. Begin a case file.
- b. Determine from the notifying person, basic facts, as known at that time.
- c. Verify that the scene is properly secured and that witness identification is underway.
- d. Determine if a suspect is in custody. If so, evaluate the information known to that point to determine if investigative steps (e.g., GSR swabbing, B.A., etc.) need to be handled prior to the Detective's arrival.
- e. Ensure the Crime Scene Investigator has been notified and is responding and/or available.
- f. Evaluate the need for additional resources (additional Detectives, Officers, Medical Examiner, V.S.O., etc.) and make appropriate requests.

2. As soon as practical, the Case Agent shall determine if his Section Sergeant or Bureau Commander is aware of the homicide, and if not, make that notification.

3. Upon arrival at the station or scene, the Case Agent shall notify the Watch Commander or field supervisor that he has arrived. After being briefed, the Case Agent shall confirm with the Patrol supervisor that he is taking over the investigation.

#### D. Arrival at Scene

1. Upon arrival at the scene, the Case Agent must make accurate notes of the conditions at the scene, including the following (that apply to a particular case):

- a. Location, boundary and description of the scene.
- b. Police personnel present at the scene.
- c. Other persons present at the scene.
- d. Person responsible for the scene.
- e. Method of protection of the scene (e.g., locked doors, crime scene tape, etc.)
- f. Weather conditions, including temperature.
- g. Lighting conditions.

2. The Case Agent should contact the Supervisor or handling Officer at the scene and:

- a. Obtain a complete briefing of the circumstances known.

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b. Determine what investigative tasks have been assigned and what personnel have been assigned to these tasks.

c. Coordinate the remaining preliminary investigation plans, including:

- 1) Who will guard the scene during the remainder of the preliminary investigation?
- 2) What responsibilities Patrol Officers will have in preparation of reports, when these reports must be completed, and to whom will they be turned in.
- 3) Plans for relief of Patrol Officers if their presence is required for an extended period of time.

3. The Case Agent should then conduct a walk-through of the scene, accompanied by the Officer most familiar with the case to that point. The purpose of this walk-through is to determine (as far as can be preliminarily established) the cause and manner of death, if any obvious leads are present that may lead to immediate identification and location of suspect(s) prior to their fleeing the area, if any perishable evidence is present that must be immediately collected or be lost, and any other facts or circumstances that will assist the Detective in determining if a crime has occurred and what legal issues must be resolved prior to further investigation. The purpose of the walk-through is not to conduct an investigation, but to allow the Case Agent to determine what investigation is necessary and how this investigation can legally be accomplished.

4. The Case Agent should speak with each officer who has been assigned an investigative task to determine what information has been obtained. Frequently, an Officer has highly significant information that the Detective may not discover until he reads the Officer's report, which may be several days later.

5. Officers at the scene will frequently offer opinions as to the cause of death or other circumstances. These opinions are valuable as investigative leads, but the Case Agent must keep an open mind and not allow them to be influenced or prejudiced prior to completion of the investigation.

#### E. Outstanding Suspect

1. If there is an outstanding suspect whose identity is known, the Case Agent shall immediately ensure that appropriate investigative steps have been taken to locate and arrest the suspect.

2. If the suspect is unidentified but described, the Case Agent shall ensure that appropriate radio broadcasts; Patrol briefing notifications and other Agency notifications are made.

#### F. Suspect in Custody

1. If there is a suspect(s) in custody, the Case Agent is responsible for the custodial handling of the suspect. The law and investigative protocol dictate that homicide suspects be fairly and legally treated, and that efforts be made to keep the suspect in a cooperative and non#antagonistic state of mind.

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2. The Case Agent must determine if an immediate interview with the suspect is appropriate.

A number of factors should be considered in determining if a suspect should be interviewed prior to other preliminary investigative steps. Generally, an interview is more likely to be productive if the preliminary investigation is complete and the Case Agent has a good "feel" for what occurred, and is therefore more likely to detect deception by the suspect. However, if a suspect is willing to make some statement immediately, but invokes his constitutional rights against self-incrimination later, prior to an interview, all benefits of an interview are lost. This decision is a "judgment" call that must be made by the Case Agent early in the investigation. Consideration should be given to taking an initial statement immediately from a willing suspect, and if the suspect's waiver is not retracted, conducting a second interview later.

3. The Case Agent should, in all cases involving a fresh arrest, evaluate the physical and emotional condition of the suspect, as this may be a crucial issue at trial in determining intent, state of mind, etc. This evaluation should include:

a. Evidence of intoxication or drug impairment (objective [field sobriety] tests and collection of blood and urine).

b. Evidence of emotional condition. This is a much more difficult area, since the Case Agent is not generally qualified to render opinions as to emotional condition. As a result, the Case Agent should strongly consider the use of a psychiatrist/psychologist to conduct a follow-up and interview/evaluation of the suspect. Several on-call psychiatrists/psychologists are available for this purpose. The District Attorney's Office should be contacted for assistance in this matter. They can arrange for the response of an on-call professional, guidance in the interview process, and payment of all associated costs. It is of utmost importance that these interviews be completed immediately in all cases, but especially in those where the crime is bizarre, the defendant has a background of mental illness or substance abuse, or where a defense may involve strong psychological elements such as extreme jealousy, rage, etc. The Case Agent

1. Suspect's actions when he thinks he is unobserved (e.g., talking to himself, crying, laughing, etc.).

2. Suspect's response to questions (does he answer appropriately and in a reasonable period of time).

3. Suspect's concern for his needs (requests to call family, attorney, etc.; questions about bail; etc.).

4. Suspect's response to "Miranda" admonishment (did he appear to consider and think about the choices and options he had, did he ask for reasonable clarification of specific issues, etc.).

c. In any case where it is necessary to hospitalize the suspect prior to booking, the Major Crimes Unit Sergeant will be responsible for arranging for all necessary

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security measures. When the anticipated release date is greater than 48 hours from the suspect's arrest, the District Attorney's Office must be notified immediately.

The handling Deputy District Attorney will coordinate with the Courts and the Public Defender's Office for alternate arrangements to the customary arraignment process

4. Unless the facts preclude the possibility of an issue of self-defense, the suspect's entire body should be closely examined for injuries. Any injuries should be documented. The entire body should be photographed (whether or not injuries are observed) and any injuries noted should receive particular photographic attention, including use of a scale.

#### G. Legal Considerations

1. One of the first things the Case Agent must consider, prior to conducting the preliminary Crime Scene Investigation, is his legal authority for conducting search and seizure at the scene. Legal search and seizure can only be conducted in the following circumstances:

- a. In a public place; or
- b. If emergency (exigent) circumstances exist; or
- c. Pursuant to valid consent; or
- d. Pursuant to a Search Warrant.

2. If the homicide occurred in a public place (e.g., body alongside a highway) no further legal search and seizure issues arise in the authority to conduct the Crime Scene Investigation.

3. If emergency circumstances exist, they must be legitimate, and any search conducted under this theory may only involve the seizure of that evidence likely to be destroyed prior to issuance of a search warrant. If at all possible, the decision to search pursuant to this theory should be discussed with a Deputy District Attorney first.

4. Valid consent must be informed, and the person giving consent to search must have legal authority to do so.

- a. A non-resident next of kin may not give authority to search the victim's residence.
- b. Consent of a suspect to search should be viewed with extreme caution; as such consent will in all probability be heavily litigated. If possible, a search warrant should be obtained in addition to the suspect giving his consent.

5. Except for public place searches, use of a search warrant is the preferred method. Upon request, a Deputy District Attorney will respond to the scene or station to assist in the preparation of a homicide search warrant affidavit.

#### H. Preparation for Crime Scene Search

1. When the initial activities described above have been accomplished, and legal cause to search the crime scene is established, considered preparation and planning should occur prior to the search of the scene.

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- a. Necessary experts should all be present and should be jointly briefed on the facts and information known at that point (C.S.I. personnel, criminalist, photographers, Medical Examiner's staff, etc.).
- b. A plan for entering and traversing the crime scene shall be established.
- c. The Detective assigned to the crime scene (not necessarily the Case Agent) shall inform those assisting them of their respective roles, the order of search, etc.
- d. The assigned Detective shall reinforce the principles that no evidence shall be moved until it has been photographed, its position documented, and pointed out to the assigned Detective.

2. Authority and responsibility for the crime scene search remains with the assigned Detective. Other personnel will follow that Detective's direction and instruction.

I. Conducting the Crime Scene Search

1. Each portion of the scene shall be photographed before it is entered and searched.
2. Only those personnel specifically assigned to collect evidence shall do so.
3. Complete documentation of the location, description, condition, method of collection and time of collection of each piece of evidence shall be made.
4. When feasible a 3D laser scan of the crimes scene will be completed
5. Contamination of the crime scene shall be avoided:
  - a. No smoking.
  - b. No turning on water, using toilets, etc.
  - c. No use of landline telephones inside the crime scene.
  - d. Do not turn on or off any electrical or mechanical device (including lights) without first recording the condition in which the device was found and performing necessary latent fingerprint search.
  - e. Unnecessary personnel (including command staff) shall be directed to remain out of the crime scene until processing is complete or unless accompanied by the assigned Detective or his designee.

J. Completion of the Crime Scene Search

1. Prior to closing a crime scene, the Case Agent must be contacted and advised as to findings
2. After the crime scene search is completed, the Case Agent and/or Supervisor must decide if there is a necessity to seal the scene for an extended period of time. Crime scenes may require sealing if it is anticipated that reenactments, videotaping or a return to the location with an involved party may be necessary.

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- a. If so, the scene must be properly sealed and marked to deter intruders and document if doors and/or windows were opened. The Department maintains pre-printed seals for this purpose.
  - b. If the crime scene is to remain sealed, a Detective Bureau Supervisor must determine if physical guarding of the scene is necessary. If the scene is to be guarded, approval of the Bureau Commander or Investigative Division Captain is required for any period of time exceeding eight hours following completion of the crime scene investigation.
3. If the scene is a residence or business that will be unattended following completion of the crime scene investigation, or if the scene is sealed, the Watch Commander shall be notified and an extra Patrol request made.

#### K. Witnesses

1. During an initial homicide investigation, it is almost impossible for the Case Agent to conduct interviews of witnesses personally, as their time is committed to other tasks. This task should be delegated to other Detectives and Officers, under the following guidelines:
  - a. The correct name, address, phone, business address and business phone, date of birth, etc., should be verified (do not rely on driver's license information).
  - b. If a witness was present at the time and location of the homicide, the witness' complete physical, clothing and vehicle description should be recorded and included in the reports.
  - c. The Case Agent should brief others who will be interviewing as to any specific information needed, or any peculiarities or other special instructions.
2. The Case Agent should carefully review Witness statements. Particular attention should be given to eyewitness statements. On-scene examination should be conducted to verify that eyewitnesses could see what they reported from the place they claimed to have been located. Lighting and other visibility factors should be examined and documented. Other factors that might affect eyewitness veracity and credibility should be examined (e.g., vision/hearing acuity, intoxication, etc.). If appropriate, photographs should be taken to demonstrate the view the witness had.

#### L. Autopsy

1. The autopsy is a crucial phase of the initial or preliminary homicide investigation. A determination of cause of death is only a portion of the purpose of an autopsy. The Detective can learn a great deal of objective information during an autopsy. Of almost equal importance, is the subjective information to be gained by close observation of an autopsy, coupled with careful questioning of the physician. Opinions and impressions, while not always admissible in trial, can provide invaluable investigative leads. For these reasons, the Case Agent (or one of the primary Detectives assigned to the case) and the Crime Scene Investigator should always attend the autopsy.

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2. The autopsy procedure should be completely photographed. Trauma and identifying marks should receive particular photographic attention, including use of a scale.
3. The detection and investigation of crime is a Law Enforcement function. In cases in which there is disagreement between the Detective and Medical examiner as to manner of death, additional investigation can be conducted. If a criminal death is established, additional information can be submitted to the Medical examiner with a request for modification of the death certificate.

#### M. Reports

1. The report is the key to ensuring that a homicide investigation results in successful complaint filing and prosecution. Homicide reports, more than any other reports, must be exhaustively complete and thorough. All investigative activity and witness statements, including those yielding no information, must be documented in the report. Attention must be given to accuracy and detail.
2. Logical organization of the reports can be of great assistance both to the Detective and to attorneys and others who will rely on the reports. Experience has shown that a chronological sequencing of the reports provides a good foundation for organization of the case file for presentation of the reports.
  - a. All reports will be completed in the Versadex report writing module in a timely fashion.
  - b. All reports will be approved by a Detective Bureau supervisor or manager.
  - c. The responsible Patrol Officer shall complete a preliminary crime report.
  - d. All other personnel assigned to the initial response or investigation shall complete a supplemental report documenting their actions and observations.
  - e. Detective personnel will document all investigative actions, interviews and findings using a follow-up or supplemental report within Versadex.
  - f. Detective personnel may document the investigation using a running narrative format (direct entry) as long as information obtained is recorded in a timely fashion and made available to Detective Bureau supervisors.

#### N. Continued Investigation

- (a) The Homicide Detective should not hesitate to seek and use the services of experts in any profession or discipline applicable to the case.
- (b) The California Department of Justice can provide assistance with complex cases. The Violent Crime Investigative Support Section (VCISS) provides analytical investigative assistance to law enforcement and prosecuting agencies with respect to homicides, kidnappings, sexual assaults, robberies, cold cases and unsolved crimes. Information regarding VCISS services and contact information for VCISS through the California Law Enforcement Web (CLEW) at <http://clew.doj.ca.gov/> under the "CJIS Programs", "Investigative Services".

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#### O. Executive Review of the Progress of Homicide Cases

1. The Detective Commander and/or Major Crimes Unit Supervisor will provide the Deputy Chief and Chief of Police with periodic updates regarding the progress of homicide investigations.
2. The Chief of Police, Deputy Chief, Detective Commander, Major Crimes Sergeant, Property Crimes Sergeant, and Homicide Detective(s) will meet bi-annually to review the status of all unsolved homicide investigations. Collectively, they will establish investigative priorities for the six-month period. The lead Homicide Detective will chart the course of intended follow#up action for each unsolved homicide and forward it through the Major Crimes Sergeant to the Detective Commander. This report shall contain a factual summary, investigative efforts, findings, and recommendations. The Detective Commander shall ensure that a report of all unsolved homicides is forwarded to the Deputy Chief. Internal status correspondence shall not become part of the Officer's case file.
3. The inactivation or closure (except arrest) of any open homicide case requires the written approval of the Deputy Chief and Chief of Police.

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# Crime Scene Protocol

## 420.1 PURPOSE

It is the policy of the Detective Bureau to facilitate the proper analysis, collection and preservation of physical evidence at all major crime scenes.

## 420.2 PROCEDURE

### A. Scope

1. This policy shall be followed in all investigations of homicide deaths; missing person cases; kidnappings wherein it is reasonably suspected that the victim may be in danger; deadly force incident investigations; rape investigations and other significant criminal investigations.

### B. Philosophy

1. The analysis, collection and preservation of physical evidence is a highly critical function to be performed in the process of conducting criminal investigations. When certain mistakes, oversights, and omissions are made, they cannot be corrected; thus, further work on the case, however well done, may be of no value in solving the crime or prosecuting the suspect.

The Crime Scene Investigator (C.S.I.) has the responsibility for analyzing, collecting and preserving all physical evidence relating to the case at hand. Therefore, the investigator bears a heavy responsibility when called upon to process a crime scene.

2. The C.S.I. must be absolutely committed to thoroughness and detail, since it is often impossible to return to the crime scene and redo the work. Therefore, all crime scenes falling within the scope of this policy shall receive the same exacting attention and be processed in the same meticulous manner.

### C. Responsibility

1. The C.S.I. is responsible for assuring that all current applicable techniques, procedures, tests and equipment available to the Department are used in the identification, collection and preservation of physical and forensic evidence at assigned crime scenes.

2. When the C.S.I. is called out during off hours, they should ensure that their supervisor has been notified of the call out. If not, they should request that the supervisor be notified.

### D. Authority

1. The assigned Detective is responsible for the control and conduct of the investigation. Everything the C.S.I. performs while at the crime scene and thereafter, relevant to the investigation, shall be with the approval of and/or reported to the handling Detective or the handling Detective's supervisor.

2. Should the C.S.I. need additional resources (equipment or personnel), for the furtherance of crime scene processing, the C.S.I. will advise the assigned Detective and coordinate with the responsible Detective Sergeant/Commander for the acquisition of all necessary

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equipment or personnel. Under no circumstances will the C.S.I. order specialized equipment, from outside this agency, without prior approval.

**420.3 PROTOCOL**

**A. Note#keeping**

1. Note taking is the very foundation of a quality C.S.I. Accurate, comprehensive and chronological notes allow the Crime Scene Investigator to present the strongest re#creation of the crime scene in court.
2. Notes should be taken in chronological order, with notes taken as the crime scene investigation is occurring.
3. Note taking should begin at the C.S.I.'s first notification of the crime.
  - a. Case number
  - b. Date and time received
  - c. By whom notified

**B. Radio Procedure**

1. During the initial investigation of the crime, the C.S.I. should make radio broadcasts of their arrival and departure from the scene. This provides the handling investigator an accurate log of initial activity and can assist in the preparation of later reports.

**C. Initial Notification of Crime Scene Investigator**

1. The C.S.I. at the time of notification shall:
  - a. Begin a case notebook as described above in 420.3A3 .
  - b. Determine the basic facts, as known at the time.
  - c. Verify that the scene is properly secured and protected from contamination.
  - d. Determine if suspect is in custody. If so, evaluate the need for immediate collection and preservation of physical evidence from the suspect (e.g., GSR processing, sex crime kit, etc.).
  - e. In death or injury cases, the C.S.I. should consider processing the victims prior to crime scene response in order to better evaluate the sequence of events at the scene.
  - f. Evaluate the need for additional resources (Second C.S.I., additional lighting, etc.) and be prepared to make these requests through the assigned investigator.

**D. Arrival at Scene**

1. Upon arrival at the scene, the C.S.I. must make accurate notes of the conditions at the scene.
  - a. Location, boundary and description of the scene.

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- b. Method of protection of the scene (e.g., locked doors, crime scene tape, etc.).
  - c. Weather conditions, including outside temperature and inside temperature, if applicable.
  - d. Lighting conditions.
2. The C.S.I. shall contact the assigned Detective, or the person in charge of the scene, and:
  - a. Obtain a complete briefing of the circumstances known.
  - b. Coordinate the processing of the crime scene.
  - c. Ensure that legal cause has been established prior to entering the crime scene.
3. The C.S.I. will record the name of any Officer or person from whom they receive physical control of evidence and will also note the location and time the evidence was relinquished to them. When evidence is received from persons outside our agency, the C.S.I. will document the time and location the evidence was discovered.

E. Preparation for Crime Scene Processing

1. When the initial activities above have been accomplished, and legal cause to search the crime scene has been established (e.g., consent, search warrant, exigent circumstances, public place) considerable preparation and planning should occur prior to the search of the scene.
  - a. The C.S.I. and the assigned Detective should develop a plan for entering and traversing the crime scene.
  - b. All personnel shall remember that no evidence is moved until it has been photographed, and its position documented. No personnel shall move evidence without consulting CSI first to confirm all on scene processing is completed and to ensure measures to prevent contamination are taken.
  - c. Evidence shall not be moved by any personnel unless wearing proper personal protective equipment.
  - d. No evidence markers, chalk marks or paint marks shall be utilized for the location of evidence until the entire crime scene is photographed.

F. Conducting the Crime Scene Search

1. The entire crime scene shall be photographed and/or videotaped prior to initiation of search.
2. Only the C.S.I. shall collect evidence unless the assigned Detective directs other personnel to assist. Items released to CSI from other personnel should have documentation of time and place of collection and it should be documented when item was turned over to CSI or which locker item was stored in.

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3. Complete documentation of the location, description, condition, and time of collection of each piece of evidence shall be made.
4. Contamination of the crime scene shall be avoided.
  - a. No smoking, eating or drinking within the crime scene perimeter
  - b. No turning on water, using toilets, etc.
  - c. No use of the telephones inside the crime scene. (Department cellular phone should be utilized.)
  - d. Do not turn on or off any electrical or mechanical devices (including lights) without first recording the condition in which the device was found and performing necessary fingerprint search.
5. In all cases wherein the criteria as called out in Section 420.2A1. exists and when applicable, the C.S.I. will process the crime scene for:
  - a. Latent fingerprints/pattern prints
  - b. Trace evidence (i.e. hairs, fibers)
  - c. Impression evidence
  - d. Biological evidence
  - e. Residues (gunshot, accelerant)
  - f. Other physical items (cartridge casings, weapons, etc.)

#### G. Completion of Crime Scene Processing

1. After crime scene processing is completed, the C.S.I. should conduct a walk#through of the scene with the assigned Detective. This procedure often reveals additional evidence previously overlooked. It will also assure that no Department equipment is left behind.
2. If necessary, upon directions of the assigned Detective, the C.S.I. will seal the crime scene with pre-printed seals.

#### H. Autopsy

1. In the event of a homicide or suspicious death, the assigned Detective shall attend the autopsy.
2. The C.S.I. will attend the autopsy unless otherwise directed by the assigned Detective.
  - a. If the C.S.I. attends the autopsy, the procedure will be photographed. Trauma and identifying marks will be photographed and include the use of a scale.
  - b. Any additional evidence discovered/released by Medical Examiner shall be collected (clothing, swabs, GSR, blood spot card).

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## PROCEDURES

### *Crime Scene Protocol*

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- c. The C.S.I. should bring the decedent's clothing, weapons used, and photographs of the crime scene to the autopsy for the medical examiner to evaluate when requested.
- d. A supplemental report on evidence collected at autopsy shall be written and submitted by the C.S.I.

#### I. Reports

1. The Crime Scene Investigation Report is a highly critical portion of the investigation, particularly in homicide cases. The report must be complete and thorough, outlining steps taken, and describing in detail every piece of evidence collected.
2. The C.S.I. will prepare a crime scene sketch, which will accompany their report when requested by the handling Detective.
3. All crime scene, autopsy and evidence photos will be booked into DIMS

#### J. Continued Crime Scene Investigation

1. All evidence associated with a homicide or other major crime will be processed in an expeditious manner. Evidence items which have not been sent to the Ventura County Crime Lab or other forensic laboratory will be prioritized by the C.S.I. and processed accordingly, unless otherwise directed.
  - a. Any crime involving a continuing threat to public safety should have the highest priority, i.e., kidnappings.

#### K. Search Warrants

1. The C.S.I. will often be requested to process locations where search warrants are served.
2. These requests are often made in investigations other than homicides and other violent crimes (e.g., narcotics, burglary and possession of stolen property).
3. At the direction of the handling Detective, the Crime Scene Investigator will number, photograph, collect and package evidence items seized pursuant to the search warrant.
4. Overall photos will be taken upon entry and exit at the location of a search warrant. These photos shall include any damage caused by personnel during the search warrant.
5. Attention should be paid to Section 420.3F. of this Bureau Order when processing other described scenes.

#### L. Destructive Processing

1. Should the C.S.I. determine that an evidence item requires a process that would destroy the item, they should first discuss the procedure with the case Detective and determine if a Simi Valley Police Department liability release form (see Attachment A) should be used.
  - a. The liability release form is not necessary on items of no value (i.e. paper).

#### M. Suspects in Custody

# Simi Valley Police Department

## PROCEDURES

### *Crime Scene Protocol*

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1. The C.S.I. is often called upon to process suspects in custody for physical and biological evidence.
2. The crime for which the suspect is in custody will vary; however, in most circumstances a request for the C.S.I. will only be made in the event of a violent crime.
3. In processing suspects, any or all of the following procedures may be utilized:

- a. Homicide Suspect

- 1) Gunshot residue
- 2) Fingernail scrapings / hand swabs
- 3) Hair samples
- 4) Saliva samples
- 5) Photographs of all injuries
- 6) Photographs of suspect completely stripped down. Front, back, and both side views with consent of the suspect or a search warrant. Photograph of this nature will be taken by personnel of the same gender.
- 7) All clothing collected and packaged separately.
- 8) Sufficient photos of the suspect including mugshots.
- 9) Fingerprints
- 10) Blood samples drawn by medical personnel (alcohol content and/or drug screen, blood typing).

- b. Rape Suspect

- 1) Prior to the transporting of rape suspects for medicolegal processing, clothing should be recovered (separate items packaged separately) and photographs of injuries taken using a scale for reference.

- c. Other suspects in Custody

- 1) In processing other types of suspects in custody, the C.S.I. will refer to Steps III.M.3. (a) (b), and complete those procedures which apply to the incident case.

N. The C.S.I. may utilize the following crime scene checklist in situations where their services are requested.

N. The C.S.I. may utilize the following crime scene checklist in situations where their services are requested.

1. Miscellaneous

- a. Time notified
- b. By whom

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*Crime Scene Protocol*

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- c. Briefing/by whom?
  - d. Arrival time at scene
  - e. Scene security conditions
  - f. Officer in charge at scene
  - g. Medical aid at scene/whom?
  - h. Search Warrant required?
  - i. Permissive search/by whom?
  - j. Crime Lab required/notified/arrived
  - k. Isolated area
  - l. Residential/commercial area
  - m. Weather conditions
  - n. Temperature, inside/outside
2. Physical Evidence
- a. Photographs/video
  - b. Diagrams/sketches
  - c. Fingerprints
  - d. Shoe prints/impressions
  - e. Tool mark/other impressions
  - f. Trace evidence (hairs, fibers, vegetation)
  - g. Bodily fluids (blood, urine, semen)
  - h. Gunshot residue
3. Conditions
- a. Doors (locked? damage)
  - b. Windows (locked? damage)
  - c. Heat/air (operations, on/off, temperature)
  - d. Sinks/showers (on-off)
  - e. Lights (on/off, operational, location)
  - f. T.V.s/radios (on/off)
  - g. Telephone (operational, on receiver)
  - h. Washer/dryer/hamper (full, wet or dry, type of clothing)

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- i. Trash receptacles (contents, dated material)
- j. Food/place settings (number, unconsumed food)
- k. Structure (damage)
- l. Outside storage (type, damage, contents)
- m. Animals (type, behavior)

## Task Force Protocol

### 421.1 PURPOSE

It is the policy of the Detective Bureau to establish and maintain procedures for the implementation of task forces for deployment against special crime problems.

### 421.2 PROCEDURE

A. Task forces will be deployed on the basis of current crime pattern analysis or validated information relative to suspected criminal activity.

B. Task forces will be deployed against a crime problem when regularly assigned personnel are not adequate to effectively address the problem at hand.

C. Task force deployment strategy will be based on an objective analysis of the problem:

1. Over Saturation as a highly visible preventative strategy.
2. Covert saturation as a low visibility detection and apprehension operation.

D. The numerical strength of a task force will depend on the severity and scope of the crime problem being addressed.

E. Once a crime problem, in either the Major Crimes Unit or Property Crimes Unit, has been identified, and meets the criteria set forth in Sections IB and IC of this Bureau Order, a task force may be requested.

F. The Detective Sergeant in whose area a task force is deemed necessary will prepare a Memorandum of Request to the Detective Commander describing the following:

1. Nature of the crime problem.
2. Location(s) of the crime problem.
3. Method of operation (M.O.).
4. Suspect information.
5. Steps already taken to combat the problem.
6. How the implementation of a task force will solve the problem.
7. Estimated number of task force personnel required.
8. Equipment required (to include vehicles).
9. Manner in which the task force is to be deployed.
10. Estimated duration of the task force.
11. Estimated expenditures in overtime.

G. Upon approving the Request for Implementation of a task force, the Detective Commander will then forward the written request to the Deputy Chief for final approval.

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## PROCEDURES

### *Task Force Protocol*

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H. Once final approval is granted, the Detective Sergeant who made the request will coordinate the composition of the task force and prepare a general operation plan.

1. Task force positions will be filled in the following manner:

- a. The Special Operations Unit, whose primary responsibility is special crime problems, will be the first resource included, whenever possible.
- b. Personnel who based on their work assignment and/or position would normally be assigned to the task force.
- c. All other task positions will be filled consistent with the provisions outlined in the current MOU.

I. When the Special Operations Unit is involved, The SOU Sergeant will assume supervision of the day-to-day operation of the task force.

J. It will be the responsibility of the responsible Detective Sergeant to monitor the progress of the task force and brief the Detective Commander each day it is in operation.

1. To facilitate this, the involved Detective Sergeant will provide the Detective Commander with a daily operational plan describing the following:

- a. Personnel involved.
- b. Locations deployed.
- c. Vehicles in use.
- d. Equipment in use.
- e. Additional intelligence information not previously known.

K. The task force will be evaluated at least once a week by the involved supervisory personnel and will address the following:

1. Effectiveness of the task force.
2. Deployment strategy.
3. Need for additional personnel and equipment.
4. Alternatives to the task force.
5. Disbandment of the task force.

L. In situations where multi-jurisdictional task forces are required, the Detective Sergeant in whose sphere of supervision the involved crime classification falls will represent our Department in the planning and organization of the task force.

M. All task force operations that involve entry into other Law Enforcement jurisdictions shall comply with Department policy and the provisions of Investigative Bureau Order 427, Out of County Investigations.

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## 290 P.C. and 457.1 Registrants

### 422.1 PURPOSE

It is the policy of the Simi Valley Police Department to establish a procedure for registering persons required by law to register under the provisions of Sections 290 and 457.1 of the Penal Code.

### 422.2 PROCEDURE

A. By court order, once convicted of certain crimes involving sex or arson offenses, a person must register with the Chief of Police of the city in which they reside

#### 1. Notice of Registration Requirement

a. Registrants should have in their possession a copy of Department of Justice (DOJ) form SS8047 (Notice of Registration Requirement), which has been completed by an agent of the releasing correction facility or a Probation/Parole Officer

b. Anyone who does not bring a completed DOJ: SS8047 form in on their first initial appointment should complete one. This form is available online at <https://csar.ext.doj.ca.gov>. A completed copy must be mailed to CSAR (DOJ) in Sacramento and also be included in their case file.

1) Registrants living in a permanent residential address within the jurisdiction of Simi Valley must register annually within 5 business days before or 5 business days after their birthdate

2) Transient residents within Simi Valley jurisdiction must register every 30 days to update their compliant status

3) Complete registration requirements are located on DOJ form SS8102

c. The most current and updated forms shall be used to update registration compliance. Updated forms are located on the CSAR and/or CLEW websites.

#### 2. Registrant Packet

a. All forms shall be completed and retained in the Registrant case file. All files will be stored in the designated Registration file cabinet in the Detective Bay

b. New registrants to Simi Valley jurisdiction shall be entered into the Versadex system with a Flag Record. This will capture their initial registration with Simi Valley Police Department and add his/her name into the master name index.

#### 3. Livescan

a. Per DOJ, initial registrations with any registrant who does not currently have an assigned FCN number, Livescan shall be completed. A search in the CSAR system for the registrant shall be completed prior to Livescan entry to avoid duplicate FCN files. The following are reasons to Livescan:

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### *290 P.C. and 457.1 Registrants*

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- 1) Sex or Arson offenders newly mandated to register with no prior registrations
- 2) Registrants who are moving from out of state into California, who have not previously registered in California.
- 3) After a search in CSAR, it is determined Livescan has not previously been completed.

#### b. Livescan Instructions

- 1) Log into Livescan using your employee (SAP) ID number for both the username and password.
- 2) Create New Record (Use the top left + button).
- 3) Choose "Registrant" with palm capture data.
- 4) Step 1- Personal Description Data (No characters (-, .)) and must include all fields (Documented: **Y**).
- 5) Step 2- Personal Description Data II: Scars, Marks, Tattoos, Artificial limbs, etc. Using CLETS Codes.
- 6) Step 3: Subject Identifier Data: Social Security Number and Identification
- 7) Step 4- Registrant Data: Date, Type of Registration (TOR) as: Initial, Change of Address or Update and the original case information to include the conviction date.
  - a) It is crucial to select the correct "TOR" as to not duplicate records. Only select **Initial** if the registrant has never registered in California.
- 8) Step 5- TOR Specific Data: Address, phone numbers and agency contact information (Terminal MNE: SVS0).
- 9) Step 6- Conviction Offense Data (Skip).
- 10) Step 7- Concurrent & Campus Address: If registrant attends college/university or resides part of the time at another address.
- 11) Livescan fingerprinting process: Follow the instructions. Make sure registrant's hands are clean, but not overly dry or the image will not be clear resulting in a rejected print
  - a) "Save" each accepted (Pass) print or "Scan" to repeat.
  - b) Once prints are completed click "Capture/Save".
  - c) By saving, Livescan electronically sends the prints and information to DOJ for CSAR submission.

#### 4. Photographs

- a Digital photographs shall be taken of each registrant at the following times:

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### *290 P.C. and 457.1 Registrants*

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- 1) Initial appointment: New registrants shall be photographed (Head/Shoulders, SMT and 1 full body) The photos shall be taken against a white wall.
- 2) Annual Update: Each registrant will have an annual head/shoulder photo taken to update their case file. Any new SMT's should be taken annually.
- 3) Transient registrants have appointments every 30 days. Additional photographs are only taken if their appearance significantly changes. Otherwise an annual photograph shall be taken

b All digital photographs will be maintained in both the in-house Flag Record as well as updated in Cal-Photo, linked to CSAR

#### 5. DNA

a. DNA shall be collected using the DOJ supplied buccal swab collection kit. Follow the instructions on the provided envelope and return complete kits to the DNA Lab in Richmond, CA. Additional DNA kits are obtained from the DNA Lab at no charge to the agency. The DNA Kits are stored in the Detective Bureau.

#### 6. Second Checks and DOJ Audits

a. CSAR and In-House system entries shall be 2<sup>nd</sup> checked by trained Detective personnel. Every effort shall be made to check these entries within 3 business days in accordance with DOJ procedures.

1) Corrections to entries should be noted on the forms.

2) Second Check Stamp shall be visible and completed on the corresponding form, which is maintained in the Registrant File.

b. Routine DOJ Audits check the status of randomly selected registrants. Audit lists are forwarded from the Records manager to the CSAR Administrator and must be completed and returned by the due date.

c. Full-Scale DOJ Audits on CSAR records can occur at any time. The Records Supervisor may advise the CSAR Administrator when such an audit will take place. Selected registrant files must be pulled and prepared for the auditor to review. Errors or incomplete information can result in disciplinary action affecting Simi Valley Police Department's CLETS standing. Refer to CLEW website for additional information.

d. In an effort to maintain registrant files with the most up-to-date information, quarterly internal audits shall be completed by doing the following:

1) Cross check In-House information to CSAR

2) Generate out-of-compliance reports for further investigation

3) Check inmate status on any prior in-custody or noncompliant registrations and update CSAR accordingly

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### *290 P.C. and 457.1 Registrants*

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- 4) Run DMV and/or CII History and update in both CSAR and In-House
- 5) Forward reports to Major Crimes Detective Sergeant and assigned 290 Detective

#### 7. Registrant Folder

a. Each Sex/Arson Registrant shall have a hard-copy folder maintained in the Detective Bureau, alphabetically by registrant's last name in the active files.

- 1) A copy of the DOJ SS8047 and SS8102 forms shall be mailed on all initial registrations to the Department of Justice CSAR Unit in Sacramento, California.
- 2) Original documents shall be maintained in the registrant file. Updated registration forms are maintained in the registrant file after entry in CSAR.
- 3) Flag-Records will be generated for each registrant in Versadex and maintained as the electronic file. (See attachment for Instructions\*\*not yet created\*\*)
- 4) Photographs are a part of the registrant file and will be maintained electronically in both Versadex and CSAR via Cal-Photo.

b. Archived Registrations- All registrants who no longer need to register in our jurisdiction must be updated in CSAR, Flag Records and the hard-copy file. The file shall be moved to the archived cabinet in the Detective Bureau. Archived folders are filed numerically under the flag record number. Files will be archived when the following occurs:

- 1) Registrant moves out of jurisdiction, other than temporary incarceration in which case the file will remain active.
- 2) Registrant is terminated from the registration process pursuant to DOJ notification in CSAR
  - a) All caution flags indicating the "Sex or Arson" status shall be removed from the person's master name file in Versadex
- 3) Registrant dies and we have a certified copy of the death certificate. A copy of the death certificate must be mailed to CA DOJ (916-227-4453).

#### 8. Attachment:

[See attachment: Flag Record Instructions.pdf](#)

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## Response to Robbery Alarms

### 423.1 PURPOSE

To maximize officer safety, proper response, and containment practices in robbery alarm calls, the Detective Bureau has established the following procedures for Detective response to robbery alarm and robbery-in-progress calls.

### 423.2 PROCEDURE

A. Detectives may respond to robbery alarm and robbery-in-progress calls when requested by Patrol or Dispatch, or if they are in the area of the call.

1. Detectives shall notify Communications that they are responding to the call.
2. Detectives shall accept and follow deployment instructions from the primary (handling) Patrol officer.

B. If Detectives arrive on the scene prior to other officers, they shall assume the most advantageous tactical position, broadcast their location, and coordinate deployment of additional units with the primary (handling) Patrol officer.

C. Detectives will not enter the location to determine if a robbery has occurred unless the location is contained; and either:

1. Phone contact has been made and there is no indication that there is a robbery in progress;  
or
2. Phone contact has been attempted and is unsuccessful, and entry into the location has been specifically authorized by a supervisor on the scene.
  - a. If the circumstances are such that Detectives on the scene suspect a possibility that the robbery suspect(s) may be inside the location, under no circumstances shall they enter the location.
  - b. It is the policy of the Department to utilize the Special Weapons Team in circumstances in which a robbery suspect(s) is barricaded inside a location.

## Transportation of Prisoners

### 424.1 PURPOSE

To maximize officer safety, the following procedures shall apply whenever Detectives transport persons who are under arrest in vehicles other than caged patrol cars.

### 424.2 PROCEDURE

- A. All arrestees shall be handcuffed, behind their back, while being transported.
- B. Arrestees shall be secured in the vehicle by use of the seat belt or shoulder strap (if available).
- C. If the arrestee is transported by a Detective alone in the vehicle, the arrestee shall be placed and secured in the right front seat. No prisoner shall be transported by a single Detective unless there are seat belts and/or shoulder straps available to restrain the arrestee.
- D. Arrestees shall be transported by two Detectives whenever possible. When transported by two Detectives, the prisoner shall be secured in the right rear set, and one Detective shall be seated in the left rear seat.
- E. Arrestees shall not be left unsecured in vehicles.
- F. No unnecessary stops shall be made while transporting arrestees.

## Covert Operations

### 425.1 PURPOSE

In order to conduct covert investigations in an effective and safe manner, the Detective Bureau has established the following guidelines, which are to be used whenever a member of the Bureau or an informant is utilized in an undercover capacity.

### 425.2 PROCEDURE

#### A. Authorization

1. No undercover investigation may be initiated without the approval of the Bureau Commander.
2. Any undercover operation utilizing an informant shall conform to the provisions of the General Order, concerning Informant Management.

#### B. Supervision

1. A Bureau supervisor must be present any time a Detective is utilized in an undercover capacity.

#### C. Background information

1. Adequate background investigations are to be conducted to identify those suspects from whom purchases of evidence are to be made. Background checks include:
  - a. Prior arrests
  - b. Contact the Department's Criminal Intelligence Detective to determine if the suspect has any affiliation with known criminal organizations or associates.
  - c. Outstanding warrants
  - d. Parole/probation status
  - e. Registered weapons or history of possession
  - f. Any tendency toward violence
  - g. Any known mental disorder
  - h. Obtain photo if possible
2. Prior to any entry of a residence or other building by an undercover agent, attempts shall be made to identify all occupants, checking each for criminal background information.
3. Prior to the initiation of a covert operation, an operational plan shall be developed by the handling Detective and approved by the appropriate supervisor. Refer to Attachment "A".

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### *Covert Operations*

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- a. A copy of the operational plan will be provided to the Detective Bureau Commander, Watch Commander and Communications by the approving supervisor prior to the implementation of the operation.

#### D. Surveillance

1. Both Detective Bureau personnel and informants working in an undercover capacity shall be supported by surveillance to provide protection of the handling Detective, the informant, the "buy" funds, and for corroboration of the Detective's testimony.
  - a. When appropriate, assistance from the Special Operations Unit will be utilized for surveillance functions.
  - b. Any deviation from the guideline must have the prior approval of the Bureau Commander.

#### E. Body Transmitter

1. Body transmitting equipment should be utilized in any undercover operation in order to provide for both the safety and protection of the undercover operator as well as providing corroboration of the activity for court purposes.
2. In an operation where both an informant and a Detective are undercover simultaneously, the body transmitter should be worn by the Detective.
3. Any exception to the utilization of a body transmitter will require the approval of the Bureau Commander. Examples of such exceptions include:
  - a. When the subject of the investigation has been reported to search for weapons or transmitters.
  - b. When the subject of the investigation has been reported to operate radio counter-surveillance devices such as scanning receivers.
4. The body transmitter, being a piece of mechanical equipment, is subject to malfunction. It is the responsibility of the case Detective to ensure that the equipment is operable prior to utilization and that other forms of communication (visual and/or audio) are planned and utilized.

#### F. Arrests

1. Should an arrest of the suspect(s) take place during the time that a Detective is working undercover (i.e., buy-bust), the undercover Detective shall not participate in the arrest except in an emergency situation.

#### G. Protective Equipment

1. Detectives operating in an undercover capacity shall be armed with a weapon authorized pursuant to the General Order covering Weapons and Ammunition.

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### *Covert Operations*

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2. Whenever practicable, Detective personnel are to wear ballistic protection when working undercover.

#### H. General Guidelines

1. Whenever practicable, undercover purchases made with City funds will be made by Detective Bureau personnel. Direct Detective-suspect contact should be the objective of any undercover operation. When informants are utilized for undercover purposes, every effort should be made by the informant to introduce a Detective to the suspect.
2. Any female officer or informant used in an undercover capacity should have a photograph taken on each and every day of the covert operation in order to refute a defense of entrapment in court.
3. Detectives working undercover shall carry their Police identification card concealed upon their person.
  - a. Any exception to this guideline will require the prior approval of the Bureau Commander.
4. No Detective or informant working undercover shall use any controlled substance or simulate using or ingesting controlled substances during the undercover operation.
  - a. This does not restrict Detective Bureau personnel from using a controlled substance, which has been prescribed by a licensed physician.

#### I. Debriefing

1. Whenever an informant or Detective participates in an undercover investigation, a complete debriefing will take place and will include conversations with suspects, descriptions of suspects and other persons present, location and times that the operator was involved with the suspects.

#### J. Attachment:

[See attachment: Tactical Operation Plan.pdf](#)

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## Warrant Service

### 426.1 PURPOSE

It is the policy of the Detective Bureau that the execution of search warrants, arrests, or conducting parole searches shall be accomplished with the safety of the involved personnel as the prime consideration.

### 426.2 PROCEDURE

#### A. Supervisor

1. No search should be executed on any type of building nor will a "buy#bust" take place without the presence of a supervisor.

#### B. Background Information

1. Prior to conducting a search or planned arrest, the case Detective will prepare a file containing background information concerning the suspects involved and the location to be entered.

#### 2. Suspect(s) Information

- a. Rap sheet
- b. Photographs
- c. D.M.V. information
- d. Reports
- e. Information on known associates
- f. Vehicle(s)
- g. Any other information available

#### 3. Location

- a. Description of the location of the premises or area involved.
- b. Description of the interior and exterior of the building.
  - 1) Diagram of the structure whenever possible.
- c. Number of expected persons on the premises.
  - 1) Background information on occupants (in addition to the primary suspect[s]).
  - 2) Presence of children.
- d. Any threats to Officers.
- e. Firearms expected to be on the premises Including type, location, etc.
- f. Amount and location of any expected contraband.

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- g. Dogs at the premises.
- h. Suspect's potential actions in the event of a raid.
- i. The presence of specialized electronic equipment.
- j. Other pertinent data.

C. Operational Plan

1. Prior to the execution of any search or planned arrest, a written Operational Plan should be developed and approved by the Bureau supervisor.

2. The Operational Plan shall include:

- a. Necessary background information on the suspect(s) and location involved.
- b. Photographs of the suspect(s) and of any informant(s) or undercover Officer(s) involved (if not present at the briefing).
- c. Diagram of the location involved (interior and exterior).
- d. Location of "staging area" or command post to be used prior to the execution of the raid.
- e. Directions to the suspect location and to the "staging area."
- f. Specific assignments of all personnel involved in the raid.
- g. Assignment of specialized equipment.
- h. Assignment of radio frequency to be used.
- i. Copy of appropriate street map for the location, which also depicts route to nearest medical facility.

3. Personnel assignments

a. A minimum of six (6) Officers, including at least one (1) uniformed Officer, should comprise a raid team for the purpose of the execution of a building entry.

b. Building entry

1) Entry team

a) One uniformed Officer and a minimum of two Detectives

2) Rear yard

a) Two personnel

3) Side yards and other exits

a) Whenever possible, side yards and other exits from the premises, which are not readily observable, by the entry team or the rear yard team should be covered.

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### *Warrant Service*

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#### c. Containment and search team

- 1) A containment team of a minimum of two personnel should be assigned to contain all occupants of the premises.
- 2) A search team of a minimum of two Officers should be assigned to conduct specified searches and to collect and record evidence and/or contraband seized.
- 3) One Detective or Crime Scene Investigator should be assigned to photograph (or videotape) the operation.
  - a) The premises, including any damage done by the entry team prior to searching
  - b) The occupants of the premises
  - c) All evidence and contraband seized
  - d) Post search photographs

#### d. Prisoner processing team

- 1) The on scene supervisor should facilitate the transportation and booking of any suspects arrested at the scene.
- 2) All persons within the premises shall be contained until the premise is secure. They will then be patted down for weapons and contraband, identified; Street check completed and run for outstanding warrants.
- 3) When the interior of the premises is secured, Officers shall notify those personnel outside.
- 4) In the event of "shots fired," Officers should contain the premise and call for assistance.
- 5) Should an accidental discharge occur, the involved Officer should immediately apprise those present what occurred and check for injuries.

#### D. Equipment

1. Each member involved in a raid, or search warrant service, shall use the following equipment:
  - a. Raid Jacket or authorized uniform
  - b. Authorized weapon pursuant to the General Order covering Weapons and Ammunition.
  - c. Ballistic vest
  - d. Portable radio
  - e. Cellular phone

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### *Warrant Service*

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NOTE - In cases where there is no formal operational plan but Detectives expect to encounter and arrest suspects; they shall employ the aforementioned equipment.

2. The case Detective should be equipped with a search kit and will be responsible for it being equipped with plastic cuffs, necessary forms, and camera equipment.
3. Specialized equipment as necessary may be utilized including:
  - a. Body transmitter(See Bureau Order #424)
  - b. Shotguns and rifles
  - c. Specialized investigative equipment (See Bureau Order #601)
  - d. Specialized entry equipment

#### E.Notification

1. The Bureau supervisor will notify the on-duty Watch Commander of the pending execution of a search warrant or planned arrest.

#### F. Execution of the Search Warrant

# Simi Valley Police Department

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### *Warrant Service*

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1. The entry team shall comply with 1531 P.C. at the point of entry as well as any closed interior doors.
2. On occasion, it may be necessary to secure a building prior to the receipt of a search warrant. In such instances, the structure will be secured and occupants controlled after which Detective Bureau personnel will vacate the structure to await arrival of the warrant.  
Exception -- when occupants are not removed from the premises, a necessary number of Police personnel will remain with the occupant(s) for security purposes.
3. At no time will Police personnel consume any food or beverage upon any premises, which is being searched, has been searched, or is about to be searched.
4. Unless approved by the Bureau Commander in advance, non#enforcement personnel (excluding Crime Scene Investigation) will not be allowed to accompany sworn personnel during any planned search or arrest activity.

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## Out of County Investigations

### 427.1 PURPOSE

In order to standardize investigative travel, extradition and related overtime expenditures, the following procedures have been adopted by the Detective Bureau.

### 427.2 PROCEDURE

#### A. Routine Travel

1. Any travel outside Ventura County that does not involve an overnight stay, and in which the total expenses are less than \$100 is routine travel and requires only the approval of the Bureau Commander.
2. Detectives planning routine travel shall coordinate scheduling, vehicle assignment, and need for a partner with their supervisor, who shall obtain final approval for the travel from the Detective Commander.
3. Detectives shall, whenever possible, use a City gasoline credit card rather than personal gasoline credit cards.
4. Detectives engaged in routine travel and who, due to the location and/or nature of the investigation, must be outside the Simi Valley area during their normal meal break may purchase a meal and file a request for reimbursement. The amount available for reimbursement is set by City travel policy, and the request for reimbursement shall be submitted.

#### B. Extended Travel

1. Travel involving an overnight stay or expenditures of \$100 or greater is extended travel and requires prior approval of the Chief of Police and the City Manager's Office.
2. Arrangements and approval for extended travel shall be made by, or coordinated with, the Professional Standards Bureau after approval by the Detective Commander has been obtained. Any deviations from this procedure require the specific approval of the Detective Commander.

#### C. Extraditions

1. Detectives desiring to perform an extradition shall make this request through their supervisor. All extraditions require the approval of the Detective Bureau Commander.
2. There should be specific reasons for a Simi Valley Police Department officer to be involved in an extradition, such as:
  - a. Need to immediately interview suspect; or
  - b. Need to search for physical evidence; or
  - c. Other compelling circumstances.

# Simi Valley Police Department

## PROCEDURES

### *Out of County Investigations*

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3. If the Detective Supervisor and the Detective Commander approve the request, the Ventura County Sheriff's Department Fugitive Detail shall be contacted to coordinate the extradition and State reimbursement.

a. Should a conflict develop, it will be referred to the Detective Commander to resolve with the V.S.O. Detective Commander.

4. Once satisfactory arrangements have been made with V.S.O., the financial reimbursement arrangements will be included with the Travel Authorization Request and the extradition travel will be arranged through the Professional Standards Bureau.

a. The Detective Commander, in conjunction with the Sr. Administrative Officer, shall make arrangements for any State reimbursement funds to be credited back to the "out-of-county investigation" fund.

#### D. Special Travel

1. In those cases in which investigative travel will be paid for by outside sources (such as W.S.I.N., federal agencies or other sources), the Detective Commander shall coordinate the planning and travel authorization with the Professional Standards Bureau and Fiscal Services Unit to ensure proper reimbursement to the Department.

#### E. Notification to Outside Agencies

1. In all cases in which Detectives anticipate making an arrest, executing a search warrant, or engaging in other significant enforcement activity in another jurisdiction the Watch Commander/Supervisor or other appropriate officer of the agency having jurisdiction shall be notified of the intended action.

2. In cases in which Detectives will be involved in surveillance in another jurisdiction, the Watch Commander or his designee of the agency having jurisdiction shall be notified unless such notification is impractical (e.g., moving surveillance passing through a number of jurisdictions).

3. At the conclusion of the investigation and prior to leaving the outside jurisdiction, the Handling Officer shall re-contact the Watch Commander or other appropriate officers of the agency having jurisdiction and apprise him of the outcome of the investigation.

#### F. Overtime Compensation

1. Detectives conducting out-of-city investigations, and who have met other M.O.A. conditions for overtime compensation may receive overtime compensation for the following activities:

a. Actual travel time (time en route to airports, aboard aircraft, en route to motels, etc).

b. On-duty investigative time which, in conjunction with actual travel time, exceeds ten hours in any day.

2. Detectives shall adjust their working hours as much as practical to minimize the overtime expenditure.

## Drying Room Clean Up

### 428.1 PURPOSE

In order to prevent the cross contamination of evidence the Crime Scene Investigation Unit has developed these procedures for maintenance and sanitization of the Evidence/Property Storage Room.

### 428.2 PROCEDURE

Access to the Evidence Drying Room is by Crime Scene Investigation (CSI) Unit personnel only.

Upon removal of all evidence/property from the Drying Room, the following steps shall be taken in order to clean and sanitize the room and its equipment:

- (a) All butcher paper used and not preserved with evidence shall be discarded.
- (b) Any debris remaining on the floor will be swept up and discarded.
- (c) Walls, floors, clothing rods and shelving units will be washed down with a solution of bleach water (1 tbl spoon of bleach for every 2 cups of water) or SaniZide Pro disinfectant.
- (d) Bleached surfaces should remain wet or soak for 15 minutes. SaniZide disinfectant should be used as directed.
- (e) Any Property lockers which are used to secure contaminated items of property/evidence should follow this procedure to clean and sanitize prior to reuse.

## **Chapter 5 - Patrol Bureau**

## Patrol Bureau

### 500.1 PURPOSE

The Patrol Bureau of the Simi Valley Police Department exists to serve all members of the community with respect, fairness, and compassion. The preservation of peace, order and safety; the protection of life and property and the safeguarding of Constitutional guarantees are of paramount importance to all members of the Bureau.

### 500.2 PROCEDURE

A. The Patrol Bureau will seek to promote a secure environment for the citizens of Simi Valley by providing solutions to community needs, as well as immediate response of uniformed personnel to emergency situations.

B. The Patrol Bureau fully supports the Mission Statement and Value Statement established for the department and will use those tenets to serve the community.

## Organizational Structure

### 501.1 PURPOSE

This Bureau Order shall develop and maintain an organizational structure for Patrol, define job descriptions and responsibilities, and establish standards of accountability for Patrol Bureau personnel.

### 501.2 PROCEDURE

A. Patrol Bureau is divided into three sections known as "watches". The Bureau is deployed according to a 4/10 workday plan, utilizing 10-hour workdays during a 24-hour day with overlapping hours.

#### B. Job Descriptions

1. Commander - Under direction of the Deputy Chief, commands the Patrol Watches as a Patrol Bureau Commander.

##### a. Duties

1) The Patrol Bureau Commander is responsible for the development of Patrol Bureau deployment schedules, briefing of officers and supervisors, appropriate handling of personnel complaints, personnel evaluations, discipline, provide for special emergencies, emergency press releases, and miscellaneous administrative duties as assigned by the Deputy Chief.

2. Sergeant - Under direction of the Patrol Bureau Commanders, commands the assigned Watch as a Watch Supervisor or Field Sergeant and supervises assigned field personnel.

##### a. Duties

1) The Watch Supervisors are responsible for the day-to-day operation of their assigned Patrol Watches. They must ensure sufficient staffing, proper training, schedule roll call training, prompt response to calls for service, contacts of any nature with the public, proper reporting, appropriate handling of personnel complaints, correct gathering of evidence, prevention of abuse of equipment, briefing of officers, personnel evaluations, provide for special emergencies, emergency press information and compliance with proper radio procedures.

2) Participates in roll call briefing, training, patrol assignments, and inspection of the Watch.

3) Supervises, trains, inspects and evaluates the performance of assigned personnel and personnel under their immediate command, through the use of written documentation.

4) Takes immediate field command of tactical or unusual occurrences.

# Simi Valley Police Department

## PROCEDURES

### *Organizational Structure*

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3. Senior Police Officer - A sworn officer who, under supervision, is charged with the responsibilities to perform front-line law enforcement duties; to protect life and property in accordance with all applicable laws and ordinances; to provide field training for entry-level and lateral-entry officers; to carry out special assignments as necessary and to do related work as required.

a. Duties

1) Assigned to motorized or foot patrol; answers calls for service from the public; make arrests and issues citations for violations of laws and/or ordinances; investigate misdemeanors and felonies; secure and preserve crime scenes and evidence; enforces traffic laws; mediates civil disputes and make appropriate referrals; conducts interviews with victims, witnesses and suspects, prepare cases for prosecution; testify in court; escort and transport prisoners; prepare and complete comprehensive reports; render first aid to the injured; train and evaluate entry-level and lateral-entry police officers; and participate in programs of community relations and public information.

4. Police Officer - A sworn officer who, under supervision, is charged with the responsibilities to perform front line law enforcement duties; to protect life and property in accordance with all applicable laws and ordinances; to carry our special assignments as necessary and to do related work as required.

a. Duties

1) Assigned to motorized or foot patrol; answers calls for service from the public; make arrests and issue citations for violations of laws and/or ordinances; investigate misdemeanor and felonies; secure and preserve crime scenes and evidence; enforce traffic laws; mediate civil disputes and make appropriate referrals; conduct interviews with victims; witnesses, and suspects; prepare cases for prosecution; testify in court; escort and transport prisoners; prepare and complete comprehensive reports; render first aid to the injured and participate in program of community relations and pubic information.

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## Watch Guidelines

### 502.1 PURPOSE

The Patrol Bureau establishes Watch guidelines, which in conjunction with the Simi Valley Police Department Policy Manual, will be adhered to by all personnel working in the Patrol assignment.

### 502.2 PROCEDURE

A. Emphasis is placed upon the following:

1. Officer safety
2. Driving habits are to be courteous, safe and within the confines of State and local laws.
3. Job Performance by officers will be evaluated with emphasis on the following:
  - a. Attitude with both citizens and fellow employees.
  - b. Officer initiated activity, such as arrests, citations, and street checks.
  - c. Problem solving, initiative to handle special projects, and willingness to assist others in field and administrative duties.
4. Patrol officers are also responsible for traffic enforcement.
  - a. Traffic enforcement includes issuing a citation when appropriate, a warning card or a citizen contact through the use of a traffic enforcement stop.

B. On duty Patrol personnel shall not leave the City without prior supervisor approval.

C. A supervisor's assistance will be requested in all questionable or unusual situations. In addition, a supervisor will be notified if the following occurs:

1. Contact is made with any member of the City Council or City Manager's Officer (including their respective families), or ranking members of other law enforcement agencies.
2. When police action is required that involves relatives or friends of the assigned officer. The supervisor will then re-assign the call for service to another officer whenever feasible.
3. An officer uses force that by policy is defined as significant force.

D. All briefings will begin on time barring an emergency. All personnel will be on time, appropriately dressed and equipped, and prepared to start their assigned shift.

E. Officers will notify Dispatch via the radio before coming to the station (10-81) for report writing, case follow-up, equipment exchange, etc. the exception allowed will be that officers may come to the station (unless otherwise advised ten (10) minutes prior to the end of the watch.

F. All arrests will be reviewed with a supervisor prior to disposition. Subsequent reports are to reflect the identity of the supervisor who authorized the specific arrestee's disposition (e.g., booking, 849b PC, counseled and released, etc.).

# Simi Valley Police Department

## PROCEDURES

### *Watch Guidelines*

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G. At the end of the Patrol officer's or sergeant's shift, that officer/sergeant will ensure that the vehicle they used is filled with fuel, cleaned of trash, and otherwise ready for the oncoming shift.

1. The shotgun and rifle shall be removed from the vehicle at the end of each shift. The shotgun and rifle will then be unloaded and placed in the armory.

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## Supervisory Responsibilities

### 503.1 PURPOSE

In addition to the following established procedures, it is the responsibility of those assigned as Watch Commander, Watch Supervisor, or Field Supervisor to perform specified functions during the course of any shift.

### 503.2 PROCEDURE

#### A. Watch Commander/Supervisor

1. Effectively manage all station and field activities, to include the following:
  - a. Monitor the status of calls-for-service
  - b. Controlling and if necessary, assuming on-scene command of major events and/or emergency situations until relieved.
2. Provide appropriate supervision for all on-duty personnel.
3. Provide functional supervision to the Communications Center in the absence of the Communications Manager or a Senior Police Dispatcher.
4. Review and approve reports; carefully evaluating them to ensure that all reports are:
  - a. Complete and accurate
  - b. Grammatically proper and all words spelled correctly
  - c. Contain the necessary elements to support the offense and/or arrest
  - d. Police action conforms to applicable law and department procedure
  - e. Force used by police is properly documented
  - f. Ensure all reports not approved to be held have been reviewed/approved
5. Complete case status/disposition information on all applicable reports.
6. Ensure that department policy regarding the Temporary Holding Facility (THF) and the segregation and detention of juveniles and female is followed; ensure reports reflect circumstances surrounding placement of any prisoner in the THF.
7. Inspect the THF, including the Juvenile Detention Cells in Report Writing, within the first hour of assuming command as the Watch Commander/Supervisor. Review entries in the Jail Log and Juvenile Detention Log, and conduct regular jail inspections during the Watch, while prisoners are in custody and in accordance with State law.
8. Review Watch timesheets at the end of the pay period and ensure proper completion and approval.
9. Inspect the station, evaluate appearance and security.

# Simi Valley Police Department

## PROCEDURES

### *Supervisory Responsibilities*

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10. Complete required logs (i.e., Daily Watch Report, Watch Commander's Log, etc.)
11. Control use of the extra keys stored in the key cabinets in the Watch Commander's Office
12. Ensure appropriate roll-call training is provided.
13. Incidents of injury to a department member that come to the attention of the on-duty Watch Commander/Supervisor shall be documented on the required City and State forms. The on-duty Watch Commander/Supervisor shall ensure that these forms are completed as soon as is practical. In all cases, the forms must be submitted to the City Risk Manager through established department channels, within 24 hours, or at the beginning of the next business day if the injury is reported on a weekend. In cases of serious injury, notification to the Deputy Chief shall be made immediately.
14. Respond to public requests for the Watch Commander/Supervisor.
15. Ensure that the oncoming shift is staffed in accordance with established Watch minimums.
16. Recognize individual performance; initiate documentation.

#### B. Field Supervisor

1. The Field Supervisor is under the direction of the Watch Commander/Supervisor.
2. Conduct briefing.
3. Respond to calls and officer-initiated activities and provide assistance as needed.
4. Evaluate daily performance of officers assigned to the Watch.
5. Take immediate command of tactical or unusual field situations; managing/requesting resources as necessary.
6. Monitor individual performance; initiate appropriate documentation,
7. Evaluate arrests and determine the most appropriate disposition.
8. Review and approve reports in the Mobile Report Entry system.
9. Complete case status/disposition information on crime reports and assign necessary follow-up investigation.
10. Discuss/review significant or unusual occurrences with the Watch Supervisor; record information in the Watch Commander's Log when necessary.
11. The calls for service to which a Field Supervisor should respond include, but are not limited to:
  - a. Death investigations
  - b. Felonies in progress
  - c. Robbery alarms

Simi Valley Police Department  
PROCEDURES

*Supervisory Responsibilities*

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- d. Scout alarms
  - e. Critical missing adults or juveniles
  - f. Suicides
  - g. Barricaded suspects or hostage situations
  - h. All requests for Code 3 assistance
  - i. Bomb threats
  - J. All instances when it is known that significant force has been used
  - k. Major disturbances
  - l. Second responses to disturbing parties
  - m. Family disturbances involving weapons
  - n. Officer-involved traffic collisions
  - o. Hazardous materials calls
  - p. Calls involving law enforcement personnel
  - q. Termination of any pursuit (vehicular or foot)
  - r. Any K9 deployment that results in anyone being bitten
  - s. Major traffic collisions (in the absence of an on-duty and available Traffic Bureau Supervisor)
12. Perform additional functions as required or directed

## Scheduling

### 504.1 PURPOSE

The Patrol Bureau is committed to maintaining standards and procedures for scheduling officers and supervisors assigned to the Bureau.

### 504.2 PROCEDURE

A. The Patrol Bureau Commander(s) shall be responsible to develop the upcoming deployment period Patrol and Traffic schedule. The schedules shall be maintained online in the G:\Shared\Operations\_Roster.

B. Absent last minute vacancies, each Watch Commander/Supervisor shall be responsible for ensuring that their Watch maintains minimum staffing levels. In the event of last minute vacancies, the on-duty Watch Commander/Supervisor shall be responsible for ensuring minimum deployment for the following Watch.

C. When the Watch Commander/Supervisor grants Annual Leave (A/L) or Shift Exchange requests that are for less than 30 days in the future, the Watch Commander/Supervisor shall:

1. Approve or deny the request in accordance the current Police Officers Association Memorandum of Understanding (MOU), department policy, past practices and personnel rules and regulations.
2. If approved, the Watch Commander/Supervisor will enter the necessary adjustment onto the Daily Watch Schedule(s) in the G:\Shared folder, noting the leave approval date and the initials and ID number of the approving Sergeant or Commander.
3. When making changes on the Daily Watch Report the Watch Commander/Supervisor will ensure the minimum deployment standards are met on all affected Watches. Should the staff levels fall below miniums, the Watch Commander/Supervisor shall post overtime in accordance with the MOU and department policy.
  - a. The approving Watch Commander/Supervisor will ensure minimum staffing levels are met and if necessary post the required overtime.
  - b. Annual Leave and Shift Exchange request(s) will be accepted for any date in the future. However, if a Patrol/Traffic Bureau schedule has not yet been determined for the date in question, approval of the request(s) may be delayed until such schedule is finalized.

D. Employees will submit vacation requests as early as possible at the beginning of each four-month deployment period to the Patrol Commander(s). Annual Leave will be granted in accordance with the existing MOU and department policy.

E. Union Release requests shall be submitted to Administration for approval. The Daily Watch Schedule shall be adjusted accordingly.

# Simi Valley Police Department

## PROCEDURES

### *Scheduling*

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F. Training notifications from the Professional Standards Bureau will be routed to the concerned Watch Commander/Supervisor who will then be responsible for arranging adequate coverage and making necessary changes to the affected schedule.

G. Other special requests for absence shall be routed to the employee's Bureau Manager for approval. If approved, the Daily Watch Schedule shall be adjusted accordingly.

H. In the event that a shift change scheduling conflict arises where an employee's work hours overlap (i.e. ending on Watch II or III and beginning Watch I the next day), the employee has the following options in order to ensure that the required amount of regular hours are worked during the pay period:

1. Utilize Annual Leave
2. Adjust working hours on the affected day
3. Adjust days off during the affected week

I. Annual Leave requests may not be approved within 48 hours of the start of the requested time off, regardless of staffing levels, unless the member can show an emergency situation exists.

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## Roll Call Training

### 505.1 PURPOSE

The Patrol Bureau is committed to providing relevant training to all its members on a daily basis, during Patrol Briefing. Those Department and City Policies of most significance shall be presented on a regular basis.

### 505.2 PROCEDURE

A. Roll Call Training (RCT) for the Patrol Bureau will encompass the following types of training:

1. In-service training which is developed to meet the specific needs of the Patrol Bureau members.
2. Defensive tactics training.
3. The following topics shall be presented in RCT once each Deployment Period:
  - a. Use of Force, Policy 300
  - b. Vehicle Pursuits, Policy 307
  - c. Domestic Violence, Policy 310
  - d. Search & Seizure, Policy 311
  - e. Harassment, City Policy 33
  - f. Email/Voice Mail, Policy 203
  - g. Missing Persons, Policy 316
  - h. Rapid Response & Deployment, Policy 412
  - i. Foot Pursuits, Policy 425

B. Under the supervision of the Patrol Commander(s), one Sergeant shall be designated as the Patrol Bureau Training Coordinator and will be responsible for the development of Roll Call Training content and schedules.

1. The Patrol Bureau Training Coordinator shall develop a Roll Call Training Schedule for the Patrol Bureau which will encompass the training delineated in Section A, B, 3 of this Bureau Order, as well as other topics of relevance for Patrol.
2. The Roll Call Training Schedule will cover each of the four-month Deployment Period.
3. Each topic presented at Roll Call Training should be separated by a three-day period to assure that all Watch personnel receive the training.

C. If the training delineated in Section A, B, 3 of this Bureau Order is preempted for any reason, every effort should be made to make up the training topic on a future date.

# Simi Valley Police Department

## PROCEDURES

### *Roll Call Training*

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## Probationary Officer Supervision & Deployment

### 506.1 PURPOSE

The Patrol Bureau will provide specialized supervision of officers who have completed the Field Training Program, but who are still on a p probationary status. These probationary officers shall be assigned those work hours that will most benefit their professional development and allow the department to best evaluate their development.

### 506.2 PROCEDURE

#### A. Patrol Commander(s) Responsibility

1. When an officer has completed the Field Training Program and is transferred to a Patrol Watch, the Patrol Commander(s) will consult with the Field Training Program supervision to determine any area of performance that may require additional supervision, training, remediation, or direction.
2. The Patrol Commander(s) shall assign a Watch Field Supervisor to assume responsibility for providing intensified and specialized supervision.
3. The Patrol Commander(s), in cooperation with the Field Training Program Supervisor(s), shall be responsible for developing and implementing appropriate training or other remediation to correct any deficiencies in the probationary officer's performance that come to their attention.
4. The Watch Commander/Supervisor shall ensure that all reports completed by the probationary officer are brought to the attention of the assigned Field Supervisor.
5. The Watch Commander/Supervisor shall ensure that all necessary documentation is completed by the assigned Field Supervisor and forwarded to the Deputy Chief.

#### B. Field Supervisor Responsibility

1. The assigned Field Supervisor shall closely monitor all facets of the probationary officer's performance. Special emphasis shall be directed to areas specified by the Patrol Commander and/or the Field Training Program supervision.
2. The Field Supervisor will be responsible for identifying any deficiencies in the probationary officer's performance and for bringing these deficiencies to the attention of the Patrol Commander(s) and/or the Field Training Program Commander.

#### C. Assignment of Probationary Officers

1. When an officer completes the Field Training Program, that officer will be assigned to both Watch II and Watch III for the duration of the probationary period. This requirement may be waived at the direction of the Deputy Chief.
2. Upon successful completion of the probationary period the officer will be eligible to sign up for shift preferences in accordance with the current MOU and department policy.

# Simi Valley Police Department

## PROCEDURES

### *Probationary Officer Supervision & Deployment*

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## **Mandatory Overtime**

### **507.1 PURPOSE**

The Patrol Bureau shall maintain established minimum personnel deployment standards. When vacancies occur that bring staffing levels below these minimum standards and the vacancies are not filled voluntarily, the Patrol Bureau shall assign Patrol or Traffic Officers and Sergeants to these mandatory overtime assignments in a fair and pre-established manner.

### **507.2 PROCEDURE**

A. The Patrol Bureau Commander(s) shall maintain a listing of all of the Patrol, Traffic Officers and Sergeants assigned to each Watch for each Deployment Period. This listing will be by seniority and will show the dates that each officer or sergeant was ordered to be held over or ordered in early to cover a mandatory vacancy.

B. Mandatory overtime will be assigned on the basis of lowest to highest department seniority of the officers and time in rank seniority for sergeants on the Watch. Overtime assignments may be for filling Patrol or Traffic vacancies. Once an officer or sergeant is ordered to fill a mandatory overtime vacancy, the officer or sergeant shall not be liable for covering another mandatory overtime assignment until all other officers or sergeants on that Watch working on the day in question have filled such an assignment.

1. All Patrol Officers, Traffic Officers, and Sergeants on a particular Watch are liable for filling mandatory overtime irrespective of the exact starting times of their work shift on that Watch.
2. The Watch Commander/Supervisor may exercise discretion and at the request of the number one person on the list may exempt him or her for good cause. Anyone passed over will remain at the top of the list until their obligation has been met.

C. Officers and sergeants working extended shifts on mandatory overtime will not be required to work in excess of sixteen (16) consecutive hours. This guideline may be waived upon mutual consent of the involved officer or sergeant and the Watch Commander/Supervisor.

## Issuing of Specialized Equipment

### 508.1 PURPOSE

The Patrol Bureau shall establish procedures for the issuing of specialized equipment used by officers assigned to uniformed patrol duties.

### 508.2 PROCEDURE

A. All specialized equipment obtained for use in the field shall be signed out by the member on the Equipment Sign-Out Sheet located in the Patrol Armory or the Equipment Storage room. The return of this equipment shall also be logged by the member on the appropriate form. If any piece of equipment is signed out for longer than a member's particular shift, the equipment should be logged out on the Long-Term Sign-Out sheet.

#### 1. Replacement Duty Weapon

a. When an officer's duty weapon is unserviceable or unavailable for any reason, the Watch Commander/Supervisor may issue a temporary replacement from the lockbox located in the Watch Commander's Office.

b. If an armory weapon is issued to an officer, the Watch Commander/Supervisor will send a memorandum to the Professional Standards and Auxiliary Services Bureau Commanders explaining to whom the weapon was issued, the reason for the issuance, and the location and status of the officer's original weapon.

2. Preliminary Alcohol Screening (PAS) Devices may be signed out to those personnel who have been properly trained and certified in its use.

3. AR-15 rifles are available in the Patrol Armory and available for field use. Only officers who are current in their departmental training and qualification may deploy this weapon. If the weapon is put into service, the officer will make a notation on the MDT under capabilities so Field supervision will know which officers are equipped with the rifle. While the rifle is in the field and not deployed, it will remain loaded and secured in the Patrol vehicle.

4. Should other specialized equipment be issued to a Patrol Bureau officer, it must be properly logged out and logged in upon return.

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## Required Equipment

### 509.1 PURPOSE

Personnel assigned to the Patrol Bureau are required to have available to them certain issued equipment while on patrol.

### 509.2 PROCEDURE

A. While engaged in uniformed duties, members will wear the appropriate uniform and adhere to the grooming standards outlined in Personal Appearance Standards, Policy 1020 and Uniform Regulations, Policy 1021, which will include the following items:

1. Appropriate Uniform and footwear
2. Breast Badge
3. Nameplate
4. Weapon and Gun Belt
  - a. Duty Handgun
    - 1) At least three fully loaded magazines, one in the handgun and two as spares.
  - b. Handcuffs and Handcuff Key
  - c. Gun Belt Accessories
    - 1.) Holster
    - 2) Magazine Pouch
    - 3) Handcuff Case
    - 4) Key Strap
    - 5) Portable Radio Holder
    - 6) Baton Holder/Ring
    - 7) Chemical Agent Holder
    - 8) Taser with Holster
  - d. Trouser Belt

B. In addition to the items described in Section A, the following will be carried by those members engaged in uniformed field duties:

1. Department Identification Card
2. Valid California Driver's License
3. Ballistic Vest (refer to Body Armor, Policy 345)

# Simi Valley Police Department

## PROCEDURES

### *Required Equipment*

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4. Helmet with Face Shield
5. Flashlight
6. Baton
7. Keys
  - a. Shotgun Key
  - b. Signal Box Key
  - c. Knox Box Key
8. Portable Radio
9. Utility Bag or Holder

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## General Inspections

### 510.1 PURPOSE

The Patrol Bureau will conduct periodic inspections of all uniformed personnel and equipment to ensure compliance with applicable department policy and procedures.

### 510.2 PROCEDURE

A. The Watch Commander/Supervisor of each shift is required to conduct periodic inspections of all personnel assigned to the Watch.

B. Inspection will be conducted daily, in conjunction with Briefing whenever possible.

C. Each inspection shall cover some aspect of personal appearance or equipment, to include:

1. Uniform Appearance
2. Weapons -Duty
  - a. To be inspected by a supervisor or Range staff member on a weekly basis
  - b. The inspection will be conducted in compliance with all established safety requirements and department procedures.
3. Ammunition
4. Haircuts and Grooming Standards
5. Required Identification
  - a. Valid California Driver's License
  - b. Department Identification Card
6. Safety Equipment
  - a. Chemical Agent
  - b. Taser & Spark Test
  - c. Baton
  - d. Helmet with Face Shield
  - e. Ballistic Vest
  - f. Handcuffs
7. Footwear
8. Marked Unit
  - a. General Appearance
  - b. Specialized Equipment

# Simi Valley Police Department

## PROCEDURES

### *General Inspections*

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- 1) First Aid Kit
- 2) Automatic External Defibrillator (AED)
- 3) Flares/Traffic Cones
- 4) Fire Extinguisher
- 5) Disposable Blanket
- 6) Police Barricade Tape

D. The results of the inspection will be recorded on the Daily Watch Schedule for each shift.

## Equipment Audits

### 511.1 PURPOSE

All equipment assigned for use by the Patrol Bureau shall be inventoried on a daily basis to ensure its location.

### 511.2 PROCEDURE

A. The Watch Commander/Supervisor assigned to Watch I is responsible for ensuring all equipment assigned to the Patrol Bureau and stored in the Patrol Armory or Equipment Room is audited on a daily basis. This audit includes portable radios, Preliminary Alcohol Screening (PAS) devices, night vision equipment, and substitute duty weapon.

1. At the earliest opportunity during Watch I, after all Watch III personnel have turned in their equipment, the Watch Commander/Supervisor shall conduct an inventory of all equipment assigned to the Patrol Bureau and stored either in the Armory or Equipment Room.
2. Results of that inventory will be noted on the appropriate log sheet.
3. If any equipment is found to be missing, in need of repair, or unserviceable, a notation will be made on the Watch Commander's Daily Log. A copy of the Log with the noted discrepancy shall be forwarded to the Professional Standards Bureau Commander.

B. The Watch Commander/Supervisor assigned to Watch I is responsible for ensuring all shotguns and AR 15 rifles assigned to the Patrol Bureau are audited on a weekly basis.

1. The results of that inventory will be recorded on the Weekly Firearms Audit form ( [See attachment: Weekly Firearm Audit MASTER.pdf](#) ). The completed form will be forwarded to the Deputy Chief and the Professional Standards Bureau Commander.

## Equipment for Supervisor Vehicle

### 512.1 PURPOSE

The Patrol Bureau has designated vehicles for the specific use of Field Supervisors. Recognizing that Field Supervisors must have certain equipment at their disposal to ensure the effective handling of field situations, this order identifies that equipment.

### 512.2 PROCEDURE

A. In addition to the basic equipment germane to all marked police vehicles as detailed in Patrol Bureau Order 510, Section C,8,b, Patrol Supervisor vehicles will be equipped with the following items:

1. Hand-Held Loud Speaker
2. Barricade Tape
3. Rubber Gloves
4. Handi-Wipes/Anti Bacterial Lotion
5. Penal & Vehicle Code
6. Binoculars
7. Animal Snare
8. Hazardous Materials Manual
9. Hazardous Materials Kit
- 10 Extra Ammunition
11. Bolt Cutters
12. Jumper Cables
13. Evidence Collection Envelopes
14. SAGE
- 15 Hobble
16. Spit Mask
17. Window Punch Tool
18. Slim Jim
19. Pry/Extrication Tool
20. Command Board

# Simi Valley Police Department

## PROCEDURES

### *Equipment for Supervisor Vehicle*

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B. To ensure that each of the Patrol Supervisor vehicle equipped as described above and that replacement occurs when necessary, a weekly equipment audit will be conducted. It will be the responsibility of the least senior sergeant assigned to Watch II to conduct said audit.

## School Resource Officer

### 513.1 PURPOSE

The Patrol Bureau will deploy officers specifically tasked with handling calls for service and other associated duties on the campuses of schools in the Simi Valley Unified School District.

### 513.2 PROCEDURE

A. Officers assigned to the School Resource Officer (SRO) Program are expected to adhere to the highest professional standards of contemporary law enforcement. The responsibilities of officers assigned to the SRO Program are complex and varied. The following list, although not all inclusive, contains specific responsibilities of the officers assigned to this program:

1. Handle calls for service on school grounds
2. Preliminary investigation of criminal activity on school grounds
3. Counsel at-risk students
4. Provide classroom instruction
5. Act as a liaison to school administrators
6. Other duties as assigned

B. For purposes of facilitating SRO assignments, an SRO will be assigned to specific schools, but will cover any vacancies of other SRO's. If an SRO initiates an incident on school grounds, they must contact the Communications Center and receive a GO/Incident Number. Each SRO is responsible for carrying a department cellular phone during work hours.

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# Criminal Investigation

## 514.1 PURPOSE

This Bureau Order will serve to establish guidelines for Patrol Bureau personnel in documentation, review and follow-up investigation of criminal activity and the proper monitoring and supervision of this process to ensure a timely and appropriate resolution of each investigation.

## 514.2 PROCEDURE

### A. Investigative Responsibility

1. Patrol officers are responsible for the entire investigation of misdemeanor crimes with certain exceptions relating to sex crimes.
2. Patrol officers are responsible for the investigation of non-criminal deaths.
3. Felony crimes should generally be referred to the Detective Bureau unless the handling Patrol officer elects, with supervisory approval, to handle the investigation.
4. Detectives are responsible for the follow-up investigation of misdemeanor sex crimes or other unusual or complicated cases beyond the expertise of available Patrol personnel.

### B. Case Screening

1. Case screening is a process by which reports are reviewed by a supervisor to determine the probability of solution, given a reasonable investigative effort. Certain factors and conditions have been identified which, if present, are likely to yield important information. The reviewing supervisor should consider the existence of one or more of these factors when deciding whether or not to assign a case for follow-up investigation.
2. Other factors that may be considered by the reviewing supervisor include:
  - a. Seriousness of the crime
  - b. Political impact
  3. Community reaction
  4. Crime trends

### C. Supervisor Responsibilities

1. Field sergeants are responsible for the supervision of preliminary investigation conducted by patrol officers. They shall ensure that preliminary investigations are complete and thorough as specified in this Bureau Order. They shall provide advice, technical assistance, and expertise when requested or necessary. They shall ensure that the provisions of Report Preparation, Policy 322 are followed.

# Simi Valley Police Department

## PROCEDURES

### *Criminal Investigation*

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2. Specific Patrol Supervisor(s) will be selected for Patrol case screening, assigning of cases to Patrol officers for follow-up and managing criminal investigations assigned to Patrol officers and ensure that assigned investigations are either suspended or closed in an appropriate time period. They are responsible for determining whether a particular case will undergo further investigation and who has responsibility for the follow-up investigation. This will be done through the Versadex Case Management queue.

- a. If a follow-up investigation is, by policy, the responsibility of the Detective Bureau, the case will automatically be routed to the respective Detective Bureau Supervisor.
- b. If a follow-up investigation is to be conducted by a Patrol officer, the assigned Patrol Supervisor(s) shall monitor the case in the Versadex Case Management "HPAT" queue.

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## Death Investigation Checklist

### 515.1 PURPOSE

The Patrol Bureau shall handle every death investigation as a potential homicide until it is determined to be otherwise.

### 515.2 PROCEDURE

A. Homicide Preliminary Investigative Responsibilities:

1. Preserve life
2. Arrest suspect
3. Protect scene

B. Handle every dead body call as a potential homicide until it is determined to be otherwise. Officers should proceed through the checklist below until the death is determined to be accidental, suicide, or a death due to natural causes (see first Note).

#### ACTIVITY

##### 1. INITIAL CALL

Record exact time R/C received and type of call broadcast.

##### 2. ARRIVAL AT SCENE

Record exact time of arrival

If ambulance crew is not present, determine if possibility of life exists.

If safety conditions allow, enter the immediate crime scene area to view victim (preferably one officer – use one path).

##### 3. ACTIVITY

If any possibility of life exists, apply appropriate rescue and first aid techniques and summon ambulance to scene.

Record any alterations to the crime scene that were necessary (e.g. lights, body moved – if entry into the crime scene is necessary to ascertain victim's condition).

Protect the crime scene. Cordon off all surrounding vulnerable areas.

Note: If accidental or suicide, refer to Section #10. If natural death, refer to Section #11.

If victim is removed from scene by ambulance crew, ensure that one officer accompanies victim to hospital. If death is imminent, attempt to elicit audio recorded dying declaration.

# Simi Valley Police Department

## PROCEDURES

### *Death Investigation Checklist*

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- If victim's clothing or personal property is removed at the hospital, the accompanying officer shall maintain control of property/clothing and book into evidence.
- Record names, addresses, DOB, and telephone numbers of all persons at the crime scene, remove them from immediate area and maintain control.
- If Fire Department or ambulance crew is present record names
- Determine if ambulance crew or any other person moved the body or any items within the crime scene. If any alterations were made, record:
  - What alteration(s) were made, photograph or video record scene as soon as practical.
  - When made and by whom.
  - Purpose for making alteration(s)
  - Responsible party
- Initiate and maintain a personnel log, recording names and I.D., number of personnel at scene, time arrived and departed.
- If R/P is present, obtain valid identification, record identity, and knowledge of crime.
- If suspect has just fled the crime scene prior to officer's arrival, initiate crime broadcast if information is available.
- Supplemental broadcast as necessary.

#### 4. PRELIMINARY INVESTIGATION

- Witness: Isolate, separate, do not permit contact with any suspect. Obtain valid I.D., complete F.I.
- Examine entire crime scene area (preferably one officer). Conduct visual examination only. Use one route; CAUTION: DO NOT STEP ON EVIDENCE.
- Do not touch area or surfaces where possibility of evidence exists. (If available, wear gloves.)
- Do not smoke inside crime scene areas.
- Do not flush toilets or run water in sinks/tubs.
- Record any alterations necessarily made at crime scene; (e.g. unlocking doors, opening windows, turning lights on, etc.) during your investigation.
- Depart from immediate crime scene using one route (preferably the same as entry).
- Secure and protect the crime scene pending the arrival of detectives.

Attention: Searches of an emergency nature to locate suspect(s) or additional victims can be made; however, crime scene searches for evidence shall be made by detectives

Simi Valley Police Department  
PROCEDURES

*Death Investigation Checklist*

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in full compliance with the provisions of the Mincey Decision, requiring either consent or a search warrant.

5. NOTIFICATIONS

- Make notifications by telephone, if possible (Do not use telephones located inside crime scene.)
- Record time of notification and person notified
- Contact W/C. Apprise of situation:
- Request a supervisor
- Provide a call-back telephone number where you can be contacted
- Contact detectives and be guided by their advice. (Where detectives are not on duty, request W/C to request detectives)

Note: If death is an apparent "CRIB DEATH", notify Detectives.

6. EXPANSION OF CRIME SCENE CONTROL

- The primary officer assigned the call shall ensure that no one enters the crime scene (includes other officers and news media).
- Make no statements to news media; refer to Detectives or Press Information Officer.
- Do not direct comments regarding incident to spectators, etc.

7. EXCEPTIONS: Doctors and Fire Department, ambulance crews will be permitted entry, if necessary, to protect life. Clergymen may be allowed to approach dying persons or dead bodies. Record names of persons allowed to enter.

Note: Persons allowed to enter crime scene shall be accompanied by an officer and cautioned regarding contamination or alteration of evidence.

- Determine scope of general crime scene; (e.g. outside terrain, garages, yards).
- Establish a perimeter, secure and protect general crime scene.
- Request additional units, if necessary, and assign to specific security locations.
- Request barrier tape, barricades, or other equipment necessary to protect scene and control spectators

8. ASSISTANCE TO DETECTIVES

- Standby for Detectives
- Continue to protect the crime scene until relieved by Detectives
- Assist Detectives as directed by them
- Submit personnel list to Detectives.

Simi Valley Police Department  
PROCEDURES

*Death Investigation Checklist*

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If so requested, submit report containing all information obtained by the officer during the preliminary investigation.

**9. SUSPECT IN CUSTODY**

Determine if suspect is armed. Search for weapons.

Note: If a weapon is recovered, record description and location recovered. Maintain custody of weapon and be guided by Detective's instruction regarding booking.

Do not attempt to unload weapons or change position of evidence; maintain control.

Handcuff suspect

If suspect is arrested outside of crime scene, do not return suspect to crime scene. If suspect is apprehended inside, immediately remove from the crime scene.

Note and preserve evidence found on suspect (e.g. blood, debris) and advise Detectives.

Do not permit suspect to wash hands or use toilet to avoid contamination of evidence on his person.

Do not permit any communication between suspect and other parties.

Do not initiate interrogation with suspect

Do not Mirandize, but carefully record all spontaneous statements.

Observe and record behavior of suspect (e.g., sweating, nervous, emotional, erratic actions, or lack of unusual behavior).

Transport to station if directed by Detectives or situation warrants.

**10. SUICIDE AND ACCIDENT**

If death appears to be suicidal or accidental, handle as summarized below:

Secure the immediate scene. Preserve all evidence (e.g., weapons, pills, ropes, vials, notes, etc.) in their original locations.

Request a supervisor at the scene.

Interview all persons present and all available witnesses.

If ambulance or Fire Department personnel were present, identify and document their activities.

Contact Detectives and discuss findings. If patrol officer, supervisor, and Detective concur on suicide, notify Medical Examiner's Office.

Photograph the scene; particular attention to body, injuries, any physical evidence and object, weapon, or condition that potentially caused death.

Disposition of body is pursuant to Medical Examiner.

# Simi Valley Police Department

## PROCEDURES

### *Death Investigation Checklist*

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If the death is the result of an industrial accident, the handling officer will notify Cal/ OSHA Division of Industrial Safety (805 654-4571) as soon as possible (Labor Code § 6409).

Any evidence will, at request of the Medical Examiner representative, be released to that representative at the scene, and the disposition of the

evidence noted in the reports. Other evidence will be booked at S.V.P.D.

Document the incident. Report to include:

1. Identity of R/P or how death was discovered.
2. Identity of all witnesses/ persons present.
3. Description and condition of scene, photograph scene and subject.
4. Officer's observations of body, evidence, manner of death, notes, physical evidence, etc.
5. Identity of ambulance, fire, and other officials present.
6. Identity of Coroner's representative present or contacted.
7. Disposition of body (location and by whom).

#### 11. NATURAL DEATHS

Determine history of illness and if doctor has been in attendance within ten days.

If doctor has been in attendance within ten days and is willing to sign death certificate, no further notification is necessary.

If doctor signs death certificate and responsible person is present at scene, no further police action (except report) is necessary.

If there is no doctor to sign death certificate (or doctor will not sign), notify Medical Examiner's Office for disposition directions.

If there is no responsible person to assume control of premises, notify the Medical Examiner's Office.

Document death, photograph scene and subject.

Report to include:

1. Identity of R/P or how death was discovered.
2. Medical history and opinion as to cause of death.
3. Identity of doctor signing death certificate, or who last saw victim.
4. Identity of person assuming control of premises.
5. Identity of Medical Examiner's representative.

Simi Valley Police Department  
PROCEDURES

*Death Investigation Checklist*

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Cross Reference: Police 329, Death Investigation and Policy 322.2.3, Report Preparation, Death Cases

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## Reports and Logs

### 516.1 PURPOSE

The Patrol Bureau will provide a log to record significant events or informational items in order to keep Administration and other specific personnel informed. The Watch Commander Log is also the established mechanism for recording the Equipment Inventory and documenting Temporary Holding Facility inspections. The Daily Watch Report is established to capture scheduling, Roll Call Training, special assignments and/or events.

### 516.2 PROCEDURE

A. The Watch II Watch Commander/Supervisor shall begin a new Watch Commander Log at the beginning of each shift (0600 hours).

1. Each Watch Commander/Supervisor shall, at the beginning of their shift, enter the appropriate information as required on a blank Watch Commander's Log form.
2. Daily Roll Call Training subjects and information is listed in a monthly file which will be maintained in the G:\Shared file. This log shall be maintained by the Patrol Bureau Training Coordinator.
  - a. Roll Call training for each Watch shall be the same each day. Additional training may be provided by the Watch Commander/Supervisor as deemed necessary.
  - b. The subject of the Roll Call Training that was actually presented will be entered on the Daily Watch Report.
3. Watch Inspections will be recorded on the Daily Watch Report in the following manner:
  - a. The type of inspection that was conducted will be recorded in the space provided.
  - b. The results of the inspection will be recorded in the space provided.
4. Each Watch Commander/Supervisor shall physically inspect the Temporary Holding Facility and the Facility Logs.
  - a. The times of the inspections, along with the numbers of prisoners in custody shall be noted on the Watch Commander's Log
  - b. Any irregularities discovered during the inspections shall also be noted on the Watch Commander's Log. When appropriate, the responsible member shall be contacted for corrections.
5. The Watch Commander/Supervisor on duty during Watch I hours shall conduct an equipment audit each day of the week. The results of the audit shall be recorded on the Watch Commander's Log.
6. The Watch Commander/Supervisor shall enter significant events in the Watch Commander's Log in the following manner:

# Simi Valley Police Department

## PROCEDURES

### *Reports and Logs*

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- a. The first portion of the entry will be the date of incident, type, location, GO#, and time of occurrence. A series of check boxes shall be completed, the Field Supervisor on scene should be noted and the identification of the supervisor completing the log entry. A summarized narrative of what occurred will follow, and when appropriate, the name, age and city of residence of those involved. Preliminary assessment of injuries, enforcement action taken, time of special notifications and identity of those contacted, community impact, damage assessment, handling officer or other information deemed necessary will be included, as appropriate. These entries shall be complete and accurate, and forwarded electronically as soon as practical.
7. Informational items may be listed in summarized narrative form. For example the reporting of malfunctioning equipment should include the time the deficiency was noted (i.e. THF cameras, building surveillance cameras., etc.).
8. Entries in the Watch Commander's Log shall not be altered without authorization from the supervisor who made the initial entry. Corrective messages may be entered as required.
9. The Watch Commander's Log shall be used to communicate necessary factual information. It should not be used for editorial comments or disparaging remarks.
10. The Watch Commander's Log does not replace other required notices, such as Briefing items, Nixle press releases, or directed memorandums.
11. The Watch Commander's Log will be maintained on the G:\Shared drive.

## Records Management BOLO System

### 517.1 PURPOSE

The Simi Valley Police Department will establish a procedure for the Patrol Bureau for the use and maintenance of the Records Management BOLO system. The purpose of the BOLO system is to provide official department information to oncoming Watches and other department personnel.

### 517.2 PROCEDURE

A. The BOLO system may contain any of the following:

1. Information concerning officer safety and "hot" crimes
2. Information concerning crimes and wanted suspects
3. Information regarding current arrest warrants
4. Information regarding stolen vehicles
5. Information regarding traffic enforcement and current traffic conditions
6. Informational memorandums
7. Requests for extra patrol
8. Training information
9. Information regarding persons on probation and/or house arrest within Simi Valley, and
10. Other information that may be relevant and/or of interest to Patrol personnel
11. POA information

B. Information placed in the BOLO system will be automatically archived after 10 days unless otherwise specified.

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## Documentation of Gang Activity

### 518.1 PURPOSE

The purpose of the Bureau Order is to develop a system for documentation of contacts with suspected or known, members or associates of street/motorcycle gangs.

### 518.2 PROCEDURE

A. Whenever a Patrol officer has a lawful purpose to contact an individual that is believed to be a member of any gang or associates with any gang, the officer must complete a "gang-related" street check.

1. In order to substantiate gang membership, the individual must meet one or more of the following criteria:

- a. An individual admits membership in a gang
- b. A reliable informant identifies an individual as a gang member
- c. An informant of previously untested reliability identifies an individual as a gang member and the information is corroborated by independent information
- d. An individual resides in or frequents a particular gang's area and affects their style of dress, use of hand signs, symbols, or tattoos, and associates with known gang members.
- e. An individual has been arrested several times in the company of identified gang members for offenses which are consistent with usual gang activity

B. All contacts with individuals meeting the criteria as gang members or associates may be documented with a street check. Documentation should include a specific reference to a "gang member", or "associate gang member" and the name of the gang.

1. When there are strong indications that an individual has a close relationship with a gang but does not fit the above criteria, they shall be identified as a "suspected gang" member.

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## Pursuit Documentation

### 519.1 PURPOSE

Whenever an officer of the Patrol Bureau is involved in a vehicular pursuit, documentation is required and this documentation will be completed prior to the end of watch.

### 519.2 PROCEDURE

A. The on-duty Watch Commander/Supervisor or designee is responsible for ensuring the proper completion of a department pursuit memorandum ( [See attachment: Pursuit Memo tab format.pdf](#) ) and the CHP 187 Pursuit Report Form ( [See attachment: CHP 187A PURSUIT REPORT FORM.pdf](#) ). These forms should be submitted in a timely manner whenever an officer of this Bureau is involved in a vehicular pursuit.

B. The memorandum is self-explanatory and shall be completed and submitted to the Deputy Chief at the earliest opportunity after the conclusion of the pursuit.

C. The memorandum is in addition to and shall not supplant any other documentation currently required under the policies of the department.

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## Daily Watch Report

### 520.1 PURPOSE

The purpose of the Daily Watch Report is to provide a roster of personnel on duty during a specific Watch and to serve as a Bureau timekeeping system. However, the Daily Watch Report (DWR) does not replace individual time keeping sheets.

### 520.2 PROCEDURE

#### A. Responsibility

1. The Patrol Bureau Commander or his/her designee shall prepare DWR's for each shift for the entire Deployment period.
  - a. The DWR's will be maintained in the G:\Shared\Operations\_Rosters folder on the department computer network
2. Any supervisor approving Annual Leave, or otherwise removing personnel from the DWR, shall note the absence as Section II, B. 1 and 2 of this Bureau Order.
3. The supervisor conducting Briefing shall open the file containing the DWR for their shift and update the DWR as necessary (i.e. noting the presence of ride-alongs, special equipment, updating beat assignments, etc.) and shall cause a copy to be printed in the Communications Center.
4. In the event of a network failure, the Watch Commander/Supervisor of the proceeding shift shall develop the DWR for the subsequent shift based upon the master schedule and Annual Leave requests on file. The Watch Commander/Supervisor shall also update the DWR within the Shared Directory as soon as the system is operational.

#### B. Shift Adjustments

##### 1. Notations

- a. List any personnel on special assignments who are not listed in another section of the form. Also list any change in an employee's work hours that vary from the normally scheduled hours. Any partial shifts shall be included in this section of the form.

##### 2. Absences

- a. Within the column entitled "Absences/Note/Special Assign (Initial/Date/Poster or NPR)" the supervisor making the adjustment(s) shall note if the posting of overtime was required (Posted) or not (NPR) along with the date and the supervisor's initials and ID#. The supervisor shall also indicate the reason for the absence (i.e. AL, sick, training, etc.)

##### 3. Retention

- a. The on-duty Watch II Commander/Supervisor shall save the file containing the previous days DWR's as a pdf file within the DWR's shared directory.

Simi Valley Police Department  
PROCEDURES

*Daily Watch Report*

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b. The DWR's will be purged by the Patrol Bureau Commander as required by the City's Records Retention Schedule.

## Use of Street Checks

### 521.1 PURPOSE

The field contact and investigation of persons acting in a suspicious manner contacted by members of the Patrol Bureau should be documented on a Street Check in the Versaterm system.

### 521.2 PROCEDURE

A. The effectiveness of any law enforcement agency is in direct proportion to the amount of information regarding the criminal community that is available. One wellproven effective tool in collecting that information is the Street Check.

B. Field officers shall complete a Street Check whenever they make contact or conduct a field investigation and circumstances reasonably indicate that the retention of such information may serve a legitimate law enforcement purpose.

C. The Watch Commander/Supervisor or Field Supervisor will review Street Checks for completeness and once satisfied that they are accurate and complete, send into the Transcription queue.

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## Canine Procedures

### 522.1 PURPOSE

The Simi Valley Police Department Canine Program is designed to utilize Police Dogs and Handlers specially trained in crime scenes, building searches, suspect apprehensions, narcotics detection, and explosive ordinance detection. It is designed to be a Patrol function, able to assist any officer when needed. Not only does this create greater officer safety, but it means a reduction in the number of man-hours used in building and area containment searches; a reduction in crime due to preventive, and highly visible patrol. These procedures are intended to comply with the provisions of California Civil Code § 3342.

The principle goals and objectives of the Program are:

1. To provide a higher level of police response to better serve the citizens of Simi Valley
2. To develop preventive patrols as a crime deterrent, especially in commercial areas
3. To increase officer safety in the apprehension of dangerous suspects involved in violent crimes
4. To promote community awareness and acceptance of the Canine Program as a viable and important crime prevention tool

### 522.2 PROCEDURE

#### A. Standards

1. The procedures set forth in this Bureau Order, combined with Policy 309- Canines, will govern the operation of the department's Canine Program. Additionally, the department will comply with the State Standards for K-9 Teams adopted by the Commission on Police Officer Standards and Training (POST).

#### B.. Operations

1. A Canine Team shall consist of a qualified Handler and a trained canine.
2. The Canine Program operates as a part of the Patrol Bureau, under the direction of the Deputy Chief.
3. Administrative responsibility of the Canine Program lies with the designated Patrol Bureau Commander acting as the Canine Program Manager and a Patrol Bureau Sergeant acting as the Canine Supervisor.
4. Operationally, Canine Teams are under the direct control of the on-duty Watch Commander/Supervisor.

#### C. Operating Policies

1. General

# Simi Valley Police Department

## PROCEDURES

### *Canine Procedures*

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- a. Canine officers patrol in specially equipped police vehicles designed for such duty. These vehicles are clearly designated as canine vehicles.

#### D. Canine Equipment

1. The Canine Handler will be responsible for all Canine equipment. A periodic equipment inspection will be made by the Supervisor coordinating the Canine Program to ensure proper condition of the equipment and to maintain a satisfactory inventory.
2. The Canine Handler will be responsible for the daily care and cleanliness of their animal. A periodic home inspection of the animal and the kennel that they are housed in will be made by the Supervisor coordinating the Canine Program to ensure proper care and condition of the animal.
3. Any miscellaneous equipment used by individual handlers will be approved by the Supervisor in charge of the program prior to use.

#### E. Canine Unit Vehicles

1. Canine vehicles are to be kept in good operating condition, interior clean and disinfected. All departmental regulations pertaining to the proper maintenance and use of a City vehicle shall apply.
2. With the prior approval of the Deputy Chief, the canine vehicle may be taken home by the Handler, but will be used only for department approved activities.
3. Whenever an assigned canine vehicle is unavailable for uniform patrol duty use, the affected canine officer shall use one of the designated alternate vehicles specified below:
  - a. The spare Canine Unit
  - b. Another vehicle from within the fleet as per the Canine Unit Manager. Whenever a vehicle other than the regularly assigned canine unit is used, it will be the responsibility of the canine handler to ensure the vehicle is cleaned prior to returning it to regular duty.
  - c. All non-standard equipment and any modifications to the canine vehicles must be approved in advance by the Chief of Police.
  - d. Modifications of the appearance of canine vehicles (i.e., decals, etc.) must be approved in advance by the Chief of Police.

#### F. Alternate Uniforms

1. Tactical Vest - A tactical vest, black in color bearing the word "Police" on the back. The word "Police", a cloth badge, and the officer's first initial and last name will be visible on the front of the vest. A collared uniformed shirt with visible shoulder patches and police badge over the left chest. The shoulder patches and police badge may be silk screened or sewn on.
2. K-9 T-Shirt - Department authorized K-9 t-shirts may be worn to and from training events and during call-outs from training. T-shirts are not permitted to be worn for scheduled work shifts or public demonstrations.

# Simi Valley Police Department

## PROCEDURES

### *Canine Procedures*

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#### G. Retirement Policy for Police Canines

1. The following guidelines will be used for retiring police canines:

- a. Police canines will be retired as recommended by the handler, the Canine Program Manager/Supervisor, and the department veterinarian.
- b. When it is determined that a canine must be retired, the canine will be offered for sale to the handler for a one-time cost of \$1.00. If the handler does not wish to purchase the canine, the canine will be destroyed at City expense. Retired canines cannot be purchased by anyone other than the handler.
- c. At the time of purchase, the handler assumes full responsibility and liability for the canine. As a retirement benefit, the City will pay the handler \$500 per year for maintenance of the canine. This money will be allocated for all food and veterinary costs. The \$500 payment will be made on July 1 of each year, beginning July 1, 1992. The amount of payment will be prorated based upon the canine's actual retirement date and/or date of death. The retirement benefit for the canine will be terminated if the handler leaves the employment of the City or when the canine dies.
- d. When the canine retires, a plaque will be made for the canine, which will include a picture and dates of service. This plaque will be displayed in a prominent place within the department.
- e. When the canine dies, it will be the handler's responsibility to determine the final disposition of the canine. The handler will notify the Canine Program Manager/Supervisor and the Deputy Chief.

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## Bicycle Patrol Unit

### 523.1 PURPOSE

The Bicycle Patrol Unit is designed to augment the traditional levels of police services dedicated to the citizens of Simi Valley. The Unit is designed to be flexible to the needs of the department and community and will be able to provide pro-active police patrols in higher crime areas and in locations which are less accessible to traditional patrols.

### 523.2 PROCEDURE

A. The Bicycle Patrol Unit is comprised of up to 20 Officers/Senior Officers/Detectives from throughout the department.

B. Only officers meeting training and certification requirements set by the department will be eligible for Bicycle Patrol assignments.

1. Each officer shall pass a department provided Bicycle Patrol certification course prior to deployment.
2. Each officer shall attend and complete an annual Bicycle Patrol Update provided by the department.
3. Each officer shall qualify every 6 months with their primary duty weapon, while wearing their Bicycle Patrol gloves.

C. Safety Equipment

1. Body Armor
2. ANSI or SNELL Approved Helmet
3. Eye Protection
4. Bicycle Gloves

D. Bicycle Patrol officers will document their daily activity on a Bicycle Patrol Log. The Logs will be submitted at the end of the shift.

E. The Bicycle Patrol Sergeant will maintain a file on each bike and schedule and track bicycle maintenance.

F. Bicycle Patrol officer's primary assignment shall have priority over bicycle patrol, which is an ancillary assignment.

G. Bicycle Patrol officers will maintain a high degree of physical fitness and bicycling proficiency.

H. The intent of the department is to deploy the bicycles on a regular basis with an emphasis placed on the Spring and Summer months.

I. Bicycle Patrol officers will deploy in groups of no less than two (2) officers..

# Simi Valley Police Department

## PROCEDURES

### *Bicycle Patrol Unit*

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J. Bicycle Patrol officers will only wear the standard approved bicycle uniform, unless otherwise directed.

K. Locations of bicycle deployment and circumstances under which they will be deployed will be dependent upon needs of the department.

L. Bicycle Patrol officers should be flexible and willing to work a variety of shifts on short notice.

#### M. Approved Uniform and Equipment

1. Helmet - White Bicycle Helmet, ANSI or ANSI Approved
2. Helmet Cover - Black & White with "POLICE" printed on each side
3. Eye Protection - Conservative Design
4. Jacket - Black "Supplex" Material, "POLICE" on back in 3" Silver Letters, SVPD Shoulder Patches, SVPD Soft Badge, "POLICE" On Upper Right Chest in 1" Letters, First Initial & Last Name Underneath "POLICE"
5. Shirt - Black or White Polo Shirt with Insignia as described above
6. Shorts - Black Nylon "Supplex" Material with Belt Loops, "Mocean" or "Pro-Tuff" style design
7. Pants - Black Nylon "Supplex" Material with Belt Loops, "Mocean" or "Pro-Tuff" style design
8. Gloves - Black, Full or Partial Finger
9. Socks - Black 1/4 Athletic Socks with Shorts, Black Socks with Pants
10. Shoes - Black, Athletic Type with Black Laces

#### N. Issued Equipment

1. Helmet
2. Helmet Cover
3. Black Shirt
4. Web Gear
  - a. Duty Belt
  - b. Trouser Belt
  - c. Keepers
  - d. Holster
  - e. Magazine Holder
  - f. Handcuff Case
  - g. ASP

# Simi Valley Police Department

## PROCEDURES

### *Bicycle Patrol Unit*

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- h. ASP Holder
- i. OC Holder
- j. Flashlight Holder
- k. Radio Holder
- l. Key Holder

#### O. Department Equipment

- 1. Police Bicycle
- 2. All Web Gear
- 3. Helmet
- 4. Helmet Cover

#### Q. Officer Equipment (After Issuance)

- 1. Black Polo Shirt
- 2. Black Shorts
- 3. Shoes

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## Detective Call-Out Criteria

### 524.1 PURPOSE

To further investigate allegations of sexual assault or sex crimes, the Patrol Bureau shall establish guidelines for notification of the Detective Bureau.

### 524.2 PROCEDURE

A. Prior to contacting the on-call Detective Bureau Supervisor after hours, at the minimum the following factors should be considered:

1. Victim Vulnerability - Is the victim going to suffer further abuse if this case is not investigated immediately?
2. Suspect in Custody - If a suspect is in custody it will elevate the need for a full-scale investigation including a forensic interview because the suspect might be willing to provide a statement and/or confession. A suspect's admission or a confession might be the only evidence in a crime of intimacy.
3. Public Safety/Severity of Crime - A high priority should be placed on the protection of life and property or our citizens (i.e., serial rapist, etc.).
4. Evidence Preservation - In cases of sexual assault, the primary crime scene is usually the victim's body and this can be preserved through the administration of a medical legal examination. In most cases this exam can be coordinated by Patrol Bureau personnel. A forensic interview with a detective can occur later.
5. Victim Fatigue - Should be a major consideration when contemplating an after hours call out. In cases involving young victims or intoxicated victims, a forensic interview might not be appropriate until the victim is rested or sober.

B. In order to provide the Detective Bureau Supervisor with the most accurate recounting of the details of an alleged sex crime, the Watch Commander/Supervisor should facilitate direct communication between the handling officer and the Detective Bureau Supervisor.

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## Newly Promoted Sergeant Training

### 525.1 PURPOSE

The Simi Valley Police Department has established standards for training of a newly promoted Police Sergeant and guidelines for the initial career development of this employee in the role of a Police Sergeant.

### 525.2 PROCEDURE

#### A. Commission on Police Officer Standards (POST) and Training Course:

1. As soon as possible after determining that an employee will be promoted to Sergeant, the Deputy Chief shall cause that employee to attend an authorized POST Supervisory Training Course. Attendance prior to promotion is desirable.
2. Absent extraordinary circumstances, the newly promoted Sergeant shall attend this course no later than six months after promotion.
3. Successful completion of this course is required during the probationary period.

#### B. Field Supervision Training

1. During the probationary period, the newly promoted Sergeant will be assigned to each of the three Patrol Watches. The following sequence is preferred:
  - a. Watch I (more time for individual calls and training, exposure to critical incidents)
  - b. Watch III (high-volume activity, variety of types of calls)
  - c. Watch II (exposure to more administrative tasks, familiarization with Watch Supervisor/Commander function)
2. Immediately upon promotion, the Sergeant will rotate through each of the three Patrol Watches, spending one week in each. During the fourth week, the Sergeant will be assigned one day each with the Traffic Bureau, Public Relations Bureau, Professional Standards Bureau, Auxiliary Services Bureau, the Special Operations Unit, and the Court Officer. During this period, the Sergeant will be assigned to the Commander and will be in an observation/training role.
3. During this four-week rotation, the newly promoted Sergeant shall not be assigned to fill any vacant supervisory position. Depending on the newly promoted Sergeants' experience, adjustments may be made in this training schedule.
4. During the first four-month period the newly promoted Sergeant will, in addition to becoming familiar with the programs, objectives and problems specific to each Watch or Unit, receive training in areas described in the Field Supervisors Training Guide.

#### C. Watch Supervisor Training

# Simi Valley Police Department

## PROCEDURES

### *Newly Promoted Sergeant Training*

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1. During the final four-months of the newly promoted Sergeants' probationary period, while assigned to Watch II, training in the Watch Supervisor function will be provided.

- a. The training will be conducted by a Patrol Bureau Commander.
- b. This training will cover areas described in the Watch Supervisor's Training Guide.

#### D. Post Probationary Training

1. During the year immediately following successful completion of their probationary period, the newly promoted Sergeant will attend:

- a. POST approved Officer Involved Shooting Investigation for Supervisors
- b. POST approved Internal Affairs Investigation Course
- c. POST approved Incident Command Course
- d. Use of Force Investigation Course
- e. As soon as practical, Supervisory Leadership Training (SLI)

#### E. Field Supervisor Training Guide

1. The Field Supervisor Training Guide describes information that must be known and tasks that must be performed by a successful Field Supervisor. The Guide includes both information established on a statewide basis by POST and information developed specifically for the Simi Valley Police Department.

2. The Patrol Bureau Commander(s) is responsible for presenting the training described in the Training Guide and for certifying that the training was provided and acknowledged to be understood by the Sergeant. Both the Commander and the trainee Sergeant shall certify each step of the training as described in the Training Guide.

3. The Field Supervisor Training Guide is attached in a format applicable for field use [See attachment: Field Supervisor Training Guide.pdf](#).

#### F. Watch Supervisor Training Guide

1. The Watch Supervisor Training Guide describes information that must be known and tasks that must be performed by a successful Watch Supervisor.

- a. The Watch Supervisor is the senior supervisor on duty during the Watch, in the absence of a Commander working that Watch.
- b. The Watch Supervisor is normally the senior police official on duty and is responsible for the operation of the department during their shift.

2. Watch Supervisor training is formally conducted during the final four-month portion of the newly promoted Sergeants' probationary period. A Patrol Bureau Commander will be assigned to present this training. By virtue of the job itself, many of these training areas

# Simi Valley Police Department

## PROCEDURES

### *Newly Promoted Sergeant Training*

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may have been covered to some degree earlier, but the Patrol Bureau Commander has final responsibility for review and certification during this period.

3. The Watch Supervisor Training Guide is attached in a format applicable for training use  
[See attachment: Field Supervisor Training Guide.pdf](#) .

#### G. Documentation

1. Upon completion and certification of both the Field Supervisor and Watch Supervisor Training Guide. A Certificate of Completion will be retained in the Sergeant's personnel file

## Newly Promoted Commander Training

### 526.1 PURPOSE

The Simi Valley Police Department has established standards for the newly promoted Police Commander and guidelines for initial career development of this employee in the role of Police Commander.

### 526.2 PROCEDURE

#### A. Commission on Police Officer Standards and Training (POST) Management Training Course

1. During the first year after determining that an employee will be promoted to Police Commander, The Deputy Chief shall schedule that employee to attend a POST Management Training Course.

#### B. Commander Training Guide

1. Immediately upon promotion, the Commander will become familiar with the programs, objectives and unique aspects of the various Patrol and specified Bureaus.
2. The Commander's Training Guide includes information that is essential to becoming a successful Police Commander [See attachment: Commander Training Guide.pdf](#) .
3. The new Commander is responsible for completing the prescribed training prior to the end of the probationary period. This training will be coordinated by the Patrol Bureau Commander. Both the trainee Commander and the applicable trainer (specific Patrol Bureau Commander or Bureau Supervisor) shall certify each step of training as described in the Commander Training Guide.

#### C. Documentation

1. Upon completion and certification of the Commander Training Guide. A Certificate of Completion will be retained in the Commander's personnel file

## Technical Services Team

### 527.1 PURPOSE

The Department recognizes that certain specialized pieces of electronic equipment may be required to facilitate investigations. In order to make this equipment available, with adequate technical support, a team of members shall be selected and trained in its use. This specialized equipment and the knowledge and support provided by this team of members will be available to any Bureau in the Department with a legitimate need.

### 527.2 PROCEDURE

Any department member may request the assistance of the Technical Services Team for any legitimate law enforcement purpose that furthers the mission of the Department.

- (a) All requests for Technical Services Team involvement should be made using the attached form [See attachment: TST Service Request Form.pdf](#).
- (b) Requests may be made through the Team Commander who will determine if the request is within the scope of the Team's abilities and resources. The Team Commander will prioritize and allocate the necessary resources.
- (c) Any surveillance in or around a City employee will require prior approval from the Chief of Police or his designee.

### 527.3 PERSONNEL

The Technical Services Team will be supervised by a Sergeant and managed by a Commander. The Team will consist of as many other department members as deemed necessary by the Team Commander in consultation with the Deputy Chief.

Team Members will be selected by oral interviews conducted by the Team's Commander and Sergeant.

Assignment to the Technical Services Team will be considered an ancillary assignment.

### 527.4 DUTIES

Duties of Technical Services Team members shall include:

- (a) Installation and maintenance of scout alarms
- (b) Installation and maintenance of specialized surveillance cameras, transmitters, and associated equipment
- (c) Programming of Motorola portable and mobile receivers
  - 1. The Team will also maintain a supply of portable radio accessories to issue to field personnel after hours
- (d) Other related duties as assigned

## **Chapter 6 - Professional Standards Bureau**

## Professional Standards Bureau

### 600.1 PURPOSE

A. The Professional Standards Bureau is the component of the department that ensures the continued high standards of the agency are met through effective recruiting, stringent hiring, continued professional in-service training, and thorough internal investigative processes.

B. In order to effectively carry out its tasks the Professional Standards Bureau has formulated Bureau Orders to establish operational procedures and guidelines which are to be used in conjunction with the policy manuals published by the Simi Valley Police Department and the City of Simi Valley.

### 600.2 BUREAU STAFFING AND RESPONSIBILITIES

A. The Professional Standards Bureau is comprised of the following positions:

1. Commander
2. Sergeant
3. Background Investigator (2)
4. Training Coordinator
5. Administrative Assistant

B. The Professional Standards Bureau areas of responsibility include:

1. Recruitment
2. Background Investigations
3. In-Service Training
4. Firearms Training and Range
5. Department Travel
6. Pitchess Motion Responses
7. City Claims Investigations
8. Internal Affairs

#### 600.2.1 JOB DESCRIPTIONS

A. Commander - Under the direction of the Deputy Chief, commands the Professional Standards Bureau and performs duties as required.

B. Sergeant - Under the direction of the Professional Standards Bureau Commander, supervises the components of the Professional Standards Bureau and performs related duties as required.

C. Background Investigators - Under the direction of the Professional Standards Bureau Sergeant, participates in applicant screening, conducts pre-employment background investigations, and

# Simi Valley Police Department

## PROCEDURES

### *Professional Standards Bureau*

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recommends applicants for hiring. The investigators also participate in recruitment events, serve as the department academy liaison, and work cooperatively with personnel during the pre and post-application screening process.

D. Training Coordinator - Under the direction of the Professional Standards Sergeant, coordinates department training programs (POST and Non-POST) and conference participation, schedules department travel and maintains specific department training records. The Training Coordinator also acts as a liaison with the Commission on Police Officer Standards and Training (POST).

E. Administrative Assistant - Under the direction of the Professional Standards Sergeant, performs clerical duties in support of the Background Investigators, maintains PSB budget spreadsheets, creates and tracks purchase orders, interacts with vendors and other duties as assigned.

## Pitchess Motions

### 601.1 PURPOSE

A. The department will comply with the Pretrial Discovery Motion process as described in Evidence Code § 1043 (Pitchess) and aggressively oppose defective or overly broad requests, or those requests identifying officers not properly subject to the specific action.

B. Penal Code § 832 includes definitions and confidentiality requirements of peace officer personnel records. The procedures described herein and in Policy 1012, Personnel Records, apply to all requests for peace officer personnel records, regardless of the nature of the litigation involved (criminal, civil, worker's compensation, etc.)

### 601.2 PROCEDURE

A. Upon receipt of a Pitchess Motion accepted for service by any other department member, the document shall be forwarded to the Professional Standards Bureau Commander or designee. The document shall be reviewed for accuracy:

1. Timeliness of service (Code of Civil Procedures § 1005):

- a. One (1) calendar days if delivered by hand to the department
- b. Six (6) calendar days if mailed from within California
- c. One (1) calendar days if mailed within the United States
- d. One (1) days if mailed from outside the United States

2. Sufficiency of the Motion:

- a. If the motion alleges excessive force, a copy of the police reports must be attached to the motion (Evidence Code § 1046)
- b. The motion must clearly identify the proceeding (i.e., the name and court case number) (Evidence Code § 1043(b)(1))
- c. The motion must identify the person who is requesting the discover (Evidence Code § 1043(b)(1))
- d. The motion must specifically identify the police officer(s) whose records are sought (Evidence Code § 1043(b)(1))
- e. The motion must identify the name of the agency which has custody and control of the records (Evidence Code 1043(b)(3))
- f. The motion must state when and where the matter will be heard (Evidence Code § 1043(b)(1))
- g. The motion must contain a description of the type of records or information sought (Evidence Code § 1043(b)(1))

# Simi Valley Police Department

## PROCEDURES

### *Pitchess Motions*

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#### B. Supporting Affidavit or Declaration of Good Cause

1. The affidavit must demonstrate good cause for discovery
2. The affidavit must show materiality
3. The affidavit must show that the material requested is not readily available or obtainable by other means
4. The affidavit must set forth a specific factual scenario establishing a plausible, factual basis from which the court can reasonably conclude the complaint of misconduct occurred

#### C. Processing a Pitchess Motion:

1. The Professional Standards Bureau Commander or designee shall cause a "Notice of Pretrial Discovery Motion" to be completed and distributed to each member whose records are being sought (G:\SHARED\AuxSvcs\Pitchess\_Motions) [See attachment: Pitchess Motion attachment A.pdf](#) .
2. A copy of the Pitchess Motion and the Notification of Pretrial Discovery Motion form(s) shall be sent to the Deputy Chief.
3. The original Pitchess Motion and copies of the Notification of Pretrial Discover Motion forms(s) shall be sent to the City Attorney's Office.
4. If the initial review of the Pitchess Motion reveals that it is invalid or defective, the Professional Standards Bureau Commander or designee shall contact the City Attorney's Office as soon as possible:
  - a. Describe the areas of deficiency to the City Attorney or designee
  - b. Seek and follow the advice of the City Attorney or designee regarding further processing of the motion.

#### D. Collecting Material Information:

1. The motion must be carefully reviewed to determine precisely what material is relevant. All sources of information available to the department must be reviewed to prepare for the hearing.
2. Only those records material to the motion shall be brought to the hearing.
3. The Simi Valley Police Department does not maintain personnel records on members no longer employed by the City. Requests for these records should be referred to the City Attorney's Office.
4. The Professional Standards Bureau Commander or designee shall, upon collecting the requested information, sign out for the files and/or documents collected using the current procedures of the Office of the Chief of Police. Thereafter, these files and/or documents shall remain in the personal custody of this individual.

#### E. Appearing in Court:

Simi Valley Police Department  
PROCEDURES

*Pitchess Motions*

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1. The City Attorney or designee shall appear at the scheduled court hearing and represent the Custodian of Records and the Police Department.
2. The City Attorney or designee shall present arguments, written or oral, if opposition to the motion or a portion thereof, is appropriate.
3. The City Attorney or designee shall assert the privileges involved in discovery of a peace officer's personnel records and request an in-camera hearing.
4. The City Attorney or designee may be present with the Custodian of Records during the in-camera hearing.
5. Ultimately, the Custodian of Records is responsible for protecting the confidentiality rights of the police officer(s) whose records are sought. This individual shall, in the absence of representation by the City Attorney's Office:
  - a. Assert the privilege of confidentiality and request an in-camera hearing.
  - b. Inform the Court that the Police Department desires neither the District Attorney nor the defense counsel be present during the in-camera hearing.
  - c. Advise the Court to issue a written protective order that any information disclosed to defense counsel be held confidential and not be disclosed to any other person:
    - 1) Normally the limits on information that the Court can disclose are as follows:
      - a) Names, addresses and telephone numbers of previous complainants
      - b) The fact as to whether or not discipline was imposed as a result of a prior complaint
      - c) Records of complaints concerning conduct that occurred more than five (5) years prior to the incident underlying the present litigation are excluded.
      - d) The advice of the City Attorney or designee should be sought immediately in cases in which requested disclosure exceeds these guidelines.
      - e) The process of disclosure involves the Court reviewing the file(s), making notes, and then informing defense counsel of the discoverable information, Defense counsel is **not** entitled to examine the files.
      - f) At the conclusion of the in-camera hearing the Custodian of Records will provide a blank copy of a court order to the judge for his use (G:\SHARED \AuxSvcs\Pitchess\_Motions) [See attachment: Pitchess Motion attachment B.pdf](#) . Once completed by the Judge a copy of the court order will be returned to the department for the inclusion in the appropriate file(s) and a copy provided to the defense counsel.

F. Following the Court Appearance:

# Simi Valley Police Department

## PROCEDURES

### *Pitchess Motions*

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1. Following the court appearance, the Professional Standards Bureau Commander or designee shall:

a. As soon as possible notify the affected officer(s) of the outcome of the proceeding using the "Disposition of Pretrial Discovery Motion" (G\SHARED\AuxSvcs\Pitchess\_Motions) [See attachment: Pitchess Motion attachment C.pdf](#) .

b. Cause copies of the Notification of Pretrial Discovery Motion and Disposition of Pretrial Discovery Motion forms to be included in the affected officer(s) Personnel File.

c. Cause copies of the Disposition of Pretrial Discovery Motion form(s) to be routed to the Deputy Chief.

d. Cause a copy of the entire file (i.e., Pitchess Motion, Notification of Pretrial Discovery Motion, Disposition of Pretrial Discovery Motion, and other relevant documents) to be retained by the Professional Standards Bureau in a file specified for that purpose.

## In-Service Training

### 602.1 PURPOSE

A. In order to maintain the highest standard of service to the community the department administers and coordinates a comprehensive In-Service Training Program for all members of the agency. This training shall encompass the following:

1. Training Bulletins
2. POST Training
3. Other Training Topics

### 602.2 PROCEDURE

#### A. Training Bulletins

1. Training Bulletins shall be researched, prepared and published by the Professional Standards Bureau
2. The information in the Training Bulletins shall be topical, current and targeted to fulfill a specific training need
3. The Master Training Bulletin File will be maintained in the G:\SHARED\AuxSvcs\Training\_Bulletin file sorted by year issued
4. Training Bulletins shall be distributed to all members electronically and posted on the department Intranet
5. A Training Bulletin must be published yearly outlining important new laws, legislative changes, and case law rulings that will take effect each calendar year and do so as close to the beginning of the year as possible

#### B. Commission on Police Officer Standards and Training (POST Training)

1. All sworn and dispatch personnel must complete a minimum of twenty-four (24) hours of Commission on Police Officer Standards and Training (POST) certified training every two (2) years.
  - a. The Training Coordinator is responsible for maintaining all training records and ensuring that those members in need of POST training hours are scheduled for the appropriate training

#### C. Other Training Topics

1. It is the responsibility of individual Bureau management to review the appropriate training requirements of specific members of those areas as required by their assignments. Once job specific training is approved the Training Coordinator will schedule the requested training and notify the affected member(s) and their supervisors of the details of the training and travel.

# Simi Valley Police Department

## PROCEDURES

### *In-Service Training*

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2. The Professional Standards Bureau will develop in-house training classes on topics of immediate interest and if appropriate seek POST certification.

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## Recruitment, Hiring and Separation

### 603.1 PURPOSE

The Professional Standards Bureau (PSB) is tasked with ensuring procedures are in place for the recruitment, background investigation, and hiring of the most qualified candidates to fill department vacancies, as well as managing the transition of members separating from employment. The Professional Standards Bureau is charged with the development and implementation of these procedures and coordinating with the City Human Resources as appropriate. [See attachment: Recruitment\\_and\\_Selection.pdf](#)

### 603.2 PROCEDURE

#### A. Recruitment:

1. A Recruitment Team may be established by the PSB, staffed by department members serving in an ancillary capacity. The Recruitment Team will:
  - a. Attend job fairs in the Southern California area
  - b. One or two members shall attend each job fair
  - c. Make presentations at law enforcement academies
  - d. Members must be neatly dressed and in uniform if appropriate
  - e. Utilize a clean marked unit
  - f. Take recruitment materials and applications, as well as any props for display that are appropriate

#### B. Application Screening:

1. The application process for sworn vacancies will remain open continuously, while the process for all other positions will open at the request of a Background Investigator to Human Resources. All applications for sworn positions shall be screened in conjunction with Human Resources, Background Investigator(s), and the PSB Commander to determine if the candidates meet the minimum Commission on Peace Officer Standards and Training (POST) and/or City requirements. All applications for civilian positions shall be screened by Human Resources, Background Investigator(s), and Bureau Manager requesting the recruitment.
2. When the initial screening procedure has been completed, the Background Investigator(s) shall obtain the eligibility list for the following classifications:
  - a. All civilian positions that are assigned to the Police Department
  - b. All sworn officer positions, which will include:
    - 1) Lateral Entry Officers - Applicants who possess at minimum a Basic POST Certificate, by having satisfactorily completed a probationary period with another

# Simi Valley Police Department

## PROCEDURES

### *Recruitment, Hiring and Separation*

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law enforcement agency and are currently employed with a Law Enforcement agency

2) Academy Complete - Applicants who have completed a Basic POST certified Law Enforcement Academy and have not been hired by a law enforcement agency, or have not completed a probationary period.

3) Academy Enrolled - Applicants who are currently enrolled in a Basic POST certified Law Enforcement Academy.

4) Officer Trainee - Applicants who have not enrolled in a Basic POST certified Law Enforcement Academy.

c, Background Investigator(s) shall obtain the approval of the Bureau Commander or Sergeant prior to starting the pre-employment process on an applicant.

#### C. Background Investigation:

1. The extent of the background investigation for each position shall be in agreement with the requirements of the Simi Valley Police Department (civilian applicants) or described in the California POST Background Investigations Manual for sworn members and dispatchers. [See attachment: Background Investigations of Peace Officers and Public Safety Dispatchers.pdf](#)

2. Depending upon requirements of the position the background investigation may include any or all of the following:

- a. Completed Personal History
- b. Writing Exercise
- c. Polygraph Examination
- d. Thorough Background Investigation
- e. Physical, Stress Treadmill, and Drug Screen
- f. Psychological Evaluation
- g. Chief's Interview

#### D. Disqualification of Applicant:

1. If a problem or discrepancy arises during an investigation, or in the Background Investigator's opinion, the applicant fails to meet one of the job dimensions set forth in the POST Background Manual, the Background Investigator shall:

- a. Discuss the discrepancies with the PSB Sergeant
- b. Direct a Disqualification Memorandum to the PSB Commander discussing the areas in question and the investigator's opinion

Simi Valley Police Department  
PROCEDURES

*Recruitment, Hiring and Separation*

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c. The final decision to disqualify an applicant rests with the PSB Commander, who must signify concurrence by signing the memorandum

E. Academy Liaison:

1. The Background Investigator(s) shall serve as the Academy Liaison Officer. This member's responsibilities include:

- a. Maintain frequent contact with the trainee and academy staff
- b. Assure the trainee has all necessary equipment and forms
- c. Coordinate time and location of graduation with the Chief's office
- d. Notify the Field Training Program Commander of the date the trainee will enter the FTO Program

**603.3 SEPARATION OF MEMBER**

A. The Background Investigator(s) shall ensure that all employees who are separating from employment with the Police Department:

1. Turn in all identification cards and/or badges
2. Retain badges and forward identification cards to the Office of Chief
3. Return all required uniforms and equipment depending on the length of service

**603.4 MONTHLY RECRUITMENT REPORT**

A monthly Recruitment Report shall be submitted to the Bureau Manager prior to the end of each month.

**603.5 POST AUDIT PROCEDURE**

- A. Once each year the Region 8 POST Coordinator shall audit a number of background files
- B. The purpose of the audit is to certify the completeness and thoroughness of each investigation
- C. Ensure each background is complete and contains all necessary documents

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## Purchase of Department Issued Handgun

### 604.1 PURPOSE

The department provides a process by which sworn department members may purchase their department issued handgun after being honorably retired.

### 604.2 PROCEDURE

A. The purchase of a department issued handgun shall be restricted to sworn department members who have honorably retired.

1. All purchases of department handguns must be approved by the Chief of Police
2. The purchase of a department issued handgun is considered a privilege and Chief of Police retains the right to approve or deny any such request
3. The decision of the Chief of Police shall be final

B. Retiring sworn members who desire to purchase their department issued handgun must notify the Professional Standards Bureau via an email request. Additional weapons issued to the member because of special assignments are not considered duty weapons and will be retained by the department for re-assignment.

1. The request to purchase email must contain the make, model and serial number of the weapon
2. The member must include their address and phone number

C. Upon receipt of the email the PSB will generate a bill of sale which will include the following:

1. Name, address, and phone number of the purchasing employee
2. The make, model, and serial number of the weapon
3. The price of weapon being charged, consistent with current POA and PMA contracts
4. The bill of sale shall be forwarded to the Chief of Police for approval
5. The approved bill of sale shall be returned to the PBS, scanned and retained
6. The PSB Sergeant shall inspect the weapon and serial number and collect the funds
7. The PSB Sergeant shall generate and email to the Records Bureau Manager requesting transfer of ownership
8. The PSB Sergeant shall forward the bill of sale to the Records Bureau Manager
9. A transfer of ownership receipt from AFS shall be scanned and attached to the scanned bill of sale
10. The PSB Sergeant shall update the Records Management System (Versadex) to reflect the transfer of ownership from the department to the retiring employee

# Simi Valley Police Department

## PROCEDURES

### *Purchase of Department Issued Handgun*

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D. Payment for the handgun shall be made by check to the City of Simi Valley or cash. If for any reason the transfer of ownership does not occur, the payment shall be returned and handgun retained by the department.

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## Firearms Training Facility

### 605.1 PURPOSE

The Simi Valley Police Department is committed to conducting all firearms training in such a manner as to practice and promote safety among instructors and students through knowledge, skills, and positive attitude at the Firearms Training Facility.

### 605.2 PROCEDURE

A. The Rangemaster shall set the operational rules for the Facility and these rules are subject to amendment as the need arises. The Senior Firearms Instructor present at the Facility shall have authority in the absence of the Rangemaster or Chief of Police to control safety onsite. Members of the department are subject to discipline for violations of safety procedures.

#### B. General Rules:

1. All users of the Facility shall abide by the following Firearms Safety Rules:
  - a. Treat all firearms as if they are always loaded.
  - b. Never allow the muzzle to cover anything you are not willing to destroy.
  - c. Keep you finger off the trigger until your sights are aligned on the target and decide to shoot.
  - d. Be sure of your target and what is beyond it.
2. Range commands shall be clear and concise. Commands shall consist of terms such as "Make Ready for Live Fire" (load); "Unload"; "Fire"; "Threat"; "Cease Fire" or other clear directions by Range Training Staff. A whistle may be used as well.
3. A "safe" range assumes all shooting takes place in the direction of designated targets. No person shall fire at anything that is not contained within the manufactured backstop.
4. The Facility is to be used for law enforcement training. No live fire shall commence prior to 0800 hours, nor after 2200 hours.
5. No alcohol may be present at the Facility.
6. The Facility may not be used unless proper staff is present and training is scheduled.
7. All users of the Facility shall comply with commands or directives from the Firearms Training Staff.
8. Ground level targets shall not be used.
9. Handling of firearms shall not take place when anyone is downrange, unless within the designated safe handling area.
10. The Facility shall have a fenced perimeter with warning signs to prevent unauthorized entry.

# Simi Valley Police Department

## PROCEDURES

### *Firearms Training Facility*

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11. Safe areas have been designated to accommodate persons who are not directly involved in shooting, including areas for cleaning, loading and unloading of ammunition.
12. Lighting shall be provided when using the Facility at night.
13. First aid kits shall be readily available on the Facility and shall be equipped so as to control bleeding and emergency treatment of gunshot wounds.
14. All members using the Facility shall wear eye and ear protection while in the proximity of anyone shooting. Body armor or ballistic helmets are optional, but may be required by Range Training Staff as determined by the training need.
15. Firearms instructors shall be trained by Commission on Peace Officer Training and Standards (POST) or National Rifle Association (NRA) certified entities, or have one such person with that training present during operations.
16. Only department approved ammunition may be used at the Facility (refer to Policy 300, Firearms). No tracer ammunition or incendiary devices may be used on the Facility.

## **Chapter 8 - Records Bureau**

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## Organizational Structure

### 800.1 PURPOSE

A. It is the task of the Records Bureau is to safeguard the security and integrity of all documents generated by the Simi Valley Police Department. This Records Bureau will support the department and its personnel by completing the following tasks"

- (a) Transcription (includes all CLETS "push" required")
- (b) Process all MRE reports.
- (c) Check in all reports
- (d) Resolve all problem reports
- (e) Process all reports to various in-house recipients and external recipients
- (f) Scan all documents into an electronic record keeping system.
- (g) File all documents
- (h) Use of the California Law Enforcement Telecommunications System (CLETS) for all queries and entries of all lost, stolen, found and pawned items, including entry of stolen securities, entry of restraining orders and all missing persons.
- (i) Access the Criminal History System for arrest history in conjunction with all arrests and Ride Along processing
- (j) Prepare all packaging of arrests for presentation to District Attorney
- (k) Prepare all packaging of arrests for municipal code violations for presentation to the City Attorney's Office
- (l) Prepare all packaging of certain citation arrests for presentation to Juvenile Probation
- (m) Prepare all citations including needed amendments and CLETS work for transmittal to court
- (n) Retrieve all in house Live Scan responses for applicants, both licensures and potential employees via the Department of Justice Secure Mail Server
- (o) Respond to all mail requests for Public Records
- (p) Handle all incoming business calls including calls for dispatch during business hours
- (q) Handle all public counter requests
- (r) Respond to in house customers
- (s) Maintain the Record Bureau supplies
- (t) Maintain all Department Forms
- (u) Maintain all old arrest files
- (v) Maintain all old 3x5 cards
- (w) Maintain all microfilm

# Simi Valley Police Department

## PROCEDURES

### *Organizational Structure*

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- (x) Administer the Cal Photo System
- (y) Administer the imaging system (Laserfiche)
- (z) Utilize and balance the cash register daily; includes preparing the daily deposit of funds received
- (aa) Release all stored and impounded vehicles
- (ab) Determine purge and retention of all documents
- (ac) Conduct background checks for other law enforcement agencies regarding employment
- (ad) Process all sealing requests for both juvenile and adults
- (ae) Handle all data entry and auditing functions related to the Records Management System (RMS) such as the overdue list, invalid locations and IBR
- (af) Respond to all 911 and traffic audio requests; prepare CD of call
- (ag) Register Narcotics Offenders
- (ah) Respond to Department of Justice and NCIC Audits and Monthly Validations
- (ai) Monthly Uniform Crime Report (UCR) submission to DOJ
- (aj) Utilize the California Law Enforcement Web (CLEW) for access to CJIS and other DOJ maintained publications
- (ak) Have working knowledge of the Public Records Act (G.C. 6250 et.seq.)
- (al) Access and utilize all automated logs: Daily Transaction Logs, Restraining Order Logs and Criminal History Logs

#### **800.2 PROCEDURE**

A. The Records Bureau is a component of the Police Department's Critical Support and Logistics Division. The Records Bureau is composed of a Records Manager, a Records Supervisor, one Senior Records Technician, and eight (8) Records Technicians.

B. The Records Bureau duties are divided into specific assignments outlined under Records Technician duties herein.

C. All Records Bureau Members are required to become California Law Enforcement Telecommunications System (CLETS) certified as full access users, as well as re-certify every two years.

D. All Records Bureau employees are required to attend a POST certified Records Clerk course and a POST certified Public Records Act class. Attendance at these classes may occur after the training period.

#### **800.3 JOB DESCRIPTIONS**

A. Records Bureau Manager -Under direction of the Deputy Director, Critical Support and Logistics, the Records Manager is responsible for the effective management of the Records

# Simi Valley Police Department

## PROCEDURES

### *Organizational Structure*

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Bureau. This includes assigning responsibilities to the Records Supervisor, Senior Records Technician and Records Technicians.

1. Duties also include Records Bureau budget preparation, scheduling, payroll, personnel complaint resolution, employee discipline, employee evaluations, ensuring all supplies and maintenance needs are obtained and administration of several databases including the Versadex Records Management System, the California Law Enforcement Telecommunications System (CLETS), the National Crime Information Center (NCIC) Laserfiche (electronic imaging system) Cal Photo, Live Scan, California Law Enforcement Web (CLEW) and the DOJ Secure Mail Server System. The Records Manager responds to all CLETS and NCIC audits and a monthly validation conducted by the Department of Justice and acts as the department's Agency Terminal Coordinator and is responsible for submitting the agencies Uniform Crime Reports to the Department of Justice and to Police Administration.

2. The Records Manager is also required to act in any capacity as a Records Technician as needed.

B. Records Supervisor - Under the direction of the Records Manager, the Records Supervisor supervises the Senior Records Technician and all Records Technicians.

1. The Records Supervisor is responsible for training which includes all aspects of a Records Technician position, but primary focus is on transcription, the detailed distribution process, scanning, filing and CLETS work including auditing of all work. Under the direction of the Records Manager, the Records Supervisor is also responsible for employee relations including employee evaluations and discipline. The Records Supervisor also assists the Records Manager with monthly crime reporting to the Department of Justice and processing Public Records Act requests and subpoenas. The Records Supervisor also performs all of the duties of a Records Technician.

C. Senior Lead Records Technician - Under the direction of the Records Manager and the Records Supervisor, the Senior Records Technician assists with supervising Records Technicians.

1. In addition to the Records Supervisor the Senior Records Technician is responsible for training. This training includes all aspects of a Records Technician position, but primary focus is on transcription, the detailed distribution process, scanning, filing and CLETS work. Under the direction of the Records Manager and Supervisor, the Senior Records Technician is also responsible for updating and maintaining Bureau procedures and assisting with the Bureaus auditing.

D. Records Technicians - Under the direction of the Records Manager, Records Supervisor and Senior Technician, Records Technicians are assigned specific duties outlined below and grouped according to desk assignment:

1. Citations

# Simi Valley Police Department

## PROCEDURES

### *Organizational Structure*

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2. Specialized processing include: Trial by Declaration, Decision and Notice of Decision, Cite and Release warrant arrests, traffic collisions with citations, citation dismissal letters.
3. Public Records Requests; responding to fax requests from the public and other agencies,
4. CHP 180 processing and auditing
5. Pawn entries and system maintenance
6. All sealings and expungements.
7. Data entry of citations and FI cards
8. Ordering and maintaining supplies
9. Ordering and maintaining forms
10. Transcription and Processing of reports, scanning, filing; includes press log maintenance, mailings to other agencies and bank deposit preparation.
11. Responsibility of the following belongs to all employees:
  - a. In-coming business phones
  - b. Ride Along requests
  - c. County hazard checks
  - d. County CCW checks
  - e. Code Enforcement requests
  - f. Public and in-house counters
  - g. City Mail Delivery
  - h. Subpoenas Back Up
  - i. Daily Log (calls for service)
  - j. Bank Deposit preparation
  - k. Backlog:includes confirmation of Laserfiche entry or scanning as needed.Also includes conversion of microfilm to Laserfiche.

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## Cash Register Procedure

### 801.1 PURPOSE

- A. The Records Bureau shall establish guidelines for handling monies received from the public for police records and other sales and services.
- B. The Cash Register is open to the public weekdays between the hours of 9:00 a.m. to 5:00 p.m., excluding City holidays.
- C. Change for Department personnel will not be made except when needed to conduct Department business. Approval shall be obtained from the Records Manager or Records Supervisor.
- D. Payment schedules shall be determined by the City, as noted in the City's Schedule of Services.

### 801.2 PROCEDURE

- A. All Records Bureau members shall be assigned a separate login and shall be trained in the correct use of the cash register and Tyler Cashiering.

- 1. Responsibilities:

- a. Personnel designated to receive monies shall be assigned a specific login.
- b. Each transaction shall be entered in Tyler Cashiering by each person receiving money as follows:
  - 1) Name of requestor
  - 2) Reason (case file number or special account number, etc.)
  - 3) Method of payment
- c. The receipt shall be given to the requestor. If the register is not in operation, a handwritten receipt shall be made and a copy with the money given to the Records Manager for later entry.
- d. All checks shall be ran through the register before being placed in the register. All checks over \$50 and all checks placed in a special account shall be photocopied and placed with the log of daily transactions. (2 copies)
- e. At the end of the day the assigned Technician shall close out the cash register, remove the daily funds received in accordance with the entries in the batch and create the deposit. They shall verify the day's transactions are correct.
- f. Personnel preparing the deposit shall ensure the totals received and the totals in Tyler Cashiering are the same. The deposit slip will include only the checks and cash received. The credit card totals are automatically transmitted to the bank each evening. NOTE: The credit card totals, when subtracted from the checks and cash total, will equal the deposit total. If the amounts do not match a recount of the monies shall be conducted, and if necessary, each technician shall be audited to ensure it was closed out correctly.

# Simi Valley Police Department

## PROCEDURES

### *Cash Register Procedure*

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g. The daily bank deposit slip, in triplicate, shall be completed and original placed with the money in the bank bag, locked, and placed in the designated area.

h. The Tyler Cashiering Report, copy of the deposit slip and a copy of the credit card receipts and the credit card batch report shall be placed on the Records Manager's desk. Photocopies of the log sheet and checks over \$50 shall also be included.

1) If there is any discrepancy, it shall be brought to the attention of the Records Manager or Supervisor immediately.

i. The Records Manager or Supervisor shall check the contents of the previous day's deposit in the bank bag, complete the bank courier receipt, and place both in the designated area.

j. When the bank courier arrives to pick up the daily deposit, any on-duty personnel shall promptly obtain the bank bag and receipt book, sign the receipt in the presence of the bank courier, and deliver both the deposit bag and the receipt to the courier. The courier will sign the receipt. The Technician will also sign for the returned bag. The receipt book and bank bag received from the bank courier shall then be placed back in the designated area.

#### B. Records Manager Responsibility

1. At the beginning of each day, the Records Manager or Supervisor shall check and verify the accuracy of the previous day's transactions, comparing the day's deposit with the Tyler Cashiering Report, and forward the log, with attachments, and copy of bank deposit slip to Administrative Services, Fiscal Department.

#### C. Keys to the Register and Money Bags

1. One set of keys to the register is maintained in the Deposit Drawer accessible to all Records personnel only.

2. The Program and Management keys shall be maintained by the Records Manager.

#### D. Error Adjustments

1. When an error is made the transaction shall be voided. A correct transaction shall first be made so that a receipt can be given to the requestor promptly. The Supervisor or Manager can then go back and VOID the incorrect transaction.

#### E. Signing On (operation of the cash register)

1. Log in to Tyler Cashiering with you assigned user login.

2. Go to the 'Transactions' tab and click 'Enter Transaction.

3. Choose the applicable transaction type and enter any report number information.

4. Choose the tender type and enter the amount of money you receive from the customer. For example, cash, check or credit card and verify the ID of person paying.

# Simi Valley Police Department

## PROCEDURES

### *Cash Register Procedure*

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5. If change is due the amount will show in the display.
6. Give the customer the receipt and their change (if any).

#### F. To Void a Sale:

1. Should a transaction need to be VOIDED the Records Manager and Supervisor can VOID the transaction. The Records Technician will stay logged in and select void transaction, the applicable transaction and reason. The Supervisor will authorize and the transaction will be voided.

## Certificate of Release

### 802.1 PURPOSE

A. It is the policy of the Simi Valley Police Department to establish procedure for providing a Certificate of Release in the event an individual is arrested and released pursuant to Penal Code Section 849.5.

B. Penal Code § 851.6 requires that a Certificate of Release be issued when a suspect is released pursuant to Penal Code § 849.5. This section stipulates that in the event a person is arrested and released and no accusatory pleading is filed charging him with an offense, any record of arrest of the person shall include a record of release. Thereafter, the arrest shall not be deemed an arrest, but a detention only. In order to comply with this requirement, the following procedure has been established.

### 802.2 PROCEDURE

A. Each time a felony or misdemeanor complaint is presented to the District Attorney and is subsequently rejected, the Court Officer will complete a Certificate of Release and the approved Department of Justice JUS8715.

B. The Court Officer will record the General Offense (GO) number in the upper right hand corner of the original copy of the certificate and forward to Records.

C. The Certificate of Release shall be distributed as follows when submitted after initial arrest report has been distributed.

1. The original copy shall be stamped "Detention Only" and mailed to the subject.
2. The duplicate copy is to be filed in the GO case file folder, placed directly behind the arrested entity.

D. If submitted with arrest report, the Certificate of Release shall be distributed as part of the report. The subject, at time of release, shall receive the original Certificate of Release.

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## Traffic Citation Processing

### 803.1 PURPOSE

The Records Bureau has established a standard procedure for the processing of traffic citations as outlined herein.

### 803.2 PROCEDURE

A. Each citation is reviewed for accuracy and completeness by a reviewing sergeant or watch commander and initialed before being submitted to the Records Bureau for processing.

B. Adults and Juvenile infraction violations are cited to East County Courthouse, Simi Valley, 3855-F Alamo St., Simi Valley

1. Valid Court dates are Mondays and Tuesdays except holidays at 8:15 am
2. Juvenile Misdemeanors, including 12500(a) VC, are cited according to the current Juvenile Citation Guide.
3. Amendment notices are distributed as follows:
  - a. Original to Violator - white
  - b. Copy to Court - yellow
  - c. Copy filed with Department copy - pink

#### C. Citation Processing

1. The pink copy should be date stamped on lower back, White and pink are scanned into the Shared Drive - Scanned Citations (back of pink and front of white).
2. Original separated from other copies and given to the Court Officer.
3. All misdemeanor Vehicle Code violations require reports and are submitted to the District Attorney. Refer to the Vehicle Code for determining misdemeanor or infraction status.
4. Multiple Code violations:

Example: citation for a violation of a Municipal Code Section and a Vehicle Code section on one citation are unacceptable. Officers must choose which violation they wish to pursue. The City Attorney cannot prosecute vehicle code violations and the court cannot prosecute Municipal Code violations without City Attorney intervention. Therefore, if a multiple code violation cite is sent to the courts it will be returned. Likewise, if a multiple code violation is sent to the City Attorney's office they will reject it.

- a. The recommendation is to advise the officer what will happen if we send it through. If the officer insists it be processed the way it is, send it to court and let it come back.

Simi Valley Police Department  
PROCEDURES

*Traffic Citation Processing*

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Advise the officer it has come back and let them make the decision as to what step to take next.

D. Correction Notices

1. A Corrections Notice shall be generated whenever any change is made to the original citation. Do not write on the citation. All changes must be made with the Correction Notice.

E. Misdemeanor Vehicle Code violations and are processed by the District Attorney.

1. Exception: 12500(a) VC and certain infractions (as determined by the District Attorney's Office) do not require processing for the District Attorney. The violations are filed directly with Traffic Court.

F. Distribution

1. All citations are hand delivered daily by the Court Officer to the appropriate court.

G. Dismissed Citations

1. Dismissal Request Form is required and must be signed by the following:

- a. Officer
- b. Supervisor
- c. Deputy Chief
- d. Deputy District Attorney (for signed citations only)

2. When the signed violator copy is absent a form letter containing the Records Manager's signature is mailed to the violator. The Records Bureau Traffic Clerk maintains the form letter.

3. Signed Citation Dismissals are sent to the District Attorney by the Court Officer. When they are returned to records they are forwarded to court and copies are filed in the Citation file.

4. Unsigned Citation Dismissals with appropriate signatures are returned to Records and filed in the Citation file.

H. Misdemeanor citations with traffic collisions are sent to the District Attorney's Office.

I. Unsigned Citations (non-collision or arrest):

1. Violator: a complaint is prepared for the Court along with a correction notice
2. Officer: The Officer shall sign Citation and a correction notice sent to the violator.

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## **CLETS/NCIC Telecommunications Use**

### **804.1 PURPOSE**

A. It is the policy of the Records Bureau to enter stolen property, guns, missing persons, etc., into the CLETS (California Law Enforcement Telecommunications System) Automated Computer Systems (CA & NCIC) as mandated by the Department of Justice.

B. It is also the policy to send administrative messages to other local and state agencies, and to assess information from various other local and state files through the CLETS terminal.

C. The Records Bureau will comply with all laws governing the access and use of the CLETS/NCIC computer systems. Access to all computer systems is for law enforcement use only and is not for personal use.

### **804.2 PROCEDURE**

A. All wanted and missing persons, vehicles, boats, and other items with serial numbers shall be entered as follows:

#### 1. Vehicles/Vehicle Parts

a. All stolen and recovered vehicles/parts shall be entered in both SVS (California) and NCIC (National) as soon as CHP 180 is submitted. They shall be considered priority.

1) Includes construction and farm equipment.

2) Prior to entering, inquiry is made for wants and registration status.

a) Registration information is printed and attached to the case.

b) Entry is printed and also attached to the case.

3) If vehicle is recovered before entry, vehicle is entered and immediately cleared by recovery. Attach all teletypes to the case.

b. All stored/abandoned vehicles shall be entered into SVS (California) only. Entry is made from CHP 180's as soon as possible.

c. For impounds where 14602.6 VC is used as a storage authority, please see Unit Order 21 for determining correct status of entry.

1) Date of entry and initials of person making entry shall be noted on the details page of the tow report.

2) Notice of storage/impound shall be mailed to the registered owner and legal owner.

3) If the vehicle is claimed by owner before entry is completed no entry is needed.

d. Vehicles involved in crimes or held as evidence, etc., are also entered in SVS as impounds.

Simi Valley Police Department  
PROCEDURES

*CLETS/NCIC Telecommunications Use*

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- e. Repossessions shall be entered when written notice is received from re-possessor.
- f. When Notice of Locates are received, vehicles/parts shall be immediately cleared.
  - 1) Date of clearance and initials of technician handling the locate shall be noted on the stolen vehicle details page.
  - 2) Victim is notified of recovery by phone by Records personnel if not notated of verbal notice from the officer.

2. Embezzled Vehicles - Embezzled vehicles shall not be entered until a warrant has been issued for the driver of the vehicle.

- a. Exception: A leased or rented vehicles may be entered in SVS if the leased or rented vehicle has not been returned after 5 days of end of lease/rental agreement and the leasing/renting agency has made a written demand for the vehicle.

3. Guns

- a. All stolen and/or recovered guns with serial numbers shall be entered into AFS and/or NCIC immediately upon notification.
  - 1) Personnel transcribing the report shall check reports and enter guns before leaving for processing. Processors shall double-check the reports to ensure entry.
- b. Lost guns cannot be entered into NCIC; AFS only.
  - 1) Guns held for Safekeeping are entered in AFS by Property room personnel as they will have the gun in the event there are questions reference make, caliber, type, etc.
  - 2) Guns later sent for destruction are also entered by Property room personnel.
- c. Found guns are entered in both AFS and NCIC.

4. Property/Securities/Bicycles

- a. All stolen and recovered property with serial numbers may be entered in both APS and NCIC.
- b. Lost, found and stolen credit cards shall be entered into APS only.
- c. Bicycles are entered into both APS and NCIC.
  - 1) NOTE: Codes are different than for other property entries (refer to Property Manual).
- d. Any personnel checking-in reports shall check reports carefully for serialized items and enter ASAP.
- e. Recovered or Located property shall be cleared from APS immediately. Copies of clearance entries shall be scanned and filed with the original report.

5. Missing Persons

# Simi Valley Police Department

## PROCEDURES

### *CLETS/NCIC Telecommunications Use*

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a. All missing persons, including runaways, shall be considered high priority for entry into CLETS and NCIC

1) Note: All juveniles under the age of 16, and at risk, must be entered into CLETS and NCIC within 2 hours from initial report and an administrative BOLO must also be sent.

b. Returned or Located Missing/Runaways shall be removed from the Missing Person System immediately. Copies of clearance entries shall be scanned and filed or attached to the original report.

#### 6. Boats/Parts

a. All boats, boat trailer, jet ski's and all forms of water bikes with serial numbers shall be entered into ABS.

b. Only stolen boats and some parts (jet ski's included) may be entered into NCIC.

#### B. Administrative Messages

1. Administrative messages, including broadcasts, shall be sent ASAP, depending on the urgency of the requestor.

#### C. Hit Confirmations

1. When a Hit Confirmation is received via teletype we are mandated to respond within 10 minutes to advise status of the item(s) the inquiring agency received a "Hit" on. We may respond by telephone or teletype and we may either confirm or deny the hit; or we may advise them we require more time (give a specific amount) to research the report. Refer to CJIS manual online at the CLEW website. A sample response may also be found in the CLETS Sample notebook by the CLETS terminal.

a. NOTE: Currently the Department of Justice leans heavily towards a Hit Response entry being made to the request for confirmation. Be aware of this as they may call.

2. Hit Confirmations are high priority. Failure to respond to these requests may result in disciplinary action by the Department of Justice.

### **804.3 ACCURACY ASSURANCE**

A. All entries shall be checked by a second individual for accuracy.

B. The second individual shall verify all serial numbers, GO#'s and entry criteria and initial the file copy of the entry printout. If any entry is incorrect, it shall be corrected immediately.

### **804.4 MONTHLY VALIDATION**

A. Upon receipt of the monthly validation lists from DOJ:

1. All listed entries in SVS, ABS, AFS, WPS, Missing Persons and the Retraining Order System shall be checked to verify status and accuracy.

# Simi Valley Police Department

## PROCEDURES

### *CLETS/NCIC Telecommunications Use*

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- a. Restraining and Protective Order listings shall be sent to the East Valley Family Law Division of the court for verification of the order.
2. Written requests for confirmation of outstanding status shall be sent to owners of stolen vehicles and boats.
  - a. If notice is returned showing vehicle was recovered, the entry shall be cleared and the CLETS update and verification letter filed in the GO file.
  - b. If notice is returned unclaimed, etc., it shall be referred to Detectives who will determine whether the entry shall be retained or removed.
3. Missing/Runaway Persons shall be checked to determine current status.
  - a. Missing/Runaway persons shall also be reviewed by Detectives to determine retention or removal from the system.
    - 1) Notification of detectives may be satisfied by an email to the Detective Sergeant of Violent Crimes. advising the name, date, and DR# of the missing person.

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# CLETS/NCIC Telecommunications Recertification

## 805.1 PURPOSE

A. It is the policy of the Records Bureau to establish procedures to ensure CLETS/NCIC Telecommunications Recertification training is completed in compliance with Department of Justice requirements.

B. It is the responsibility of the Records Manager to coordinate the Department's CLETS/NCIC Telecommunications Recertification Program.

## 805.2 PROCEDURE

### A. Department of Justice Requirements

1. All Full Access and Less Than full Access Operators must be trained and tested within six (6) months of their employment and biennially thereafter to ensure continued proficiency.

a. This will be accomplished by utilizing the Full Access Operator Recertification Examination booklet provided by the Department of Justice and available on the CLEW website along with the nexTEST software.

b. Less than full Access Operators (all department personnel except Records, Dispatch and Officers who are Dispatch trained) will satisfy D.O.J. requirements by completing the Less Than Full Access Operator Proficiency Examination provided by the Department of Justice and available on the CLEW website and administered through the nexTEST CJIS software.

c. Personnel may be exempt from the six (6) month time frame if they received CLETS training at the academy (sworn) or if they are from another law enforcement agency and can show proof of recertification from their previous employer.

2. The Records Manager must maintain a Telecommunications Training File that contains the telecommunications training records of all required personnel

a. File must include copies of the results of all written tests for NCIC and DOJ audits.

b. This information is maintained and tracked through the nexTEST CJIS software.

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## CORI Filing and Purging

### 806.1 PURPOSE

The Records Bureau shall establish a procedure for filing and purging local Criminal Offender Record Information (CORI).

### 806.2 PROCEDURE

#### A. Filing Procedure

1. County Pre-book information page (when received) will be filed with the original arrest report.
2. All Court Dispositions, 849's, Court orders or Orders of Sealing and Destruction are filed with the original report.

#### B. Purge Criteria - Adults

1. All arrests are scanned and become a permanent record.
2. All other arrests that are 849'd or arrests 647 (f) P.C. are retained for seven (7) years and then purged.
3. Arrests for Health & Safety Code §§ 11357(b)(c) & 11357(d) are destroyed after two (2) years per H&S Code § 11361. Arrests for H&S Code § 11357(e) must be retained until the subject reaches the age of eighteen (18).

#### C. Purge Criteria - Juveniles

1. All Arrests are scanned and become a permanent record.
  - a. Exceptions to permanent retention apply only to arrests where sealing is ordered by the court or where arrests are for H&S Code §§ 11357(b)(c)(d); 11354 (e), or Penal Code § 647f or are released pursuant to Penal Code § 849.
  - b. Refer to Records Bureau Order 10 for procedure on Court Ordered sealing and purge criteria on sealed records.

#### D. Other Information

1. All reference to arrests shall remain in the computer and/or card file, except where ordered by the court to seal or destroy or where the arrest is for H&S Code §§ 11357(b)(c)(d) or 11357(e).
2. If there is no arrest and photos exist, they will be filed with the report.

## Daily Log

### 807.1 PURPOSE

The Records Bureau shall maintain a log, or daily record, of all calls for service made to the police department. This log is deemed a public record and is available for viewing by any interested party.

### 807.2 PROCEDURE

A. The calls for service log (Daily Log) shall be generated by Records personnel and placed at the front counter for public and media access. A separate copy shall be housed in the Records area and available for use by all personnel. The Daily Log is a separate document from the Press Board. Any interested party may view either document with the following exception:

1. Any private person or Press employee is required to complete a waiver if they request to view the Press Board documents or request the address of an arrested person. Certain criteria must be met which are outlined on the waiver.

- a. United Reporting is exempt from filing a waiver as specified by the Ninth U.S. District court as of September 2001.

B. If a Press employee appears on a regular basis to review logs, they need only complete and renew a waiver every three (3) months.

### 807.3 CROSS REFERENCE

A. Records Bureau Order 820, Press Board

B. See attached waiver which is to printed on department letterhead and can be located in G/Shared/Records ( [See attachment: DECLARATION IN SUPPORT OF PUBLIC RECORDS REQUEST.pdf](#) )

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## Juvenile Record Sealing

### 808.1 PURPOSE

The Records Bureau shall establish guidelines for the proper sealing of adult and juvenile criminal history records upon receipt of a valid court order

### 808.2 PROCEDURE

A. Within 30 days after receipt of a valid court order, records are to be sealed in the following manner:

1. Old Card file, in house RMS and Imaging system shall be checked for CORI information on subject
2. Index entries shall be deleted from the imaging system.
3. Computer entries shall be removed from Juvenile file or Incident file.
4. If a drug or gang case, check with Special Operations Unit Sergeants for any gang or drug related activity records they might have on file regarding that subject. Any related records maintained in SOU shall be returned to Records for sealing.

B. All GO reports shall be pulled, checked and processed as follows:

- (a) Complete report pulled from file if no other subjects are involved. Reports shall be placed in J packet for sealing.
  - a. Imaging system: if there are no other subjects involved, the Report shall be printed and placed in the J-package for sealing. The image index shall then be deleted from the system.
- (b) If other individuals involved in report: subject of court ordered sealing shall be redacted from the original report and returned to file.
  - a. Imaging system: if other individuals are involved, the subjects name shall be redacted electronically from the report; a case note shall be attached to the report indicating all redactions are considered permanent and may not be removed. Note shall further advise of sealing and that no information may be released about this subject reference this report. Subject's name shall be removed from the Index Template.

- 1) If the hard copy report exists, redact the individual involved and re-scan the report.

C. A Notification Form shall be placed in each GO file showing the record has been sealed.

D. If the report has been microfilmed, sealing information shall be marked on cartridge (include name and GO number).

1. If subject of sealing is the only individual involved, report number shall be obliterated from microfilm log.

# Simi Valley Police Department

## PROCEDURES

### *Juvenile Record Sealing*

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2. If other subjects were detained, a notation in red shall be made on log that record has been partially sealed, giving name of sealed subject.

3. Any future printed copies of microfilmed reports must have the subject's name obliterated prior to release either internally or outside the department.

E. If no record can be found on the subject, a form letter shall be sent to the court indicating the result.

#### F. Sealing the Record

1. Arrest packet shall be secured by stapling and placed in large envelope with copy of the court order. Envelope shall be sealed well with tape.

2. An index card shall be typed showing sealing information (Attachment II) and taped to the center of the envelope.

#### G. Destruction of Court Ordered Sealing

1. Juvenile Sealing: may be destroyed 5 years after sealing. Refer to Welfare & Institutions Code § 781(d).

2. Adult Sealing: may be destroyed 3 years after sealing. Refer Penal Code § 851.8

3. Enter information on Spreadsheet located on the 'G Shared- Records- Sealings

#### H. Expungenments

1. These may appear on the subject's rap sheet. You may also get notice of an expungement. An expungement only means the subject has met the terms of the Court per Penal Code § 1203.4. The arrest still exists and can still be revealed if needed.

2. A notice of expungement shall be attached to each referenced report.

3. Scan Adult Subsequent Dispo form to case.

## Marijuana Purge

### 809.1 PURPOSE

A. It is the policy of the Records Bureau, pursuant to Health & Safety Code § 11361.5 to destroy arrest records on charges for possession of marijuana under 1 ounce two years from date of arrest or conviction. Exact codes affected are: H&S Code §§ 11357(b), 11357(c), and 11360(d) H&S.

This does not apply to records prior to January 1, 1976.

B. Destruction means permanent physical destruction when possible. In cases where it is not possible to destroy due to need to retain other data, permanent obliteration shall be made.

Destruction must be such that a check would reveal no record of the incident having occurred.

### 809.2 PROCEDURE

A. If no other charges exist within the report the hard copy shall be destroyed with proper approval. For the imaged document, delete the index to the report.

B. If other charges exist, redact only the information pertaining to the marijuana offenses on the hard copy and rescan the document. Care must be taken to assure only the specific marijuana incident is destroyed.

C. If only the imaged document exists, redact the appropriate sections, including the index. Place a case note on the document indicating that the redacted portions are considered permanent and may not be released.

D. Incidents entered in RMS are to be deleted.

E. If an I/J Packet exists - All reference to the 11357(b) etc., incident shall be removed and destroyed.

NOTE: If file indicates a civil action was taken against the City, no destruction shall be made until final resolution.

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## Processing Procedure

### 810.1 PURPOSE

It is the policy of the Records Bureau to provide guidelines to ensure prompt and proper dissemination of arrest, crime, and miscellaneous reports with accompanying paperwork generated by police personnel.

### 810.2 PROCEDURE

Each report is reviewed, additional distribution marked, and processed in accordance with the following criteria:

#### 810.2.1 ADULT ARREST REPORT REQUIREMENTS

##### A. Assignment of GO Numbers

1. If an arrest clears a crime (i.e., burglary) the GO number of the crime report shall be used for the arrest report(s).

a. All charges should be placed on the same AB (even if other GO numbers are involved).

Note: A 496 PC arrest cannot clear a theft or burglary report even though the suspect may be in possession of stolen property from a specific crime. A 496 PC arrest must have a separate GO number and a referral to the original GO number.

2. Arrests for crimes without named victims do not require crime reports, i.e., drunk driving, possession of drugs, receiving/ transporting possession of stolen property, etc. (Victim is the people of the State of California.)

3. If more than one arrest is made, the same GO number shall be assigned to all arrest reports related to the same crime.

a. When a subject is released after an arrest is made, an 849b Form is filed with the arrest report, an AB is still necessary with charge information and the code will be '1' Adult Released.

##### B. Driving Under the Influence (D.U.I.)

1. Order of Filing:

a. AB

b. Narrative.

c. Supplemental (if applicable).

d. Field Sobriety Tests (FST's) or Blood/Urine Test Forms.

1) Breath Test Advisement.

2) Intoxication Checklist.

# Simi Valley Police Department

## PROCEDURES

### *Processing Procedure*

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3) Intoxication Results (carbon paper removed and taped to paper).

e. Driver's License Confiscated.

1) Department of Motor Vehicles (DMV) Admin Per Se (Form DL360) Order of Suspension/Revocation.

a) Copy for report.

b) Original is sent to DMV accompanied by copy of citation.

2) Officer's Statement (covering Vehicle Code §§ 13353.2 and 13353) Form DL367.

a) If tests refused, entire report is copied for DMV.

b) If BAC.08 or more, original is sent to DMV (with Admin Per Se Form) accompanied by copy of citation and breath test results.

3) If DMV returns forms for additional information, Records shall make copies for file and return form with attachments (if applicable) to DMV.

f. Citation Copy

g. Copy of Driver History (L-1)

h. Traffic Collision (T/C) reports (if applicable)

C. Crime Report (unless state is victim)

D. Marijuana (11357b H&S, Possession of Less Than 1 Ounce)

1. Okay to combine with other charges on same arrest.

2. Citation required unless subject is booked.

E. Possessing/Receiving/Transporting Stolen Property (496 P.C.)

1. Arrests for 496 P.C. do not clear theft crimes and a separate GO number is therefore required.

a. No crime report is required. Arrest report and investigative narrative are sufficient.

2. AB should show all charges (including 496 P.C.) with cross-reference to other crime reports.

F. Shoplift

1. Requires citation unless the subject is booked.

G. Warrant Arrests

1. Must have copies of Warrant Abstract

### **810.3 CRIME REPORTS**

A crime report face sheet is required (unless the State is the victim).

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B. Each separate crime (as defined in the Penal and/or other applicable codes) requires a separate GO number.

1. If a single event or series of events involves more than one crime, only one investigative narrative report is required.
2. Other crimes may be documented on crime report face sheets with a referral to the Master GO number for investigative reports.

**810.4 CRIME REPORT DISTRIBUTION**

A. Routing rules for crime reports have been set up through all offenses in Versaterm. Records personnel are instructed to ensure routing is completed on all reports.

B. Warrant Declaration Included:

1. If a Warrant Declaration is included with a new crime report, it must be processed like an arrest report.
  - a. Declaration for Arrest Warrant is copied and the copy is placed behind the crime report as part of report.
  - b. Original Declaration is kept separated from crime report and is placed atop the copies prepared for court.

C. Court Orders

1. Refer to the CLETS procedure manual for the different types of Restraining Orders and applicable CLETS entries.

**810.5 PRINTOUTS OF CLETS ENTRIES**

A. A printout is made of any and all CLETS entries and becomes part of the report.

1. All entries must be checked by a second technician.

**810.6 PREPARATION OF ADULT ARREST REPORTS FOR COURT OFFICER**

A. Criminal History (Rap) required.

1. ONE copy of Criminal History for Felony reports
2. TWO copies of Criminal History for Misdemeanor reports

B. If Criminal History is not automated; printout is attached according to the above criteria.

1. NOTE: Rap is never included in file or distributed except in court copies.

C. Driver History (L-1) required

1. Original (and copies if required) is attached to top of report copies in accordance with Criminal History criteria (see A1/A2 above).

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2. If license is out-of-state, California is also queried and printed out (and copies if required) attached along with out-of-state printout.

3. Exceptions:

a. Original printout only is attached to one copy for Municipal Code violations and directed to the City Attorney.

b. Original printout only is attached to one copy of Vehicle Code Infraction violations and directed to Traffic Court.

**810.7 JUVENILE ARREST REPORT REQUIREMENTS**

A. Exceptions

1. 601 WIC (Juvenile Truant/Runaway and other 601 WIC violations).

B. Lodged at Juvenile Hall

1. Application for Juvenile Court Petition (copy) required (original is submitted by officer with report copy to Juvenile Intake).

a. Copy of application becomes part of report

b. Juvenile Arrest and Disposition form is completed and sent as part of the package to Juvenile Intake.

c. Copy of complete packet is faxed to Juvenile Intake as soon as possible.

C. Vehicle Code Violations

1. Traffic Citation required.

a. Copy becomes part of report.

2. Driver History (L-1) required

a. Copy becomes part of report.

NOTE: Criminal History (RAP) is not required on Juvenile arrests

**810.8 OFFICER'S DECLARATION IN SUPPORT OF ARREST WARRANT**

A. Adult

1. Must be typewritten or written in ink (pencil is not acceptable to court) on the appropriate Declaration for Arrest Warrant form and signed by the officer in blue ink.

2. If Ventura Superior Court form is used it must include the violation

3. On lines designated for those purposes, must include GO number, date of violation, and date of declaration and must be signed by officer.

4. All reports referenced must be included with court copies.

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5. Criminal History and Driver History are also required
6. Even if report was previously copied for court, if you now receive a warrant declaration, a whole new filing package will be forwarded to the Court Liaison.
7. Number of copies is determined by same criteria as Arrests (VII).

**B. Juvenile**

1. Forms differ from Adult forms
2. Must be accompanied by Juvenile Warrant Declaration
3. Warrant Declaration is copied and copy added behind original report.
4. Original Declaration (with report copy which includes copy of Declaration and Probation Warrant (and copies of all referenced reports) is sent to Juvenile Probation.

**810.9 INCIDENT/MISCELLANEOUS REPORT REQUIREMENTS**

**A. City Incident**

1. A City Incident Report is required when a City employee is directly involved in an incident resulting in an on-duty injury or damage to City property, including:
  - a. Accidents involving City vehicles.
  - b. Loss or damage to issued equipment.
2. The form is not required when Department personnel investigates a crime in which the City is a victim or to document property damage resulting from a reported traffic accident.
  - a. In each of these cases, report copy is directed to Risk Manager.
3. Responsibility for completing the City Incident Report rests with the employee who is most directly involved in the incident.
  - a. Non-police personnel should be directed to complete the form and turn it in to their supervisor when circumstances warrant.
4. Original is filed with the report.

**B. Found Property**

1. Serial numbers of property are entered in CLETS/APS or AFS (guns).

**C. Gang-Related Incident**

1. Routed to SOU

**D. Lost Property**

1. Serial numbers of property are entered in CLETS

**E. Missing Person/Runaways**

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1. Copies of all reports of Missing Persons should be submitted via CLETS directly to DOJ Missing/Unidentified Persons Unit in accordance with time frames and circumstances identified in Section 14206 P.C. This includes courtesy missings for other agencies.

a. Missing Persons reports are entered immediately if subject is under 16-years

#### F. Vehicle Code Infraction Violations

1. Requires: Citation and Driver's History (where required)

a. If report exists one copy of citation is made for the report and a copy of the report along with original citation are sent to court.

2. Traffic Clerk will check and forward citations to proper court.

#### G. Misdemeanor Municipal Code Violations

1. Citation Required

a. Original citation with report to the City Attorney's Office

### **810.10 MASTER REPORTS**

#### A. Arrest Reports

1. Becomes Master when arrest clears more than one crime.

2. One of the crime report GO numbers shall be used.

3. All other reports cleared by arrest(s) shall be listed in the narrative of arrest report or supplemental.

4. A Master shall be considered only when it is evident all crimes were committed by the same person(s).

5. All other related cases shall be cross-referenced (including 496 P.C. arrests).

6. If there are numerous crimes/victims copies of other those shall be linked to the original GO.

7. Court packages must include all referenced reports.

#### B. Crime Reports

1. Can become Master on Forgery cases when numerous checks are forged with one victim at multiple locations

### **810.11 CROSS-REFERENCED REPORTS**

A. Any report referred in the narrative is added as a related report number.

### **810.12 COURTESY REPORTS**

A. From other agency:

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1. Processed as if our report
2. Pull a GO number and process as usual

B. For other agency:

1. Copy sent to other agency.
2. Missing Person courtesy reports are entered according to established law and then a copy is forwarded to the agency who has jurisdiction over the missing's place of residence.

**810.13 SUPPLEMENTALS**

A. Any additional information received after a report has been processed must be included in a supplemental report by the assigned officer, including additional stolen property.

B. Recovered Property including guns and bicycles.

1. When property is recovered from more than one burglary, the recovered property shall be listed with respective DR numbers so that property can be updated in the in-house computer system and CLETS computers.

- a. Entries in APS or AFS must be cleared.

C. Recovered Vehicles

1. If we are the originating agency, the DR number of the original stolen report shall be used.

- a. CLETS entry is cleared
- b. Outstanding plates re-entered if applicable.
- c. R/O is notified of recovery.

2. If we are the locating agency (of another agency stolen) a new DR number is issued.

- a. CLETS entry is located and the R/O is notified by Phone.

D. Runaway/Missing Persons Returns

1. If we are the originating agency, original DR number of Missing Persons report is used to clear the case.

- a. All CLETS entries are cleared.

2. If we are the locating agency (of another agency missing) a new DR number is issued.

- a. All CLETS entries are Located.
- b. Copies of Missing/Runaway reports to original agency.

E. Supplemental Report Distribution

1. Re-route and supplemental release track (if applicable).

F. D.A. Follow-Up Complaint Request/Evaluation (CRE) For New Information

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1. Not to be distributed with report copies.
2. Original CRE is attached to court copies.
3. Copy of CRE is filed with report.

#### **810.14 DISPOSITION OF PROCESSED REPORT COPIES**

##### A. Mail

1. Mailing labels are affixed to appropriate size envelopes for mailing and placed in outgoing mail basket.
2. "Brown Mail" (Interoffice Mail and specific Ventura County Agencies)
  - a. Envelopes are prepared with code numbers where possible and placed in Interoffice Mail Basket.

NOTE: Any document leaving this office for a destination other than Police agencies, District Attorney, Department of Justice, or Probation (Adult or Juvenile) must be release tracked and/or stamped "Controlled Document", initialed and dated by the Technician.

3. Park Rangers also have a mailbox. All reports where the incident occurred in the Parks will be release tracked and copied for them without redaction.

#### **810.15 DISTRIBUTION RECAP:**

- A. Probation receives copies if indicated by officer or Watch Commander.
- B. Juvenile District Attorney receives copies of juvenile arrests (including 601 WIC arrests of Juvenile Runaways).
- C. Officer receives copies if so marked by Officer or Watch Commander.
- D. Watch Commander receives copies of all reports unless initial investigation is closed.
- E. SOU receives copies related to all contact with on sale locations selling alcoholic beveragesRecords mails one copy to ABC.
- F. Any law enforcement agency mentioned in report receives a copy.
- G. Coroner receives copies of all death reports.
- H. Evidence receives copies of lost property, stolen bicycles (484, 459, 487 P.C.) and copies of property sheets with corrected DR numbers (line through wrong DR numbers with indicate the correct DR number above).
- I. Gang Detective receives copies of any report where gang activity or members of gangs are mentioned.
- J. Fiscal Services receives copies of DUI involved T/C and/or arrest with original Emergency Response Summary (copied for file report).
- K. Animal Control receives copies of reports of animal problems

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- L. DMV (Department of Motor Vehicles) receives copy of report where DUI suspect refuses all tests; includes DUI-TC reports.
- M. Simi Valley School District receives copies of any malicious mischief (594 P.C.) or theft (484, 459, 487 P.C.) from any school within its jurisdiction.
- N. PSSA receives copies of any report (except unfounded) where a PSSA form (SS8583) or (SOC341) is attached and reports referred by officer or Watch Commander to be sent to them.
- O. Ventura Fire Department receives copies of arson investigations.
- P. Department of Social Services receives copies of preschool or day care center (over 12 students) reports and elderly abuse reports.
- Q. Department of the Treasury (U.S. Secret Service) receives copies of reports dealing with counterfeit money or documents.
- R. Any 849b Certificates goes to assigned Technician, who shall scan and file it with the original report.

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## Switchboard Operation

### 811.1 PURPOSE

It is the policy of the Records Bureau to provide optimum service to the public by establishing a procedure for the operation of the department telephone switchboard.

### 811.2 PROCEDURE

#### A. Hours of Operation:

1. The switchboard shall be available to the public Monday - Friday, 8 am - 6:30 pm

#### B. Opening the Switchboard:

1. The switchboard will automatically roll into the Records Bureau at 8 am, Mon – Fri, and the console will be ready to receive phone calls.

#### C. Closing the Switchboard:

1. The switchboard will automatically roll over into the Communications Center at 6:30 pm, Mon – Fri, and the console will not receive phone calls until 8 am the following business day.

**\*\*NOTE\*\*** On Weekends and City Holidays, the phone console will remain rolled over into the Communications Center until the next regular business day is resumed.

#### D. Busy/Overload:

1. The switchboard phone (main business line ext 6950) will ring four times. After four rings and no answer, the Records Bureau desk phones will ring simultaneously, another four rings. After ringing four times in the Records Bureau, the call will be rolled over into the Communications Center.

#### E. Outside Calls

1. All desk phones within the Records Bureau have the ability to make outgoing local and long distance phone calls.
2. To place an outgoing call: call within the 805 area code:
  - a. Dial 9, 1, 805 and the number
  - b. The Switchboard, the Records Manager and the Records Supervisor desk phones have the capability to make international calls.
3. To place an international call:
  - a. Dial 9, 1, country code and the number.

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## Records Bureau Access

### 812.1 PURPOSE

It is the policy of the Simi Valley Police Department to maintain a high of security for all documents. Thus, access to the Records Bureau must necessarily be limited and any disclosure or removal of records thoroughly documented.

### 812.2 PROCEDURE

#### A. General Operational Guidelines

1. Persons not specifically authorized access to the various spaces of the Records Bureau shall conduct their business outside the Records office.
2. Persons authorized access to the Records Bureau spaces shall enter to conduct business only.
3. Original records materials shall not be removed from the Records Bureau. Only copies of originals will be released tracked with proper documentation. Proper documentation includes completing one of the following:
  - a. In House Release Form
  - b. Waiver
  - c. Fax Request from outside agencies.
4. Records information shall not be disclosed to outside agencies or individuals without proper authorization and documentation.

#### B. Personnel Authorized Access to Records Bureau Spaces

1. In addition to the Chief of Police, and personnel whose primary assignment is to the Records Bureau, the following personnel are authorized access to the Records Bureau spaces as indicated in the performance of their duties.
  - a. Division Managers
  - b. Special Operations Bureau
  - c. On-duty Watch Commanders/Supervisors
  - d. Professional Standards Bureau Supervisor
  - e. Intelligence Officer
  - g. Detective Commander
  - h. Maintenance Personnel
2. Other employees requiring access to the CLETS terminal shall request permission of the Records Manager, Records Supervisor or Senior Records Technician on-duty prior to entry.

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3. Exceptions may be authorized by the Records Manager, Records Supervisor, Senior Record Technician on duty, Chief of Police or Division Managers on a specific case-by-case basis.

#### C. After Hours release of original records:

1. Access to reports after Records Bureau hours may be obtained via the Records Management System (RMS). If a report has been turned in to Records but has not yet been scanned, it is up to the requesting officer to obtain the Watch Commander's authorization to enter the Records Bureau, complete the required in-house release form, and return the report and the release form after use to be release tracked by Records Bureau personnel.

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## Records Purge and Retention

### 813.1 PURPOSE

It is the policy of the Simi Valley Police Department to purge police records that have reached their maximum retention schedule according to established state law or local statute or are no longer necessary to maintain and to establish a procedure whereby this purging may be accomplished.

### 813.2 PROCEDURE

A. At the beginning of each year, purging of miscellaneous business records shall commence according to the applicable code specifying purge criteria.

B. All reports are scanned upon reception and a purge date is noted in the template.

1. Exception: All arrests will be available via the imaging system at all times. No purge date shall be entered on the template.

2. Arrests that are 849'd or rejected by the District Attorney's office are retained according to the crime type and are subject to the purge criteria.

C. All hard copies of scanned documents are retained for a period of two (2) years prior to second check and subsequent destruction.

### 813.3 PURGE CRITERIA

A. For reports prior to 1998: Misdemeanor Crime and miscellaneous reports over three years old will be reviewed and those purgeable shall be removed from the file and placed for destruction review. All other retainable reports shall be scanned then placed for destruction review.

B. Records to be purged shall be reviewed by the Records Manager or other designated person prior to destruction.

1. Upon approval for destruction, the proper form shall be completed and signed by the Unit Supervisor. It shall then be forwarded to the department Records Manager for approval. It is then forwarded to the Chief of Police for final approval and returned to the Records Manager.

C. Upon approval by the Chief of Police, documents shall be shredded

1. Upon completion of shredding, the Records Destruction form shall be signed and filed in the appropriate drop file. These forms are maintained for ten (10) years.

D. Original hard copy Homicide reports shall be permanently retained. They will also be scanned according to procedure.

E. The following reports are retained on the imaging system with no purge date:

1. Arrest involved - unless the subject was 849'd and there was no subsequent filing by the District Attorney's office.

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2. Current Declaration for Warrant in file. If no warrant has been issued, report may be purged when it reaches its destruction date.
3. Outstanding Warrant including other reports identified as related to the incident
4. Serialized property still outstanding in CLETS/NCIC.
5. Outstanding missing person or runaway. Purgeable seven years after return.
6. Classified under Section 799, 780, 290 PC or 11850 PC
7. Related to a master file that is non-purgeable. No purge date if related to an arrest. May be purged if master file becomes purgeable.
8. Case is involved in Civil or Criminal Litigation. If no arrest involved, may be purgeable according to procedure when the case is settled.
9. Fatal injury traffic collisions

**813.4 RETENTION SCHEDULE (REFER TO CITY-WIDE RETENTION SCHEDULE)**

A. Permanent Retention: Those reports not having a statute of limitations: Homicide, Kidnapping, Misuse of Public Funds, Train wrecking, Treason, Fatalities.

B. One Year Retention:

1. Video Tapes: Security/Facility Monitoring

C. Two Year Retention:

1. Auction Receipts (surplus/recovered/lost property)
2. Business Permit Applications
3. Citation Logs
4. Citations (not currently on the purge schedule; old schedule called for two years; requires concurrence of Chief of Police)
5. 11357(b)(c) or (d)
6. Missing Persons (if subject has been located).
7. Logs: Jail Logs, Ride-along, 911, etc.
8. Ride Along requests
9. Teletype Message Log
10. Visa Verification Letters
11. Watch Commander Logs
12. Schedules
13. Property Damage Only (PDO) collision reports

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- 14. Repossessions
- 15. Storages/Impounds
- 16. Lost/Found/Safekeeping Property reports

D. Three (3) Year Retention

- 1. Correspondence
- 2. Factual Innocence – Crime Reports
- 3. Pawn Slips

E. Four (4) Year Retention:

- 1. Alcohol use permits
- 2. Non-Injury Traffic Collision (not PDO)

F. Five (5) Year Retention

- 1. Meeting Minutes
- 2. Use of Force Memos
- 3. Background investigations of applicants for positions with the Department when subject was rejected for employment.
- 4. Field Interview Cards
- 5. Domestic Violence Reports and Cards

G. Seven (7) Year Retention:

- 1. Misdemeanor and Felony Crime Reports where no arrest occurred
- 2. Injury/overdoes/attempt suicide reports not resulting in death
- 3. Incident reports

H. Ten (10) Year Retention:

- 1. Sexual Assault, Elder Abuse and Domestic Violence (non-arrest)
- 2. Natural Death
- 3. Bicycle Licenses (from date of issue)

I. Fifteen (15) Year Retention

- 1. Suicide Death

**813.5 PURGING SCANNED DOCUMENTS**

A. Run a report in Laserfiche to include which reports have reached their retention limits **(run by the Purge Date field)**.

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B. Visually verify each report does meet purge criteria. If it meets criteria, delete the index to that document. If it does not meet criteria, enter the correct purge date in the template, or remove the purge date if the document is to be permanently retained.

#### **813.6 PURGING CORI RECORDS (LOCAL CRIMINAL OFFENDER RECORD INFORMATION)**

A. Records shall be purged in general conformance to the following schedule, per applicable sections of the Government Code, Health & Safety Code, the Welfare and Institutions Code and local ordinance.

1. Older local CORI files consist of copies of arrest face sheets, court dispositions fingerprint cards, photos, and DOJ rap sheets. Copies of Juvenile petitions and probation reports are also incorporated in some juvenile files.

2. The newer local CORI files, since approximately 1998, contains only arrest face sheets. Court dispositions and photo booking printouts are now filed with the case. Fingerprints and mug photos are automated.

3.. As a basic rule, all entries on a subject must meet purge requirements before that record (arrest folder) may be purged. The entire record shall be retained if any criminal entry fails to meet purge requirements.

#### B. CORI Retention Periods

1. 11357(b), 11357(c) and 11357(d) H&S are retainable for two years only per statute. 11357(e) H&S (possession of marijuana on school grounds) must be retained until the subject is 18 years old.

2. All other retention periods for arrests are no longer applicable per city retention schedule. All arrests are scanned and retained permanently; original hard copies are destroyed two (2) years after scanning.

3. Older arrest folders containing CORI information may be purged after 10 years of non activity by the individual; or if the subject reaches 70 years of age.

#### C. Exceptions to CORI retention schedule:

1. Records of subjects convicted of offenses requiring registration under Section 290 of the Penal Code will be retained for the life of the individual. 290 P.C. purge criteria does not apply to records of persons who obtain a certificate of rehabilitation as specified under 290.5 PC.

2. Records of juveniles committed to California Youth Authority facilities will be retained until age 25 or five years from date of release, whichever is longer.

3. CORI records of deceased persons will be purged three years after the date of death.

#### **813.7 APPLICABLE CODE SECTIONS**

34090 Government Code - When an agency may destroy records

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- 34090.5 Government Code - Destruction of Records; conditions
- 34090.6 Government Code - Destruction of recorded routine video monitoring, telephone and radio communications; see also 26202.6 G.C.
- 34090.7 Government Code - Duplicate records less than two years old; destruction; video recording media
- 26205.1 Government Code - Destruction of nonjudicial public records, documents, etc.
- 290(d) Penal Code - Sex Registrants
- 851.8 Penal Code - Adult Record Sealing
- 11361.5(a) Health & Safety - H&S Records that may not be kept beyond 2 years
- 11361.5(b) Health & Safety - H&S Records that may not be kept beyond 2 years
- 11361.5(d) Health & Safety - H&S Records that may not be destroyed if civil case filed
- 11357(e) Health & Safety - Possession of Marijuana on school grounds
- 781(a) WIC - Juvenile Record Sealing
- 826(a) WIC - Juvenile records may be destroyed after juvenile court jurisdiction is terminated
- 826(b) WIC - Must destroy all records related to juvenile matter

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## Report Release Guidelines

### 814.1 PURPOSE

It is the policy of the Simi Valley Police Department to provide guidelines for releasing reports to the general public in compliance with the Public Records Act, the California Constitution, Department Policy 805 and other legislative requirements.

### 814.2 PROCEDURE

A. The following agencies may receive copies of reports:

1. Other Law Enforcement Agencies

a. All information is exchanged with other agencies when needed for investigative purposes. No fees will be charged.

1) Personnel of other agencies requesting reports for personal use are subject to the same restrictions as the general public and will be charged the appropriate fee.

2) Information requested by phone must be accompanied by a written request via facsimile or email. This request must be on letterhead and must state purpose for request.

3) Information requested in person must be accompanied by a signed report release waiver.

2. Probation Department

a. Request must be accompanied by a signed waiver, fax or email request. No fees will be charged.

3. District Attorney's Office

a. Information requested by phone must be accompanied by a fax request or email. Complaint Request Evaluations (CRE) also satisfy this requirement. No fees will be charged.

4. DOJ Authorized Agency List for Criminal History Information.

a. This list by DOJ is used as a guideline only. The list only authorizes the listed agencies to receive Criminal History information; it does not authorize release of actual law enforcement documents. Any information released is limited to the purposes outlined under each agency.

b. Fees may be charged to private agencies.

5. Defense Investigative Services (DIS) may receive arrest information. Only arrest information with convictions may be provided. A waiver signed by the individual of inquiry must accompany the request.

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a. Only information regarding the applicant may be released. Information regarding family members, friends or acquaintances will not be released unless the request is accompanied by a waiver signed by the individuals of inquiry.

b. This section also applies to all agencies (local, state and federal) conducting employment background checks.

6. City and County agencies and employees when involved in an incident during the course of city or county employment and are authorized to receive the incident information. No fee will be charged.

#### 7. School District Authorities

a. Authorized to receive crime reports and arrest information, without charge, on the following incidents occurring on school property or arrests involving specified school personnel:

1) Malicious Mischief

2) Burglary

3) Other Theft Reports

4) School employee arrests for any of the controlled substance offenses enumerated in Health & Safety Code §§ 11590, 11364 or 11591 or any of the sex offenses enumerated in Penal Code § 291.

B. Involved Parties or their authorized representatives (including attorneys and insurance companies) may purchase reports under the following conditions:

1. **Arrest Reports:** Arrestees shall be referred to the District Attorney's Office for copies of their current arrest reports.

a. Exceptions:

1) Arrests for 11357(b) H&S or 25662 B&P

2) Inactive cases or those not directed to the District Attorney. These requests may be referred to the Records Manager or Records Supervisor for approval.

2. **Accident Reports:** may be released to all individuals involved, including property owners, or their representative. Vehicle Code 20012 makes accident reports confidential and therefore such reports may only be released as stated.

3. **Crime Reports:** Victims, involved parties and authorized representatives may receive initial crime reports. Release is subject to approval by the Records Manager.

a. Named suspects not arrested shall not be released

b. Reports still under investigation shall not be released as release could endanger the investigation.

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c. Witness names and statements are public record unless they are confidential informants or juveniles.

d. The investigative portion of a crime is not releasable. Refer to the Public Records Act for full guidelines.

e. Detective "Case Cleared" supplements and District Attorney Confidential notices shall not be released.

#### 4. Child Abuse and Sex Crimes:

a. Not releasable in most cases. 11167.5 PC requires a court order to release Child Abuse report information. Thoroughly sanitized copies might be releasable. Refer requests to the Records Manager.

5. Juvenile Reports are releasable within the guidelines of the current TNG Juvenile Court Order. If releasable, a copy of the TNG Order shall also be furnished.

6. Incident/Miscellaneous Reports are releasable only to the involved parties or their authorized representative. Miscellaneous reports involving juveniles may be released only to the parent or guardian of the juvenile involved depending on the nature of the report.

a. Welfare and Institution Code 5150 reports are releasable only to the individual involved or their authorized representative. Use caution if releasing documents of this nature and contact the Records Manger or Supervisor for clarification.

7. Traffic accident supplements or Supplemental Reports containing additional stolen property shall be furnished to the victim or their authorized representative.

8. Citations: There is no specific legal code section governing the release of traffic citations. Interpretation has been that they are court records, therefore they are public records and can be released pursuant to the Public Records Act. General guideline for release shall be citations are releasable to the subject of record and are provided for the current cost of reproduction. General public inquiries shall be referred to the courts.

9. Domestic Violence Cards are releasable only to the parties involved.

a. State law requires that the first copy of any Domestic Violence incident shall be provided at no cost. Subsequent requests for copies of these reports shall be provided at the current fee.

C. Press and Uninvolved Parties may review the pressboard and daily logs. Copies of reports shall not be furnished unless they are involved parties. Requests for additional information shall be referred to the Press Information Officer. Refer to Press Board Policy, Unit Order #25 for detail.

1. A waiver is required of anyone who requests the address of any arrested party. See waiver in Unit Order 8. Form is also in the G: Shared/Records.

D. Basic Guidelines for approving release of a report:

1. What must be released per 6254 Government Code?

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2. Does the public or department interest served by not releasing the report outweigh public interest in disclosure?

3. Will release constitute an invasion of privacy? (California Constitution, Article 1, Section 1)

4. Is release in compliance with General Order 7.03?

E. Do Not release information if the following conditions exist:

1. If 5150 WIC involved and individual requesting is not the subject of record.

2. If 849.5 release and individual requesting is not the subject of record

3. If investigation is pending or could be jeopardized by release of information

4. If anyone's safety would be endangered by release of information

F. Litigation involving the City: If litigation against the city is pending or in progress; per the City Attorney only that information which would be released normally under the Public Records Act may be released. It is highly recommended that inquiries on such cases be referred to the City Attorney's office. Current fees apply.

## Vehicle Repossessions

### 815.1 PURPOSE

The Records Bureau shall establish a procedure for the reporting of vehicle repossessions as required by law.

### 815.2 PROCEDURE

A. In accordance with California Vehicle Code § 28, immediate notification is to be given to the Police Department in the city where a vehicle is removed by the person taking possession of any vehicle by or on behalf of any legal owner under the terms of a security or lease agreement.

B. Calls reporting repossession shall be forwarded to the Communications Bureau for logging. Repossessors are required to provide written notification within 24 hours of verbal notice.

C. Upon written notification the assigned Technician shall:

1. Obtain GO number previously assigned by Communications
2. If unable to locate a GO, assign one
3. Enter in CLETS
4. File. Scanning is not required.

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## Subpoena Duces Tecum

### 816.1 PURPOSE

It is the policy of the Simi Valley Police Department to ensure Subpoena Duces Tecums are properly complied with in accordance with the laws governing them.

### 816.2 PROCEDURE

A. All civil subpoenas are accepted, along with payment at City Hall & by Records personnel.

B. Civil Subpoenas for sworn personnel

1. Appropriate witness fees shall be paid to the city at the time of subpoena service. Refer Government Code 68097.2

a. Civil Subpoenas to U.S. District Court require \$40 plus mileage. Refer Rule 45-19 Federal Rules of Civil Procedure.

2. Sufficient notice must be given which are generally accepted to be 5 days minimum, however US. District Court subpoenas state "reasonable" time for notice. Accept the subpoena in all cases. The subpoena clerk will coordinate with the officer.

3. Subpoena shall be date stamped, initialed, and fees collected.

4. The original subpoena with a "Civil Court Time Record" form (Attachment I) shall be given to the subpoena clerk.

5. After appearance the officer will complete the Civil Court Time Record and forward it to the Senior Account Clerk in Fiscal Services.

C. Civil Subpoena for the Custodian of Records or other Civilian employee:

1. Fees:

a. If a personal appearance is not required, the Witness fee is \$15.00. This fee is nonrefundable, even if no records are found. The fee covers technician time for handling, process and research time.

b. When a personal appearance is required, the Witness fee is \$150, plus mileage both ways. Refer Government Code §§ 68097.2 and 68096.1

c. If more than two reports are required, or extra time is necessary to obtain the data, additional fees shall be computed and the requestor shall be advised prior to processing. Payment may not be requested prior to actual delivery of reports. Likewise, we are not required to deliver the requested reports until payment has been made. An itemized statement of costs is required. Refer Evidence Code §1563 (b)(1).

2. An affidavit must be attached and checked on subpoenas for the Custodian of Records. The affidavit must set forth the materiality of the requested records.

a. Upon receipt the subpoena will be date stamped, initialed and fees collected.

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*Subpoena Duces Tecum*

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3. The Records Manager shall confirm the following:

- a. Are the records within the scope of department responsibility?
- b. Is a referral to the City Attorney Required?
- c. Is a "Motion to Quash" in order? If so, refer to the District Attorney's office or the City Attorney's office if it's a city involved lawsuit, or a municipal code case.
- d. When evidence is involved a copy of the subpoena shall be routed to Property for reproduction of the required items. The Records Supervisor or assigned Technician produces 911 audio for subpoena requests and the Crime Scene technician reproduces Videotapes and digital photos. All other film photos are received from Property.

D. Pitchess Motions shall be referred to the Professional Standards Bureau.

E. If the case subpoenaed is currently involved in litigation against the city, the City Attorney's Office shall be notified.

F. Challenging Subpoenas for Records

1. The subpoena may be forwarded to the City Attorney or District Attorney if applicable, if the following conditions exist, with the possibility of a "Motion to Quash" being in order:

- a. The subpoena is vague, ambiguous, too broad, or considered to be a "fishing expedition".
- b. Information cannot be furnished by the date specified. If this is the only reason for non-compliance, call the issuing attorney's office and try to negotiate the time issue. They are usually cooperative if they know they'll get the records they want.
- c. It is not considered to be in the best interest of the Department to release the report for a specific justifiable reason. Refer Government Code § 6254(f).
- d. Requested information is considered an invasion of privacy. A Notice to Consumer may be required. Refer California Constitution, Article 1, § 1 regarding privacy issue.

2. The issuing attorney should be contacted for clarification of requests prior to challenging through a "Motion to Quash".

G. Compliance Instructions

1. Appearance Required

a. The Records Manager shall appear as commanded and take the original, if ordered and two copies of the documents to court.

- 1) Contact the issuing attorney. Appearance may be negotiable. At minimum, request to be placed "On Call". Submission of documents requested may also satisfy the appearance requirement.

b. Prior to appearance, the Records Manager shall:

# Simi Valley Police Department

## PROCEDURES

### *Subpoena Duces Tecum*

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- 1) Make two copies of all documents requested; three if the original is ordered. One of those copies is placed in file until the original is returned.
- 2) Make two copies of the subpoena and supporting documents. One copy will be used for the mailing and one copy is for file purposes.
- 3) Upon appearance, every effort will be made to leave the court with a copy of the documents, not the originals.

#### 2. Appearance Not Required

a. The Custodian of Records is not required to appear if the requested records are produced within five (5) days of receipt of subpoena. Refer Evidence Code §§ 1560 -1562 and 1271.

- 1) This applies only if the appropriate box on the face of the subpoena is marked. Contact the issuing attorney, appearance is usually negotiable.

b. Legible copies of the requested records shall be made and a certification stamp affixed to the face sheet of each report.

c. A Declaration form (See sample in V) certifying records are true and accurate copies shall also be prepared and enclosed. Make one copy to attach to department copy of subpoena.

- 1) Declaration form may be supplied by the attorney. Use the Department standard Declaration form instead.

- 2) Some or all of the records may not be available for various reasons. Mark the appropriate box on the Declaration.

d. The records requested and the signed declaration shall be sealed in an inner envelope with a copy of the subpoena attached to the exterior. A label showing the case information, including Court time or Deposition date may be affixed to the sealed envelope in lieu of a copy of the subpoena.

e. This envelope shall be placed in a mailing envelope, sealed and mailed to the Court Clerk or Hearing Officer at the address specified on the subpoena.

#### H. Deposition Subpoenas

1. These are handled in the same manner as SDT's. Information may be sent to the Attorney's office as requested.

a. Exception: If the attorney issuing the subpoena is requesting information on the other party (not his/her client) or a third party not named on the subpoena, a "Notice to Consumer" must be included. This allows the other party time to formally respond and ask the court to deny such requests. You must wait the specified 15 days after receipt of the Notice to Consumer before complying with the request.

#### I. Criminal Subpoenas for Records

# Simi Valley Police Department

## PROCEDURES

### *Subpoena Duces Tecum*

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1. Penal Code § 1054.5(b) provides that requests for discovery shall be initiated by making an informal request of the opposing counsel. Failure to comply within fifteen (15) days allows the party seeking discovery to move for a discovery order compelling the production of the requested items. A subpoena duces tecum served on a law enforcement agency for a criminal case would appear not to be an authorized means to compel discovery without first complying with the provisions of Penal Code § 1054 et seq.

2. Contact the District Attorney's office to determine the assigned DDA. Call the DDA and advise them you are in receipt of a criminal subpoena for records and unless otherwise directed by them you will send these directly to court in the approved method.

NOTE: At this point in time the City Attorney cannot handle criminal subpoenas. However, call the City Attorney's office if you believe a motion to quash is in order. Some subpoenas may require an official memo to the City Attorney from the Chief requesting an opinion for release. Prepare the memo and forward to the Records Unit Division Manager.

#### J. Workers Compensation Subpoenas

1. These are considered Civil Subpoenas. Handle appropriately.

#### **816.3 APPLICABLE CODE SECTIONS**

Evidence Code § 1270 - Government as Business

Evidence Code §§ 1506, 1530, 1531, 1533 and 1563 - Fees and validity of certified records

Evidence Code §§ 1560 and 1561 - Compliance with Subpoena

Evidence Code §§ 1040 and 1070 - Privilege for official information

Code of Civil Procedure §§ 1985-1987 - Subpoena and Affidavit definitions

Code of Civil Procedure § 2020(d)(4) - Regarding Deposition Subpoenas

Code of Civil Procedure §§ 2034 and 2086 - Content of Declaration

Penal Code § 1054.5(b) - Criminal Subpoenas for Records

Federal Rules of Civil Procedure Rule 45-19 - Fees and Mileage

Government Code §§ 6250, et seq., - California Public Records Act; emphasis on 6254(f)(1) and 6254(f)(2)

Government Code §§ 68026, 68093, 68096 and 68097 - Witness fees

California Constitution, Article 1, Section 1 - Right to Privacy

#### **816.4 CROSS REFERENCE**

A. Policy 805, Records Maintenance and Release

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## Vehicles: CLETS Entry and Releases

### 817.1 PURPOSE

The Records Bureau shall establish a procedure for the release of stored or impounded vehicles.

### 817.2 PROCEDURE

A. When a vehicle is stored is stored or impounded the following steps shall be taken to ensure proper release.

B. Proper documentation must be presented. That documentation shall be:

1. Owner of vehicle must be present; or the owner may send an "agent" along with a signed note authorizing release to the individual and a copy of the owner's license; or the document may be notarized.
2. Valid Driver's license (query CLETS to ascertain status)
3. If the driving status is suspended or they have no license they must have a valid licensed driver with them to take possession of the vehicle.
4. Current Registration (query CLETS to ascertain status).
5. If unable to obtain full registration from DMV (needs smog, etc.) then a one day moving permit or a temporary moving permit is required. If they present a receipt from DMV where "this is not an operating permit" is printed across the top they are required to have the moving permit or temporary moving permit.
6. If the owner of the vehicle is incarcerated note listed in item 1 is still required. A deputy at the jail should be requested to either witness the note or address stamp the note to verify the "agent" did respond to the jail facility.

B. The current fee as listed in the Schedule of Service Charges shall be collected. The original 180 and a copy shall be stamped "Paid" with the copy being given to the owner/agent. Exception to collecting the fee would be if the Legal Owner is repossessing or taking possession of the vehicle at the tow yard. No fees may be charged the Legal Owner.

C. A copy of all presented documents shall be attached to the 180. Applies to both storages and impounds.

D. No fees are collected for vehicles stored under 22651(g) VC – driver incapacitated.

### 817.3 IMPOUND VEHICLES

A. If impounded under authority of 22655(b) VC – Hit and Run – the vehicle cannot be held for over 48 hours and shall be released. Obtain the impounding officer or the Watch Commander approval prior to releasing.

B. No fees collected for vehicles impounded for evidence under 22655.5a VC

# Simi Valley Police Department

## PROCEDURES

### *Vehicles: CLETS Entry and Releases*

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C. When an impounded vehicle is available for release a form letter will be mailed to the registered owner advising them of the items needed for obtaining a release of the vehicle. See section VII for a sample of the letter which is found in G: Shared/Records/Forms & Letters & Notices/Veh Impound Release Letter.

D. Vehicles impounded pursuant to 14602.6 VC require a 30-Day hold on the vehicle if the owner of the car was driving on a suspended license.

1. Vehicles stored pursuant to 14602.6 VC may request an Impound Hearing with the Traffic Bureau. They can come in and fill out the applicable form and the Traffic Bureau has 48 hours to respond and determine if the vehicle is releasable prior to the 30 days under certain conditions or uphold the full 30 days. The registered owner will be notified by Traffic Bureau personnel with the results of the hearing and will submit the form with determination to the Records Bureau for scanning and filing.

#### **817.4 CLETS ENTRY / CANCEL AND NOTICE TO OWNER**

A. Upon receipt of the CHP 180, wants and registration shall be queried via CLETS. Enter the vehicle in SVS.

1. Verify registered owner and legal owner information on the CHP 180 matches CLETS response

B. If the storage lists 14602.6 VC as a storage authority:

1. Enter it as an IMPOUND.

C. Date and Initial box at lower right of the CHP 180 to indicate notice was mailed for paper the CHP 180 and update the details page with the date/time of notice for electronic 180's.

D. Initial Bottom of the CHP 180 with the date and initial a paper 180.

E. The NCR notice form shall be signed on the back and mailed to the owner and legal owner of record for paper CHP 180's and release tracked for electronic 180's.

F. Upon release of storage/impounds

1. Cancel from CLETS; attach printout to the GO.

2. Mark "cancel" with date and initials on the bottom of the CHP 180's.

3. Place the CHP 180 on the assigned technician's desk for quality assurance/scanning and filing.

#### **817.5 QUALITY ASSURANCE AND DISTRIBUTION**

A. The technician shall review and modify as needed, the following items on all CHP 180's:

1. Compare registration information to that information written on the form;

2. Ensure the CHP 180 is properly marked for entry and cancellation;

Simi Valley Police Department  
PROCEDURES

*Vehicles: CLETS Entry and Releases*

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3. Ensure all CLETS printouts are attached;
4. Ensure proper mailing has been completed.

B. All documents shall be scanned and filed after the vehicle release.

**817.6 RETURNED NOTICES**

A. If a storage notice is returned to the department, ensure mailing address was correct. If not, mail to correct address. If it was correct:

1. If notices are returned the technician will send notice to DOJ;
2. Scan;
3. File;
4. For MRE 180's if the notice is returned, in Versadex scan only the certification page and the envelope documenting the reason for the return.

**817.7 DISTRIBUTION**

A. Every thirty (30) days the assigned technician shall remove all CHP 180's that have not been released.

**817.8 SAMPLE LETTER**

A. The letter attached shall be printed on department letterhead ( [See attachment: Notice Letter.pdf](#) )

## Visa Verification

### 818.1 PURPOSE

A. It is the policy of the Simi Valley Police Department to establish a procedure for providing a letter verifying that an individual has no criminal history record with the Simi Valley Police Department.

B. Citizens often require such correspondence when relocating or traveling out of the country for visa or immigration purposes.

### 818.2 PROCEDURE

A. Each person requesting a letter must present proper picture identification, i.e., Driver's License, DMV Identification Card or Passport.

B. A search of the alpha card file and computer master name index shall be made for any criminal history record applicable to the requestor.

C. If files disclose no criminal history, a "no record" form letter shall be prepared (see IV and signed by the Records Manager.

D. Should files reveal a criminal history record, a form letter shall be prepared indicating the information found in the files (see Section V). The letter shall be reviewed and signed by the Records Manager.

E. Requestor shall be given the original Visa Verification letter and be informed that it covers our agency only. If a more complete record check is needed, he shall be referred to Department of Justice (see Paragraph III).

1. Copies of letter and identification to be retained in the Records Unit Administrative files.

F. The current approved fee shall be collected and deposited in cash register.

#### 818.2.1 REFERRAL TO DEPARTMENT OF JUSTICE

A. If other than a local record check is needed, citizens shall be provided the form letter prepared by the Department of Justice. Refer to the address on the form.

### 818.3 CORRESPONDENCE

A. Approval letter sample to be printed on department letterhead, which may be found in the G:Shared/Records directory.

1. No record with the Simi Valley Police Department ( [See attachment: No Record Letter.pdf](#) )
2. Arrest record with arrest history ( [See attachment: With Record.pdf](#) )

## Confidential Investigations

### 819.1 PURPOSE

- A. It is the policy of the Simi Valley Police Department to establish a procedure for proper documentation and retention of confidential investigative reports.
- B. The Records Manager shall have the authority and responsibility to establish and maintain procedures for the storage and maintenance of all such reports, based on the procedures herein.

### 819.2 PROCEDURE

- A. When a confidential investigation is initiated by personnel of the Simi Valley Police Department, a private or invisible GO number shall immediately be assigned, and a report generated documenting the initiation of the investigation and its ongoing status. The Police Records Manager and Records Supervisor shall have access but the file is maintained by the Special Operations Sergeant/Commander.
- B. At the conclusion of an investigation, all reports may be submitted to Records for routine storage and processing.
- C. If the investigative report is to remain confidential, the investigator will ensure that the Records Manager or Records Supervisor have access to the private or invisible case for quality assurance and records management purposes.

## Press Board

### 820.1 PURPOSE

A. It is the policy of the Simi Valley Police Department's Records Bureau to establish a procedure for proper compliance with the Public Records Act (PRA) and provide appropriate information pursuant to the PRA.

B. In all cases third party privacy will be asserted pursuant to Article 1, Section 1, of the California Constitution, guaranteeing an individual right to privacy.

### 820.2 PROCEDURE

A. The following items are available for review by the Press and any interested party:

1. Daily Logs: If the log contains juvenile arrestee names, reporting party names or victim names of any sex crime, those items will be omitted from the log.

2. Arrest Log: Arrested person name & identifiers, arrest date & time, arrest charge & case number.

B. The following items are not available to the Press or any interested party for review:

1. Arrests resulting in 849(b)(1) PC release

2. Counsel and Release situations

3. Juvenile Arrests

C. Exceptions: Persons reviewing the arrest face sheets must sign a waiver (Declaration in Support of a Public Records Request). The declaration states they are not involved in any criminal action involving any victim or arrestee and that they are obtaining the information for Scholarly, Journalistic, Political or Governmental use; or that they are a licensed Private Investigator (see waiver in Unit Order 8). Arrestee addresses may not otherwise be released.

## Training New Members

### 821.1 PURPOSE

The Records Bureau shall train new Records Technician's or members to work in the Bureau through a combination of and on-the-job, hands-on training, combined with a classroom setting. [See attachment: Records Training Guide.pdf](#) and [See attachment: Trascription Guidelines.pdf](#)

### 821.2 PROCEDURE

A. When requested by the Records Manager, Records Supervisors or Senior Records Technician will train new Technicians or personnel that will be working in the Records Bureau.

B. When training new Technicians or personnel that will be working in the Records Bureau, the assigned Records Supervisor or Senior Records Technician will complete a training manual for the person being trained and complete monthly evaluations.

C. The Records Supervisor or Senior Records Technician will complete a status report when requested, which outlines the progress and assessment of the trainee and forward the report to the Records Manager and then to the Deputy Director.

D. The average length of the training period for a new Technician without previous experience will be approximately eight (8) months. However, the length of the training period may be extended or reduced depending on the progress and needs of the trainee and the department, with approval of the Records Manager and Deputy Director.

E. Meeting the needs of the trainees will be second only to the Records Supervisor or Senior Records Technician handling their primary Records Bureau responsibilities.

F. The Records Supervisor or Senior Records Technician focus will be on training and job-related issues.

G. Records Supervisor or Senior Records Technician will display a positive and professional demeanor.

H. Records Supervisor or Senior Records Technician will teach, instruct and carry out department policies, procedures and orders in a consistent, professional manner.

## **Chapter 9 - Special Enforcement Bureau**

## Special Enforcement Bureau

### 900.1 PURPOSE

The mission of the Special Enforcement Bureau (SEB) of the Simi Valley Police Department is to provide direct law enforcement services to the public, support to other components of the Police Department and to conduct comprehensive, technical narcotics and vice investigations.

### 900.2 PROCEDURE

A. In order to effectively perform its mission, the Special Enforcement Bureau has formulated Bureau Orders to establish operational procedures and guidelines which are to be used in conjunction with the manuals published by the Simi Valley Police Department and the City of Simi Valley.

B. The following areas are the specific responsibility of the SEB.

1. Specialized crime suppression/investigative activity
2. Gang suppression
3. Graffiti investigations
4. ABC enforcement
5. Parolee tracking
6. Due Diligence/warrant service
7. Crime suppression through pattern analysis and enforcement
8. Labor dispute response
9. Executive protection assignments
10. Comprehensive narcotics investigations
11. Comprehensive vice investigations
12. Liaison with State of Calif. Unlicensed Activity Unit (Consumer Affairs)
13. Bingo enforcement

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## Organizational Structure

### 901.1 PURPOSE

The Special Enforcement Bureau of the Simi Valley Police Department shall define herein an organizational structure for the Bureau, to include job descriptions and responsibilities, and standards of accountability for Bureau personnel.

### 901.2 PROCEDURE

A. The SEB is divided into three Sections. They are:

1. Special Investigations Section (SIS)

- a. The SIS is responsible for all comprehensive vice and narcotics investigations conducted by the Simi Valley Police Department.
- b. Its authorized staffing is one (1) Sergeant and Five (5) Detectives.

2. Special Enforcement Section (SES)

a. The SES is responsible for a broad spectrum of law enforcement activity as noted:

- 1) Parolee tracking
- 2) Specialized crime suppression activity
- 3) ABC enforcement
- 4) Street-level narcotics enforcement
- 5) Due diligence warrant service
- 6) Crime suppression through pattern analysis and enforcement
- 7) Labor dispute response
- 8) Executive protection assignments
- 9) Vice/ABC assessment
- 10) Lewd/dissolute conduct in public
- 11) Bingo enforcement
- 12) Adult probation
- 13) Dept. Consumer Affairs - Investigative Service

b. The authorized staffing for the SES is one (1) Sergeant and six (6) Officers.

3. Special Problems Sections (SPS)

a. The SPS is the primary Unit in the Department responsible for the suppression of gang and graffiti related criminal activity.

# Simi Valley Police Department

## PROCEDURES

### *Organizational Structure*

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b. The authorized staffing for the Special Problems Section is one (1) Sergeant and seven (7) Officers.

#### **901.3 JOB DESCRIPTIONS**

A. Commander - Under direction of the Deputy Chief, to command the Special Enforcement Bureau and perform related work as assigned.

1. SES Sergeant - Under direction of the SEB Commander, supervises the SES and performs related work as required.

a. SES Officers - Under the direct supervision of the SES Sergeant, Officers assigned to the SES perform specialized law enforcement activity both in uniform and plain clothes as assigned. Officers assigned to the SES may be required to work irregular hours and be assigned to different details on a daily basis.

2. SIS Sergeant - Under the direction of the Special Enforcement Bureau Commander, supervises the Special Investigations Section and performs related work as required.

a. SIS Detective - Under direct supervision of the SIS Sergeant, Detectives assigned to the SIS perform specialized narcotics and vice investigations. Detectives assigned to the SIS are responsible for conducting sophisticated, complex investigations.

3. SPS Sergeant - Under the direction of the SEB Commander, supervises the SPS and performs related work as required.

a. SPS Detective - Under the direct supervision of the SPS Sergeant, Detectives assigned to the SPS perform specialized law enforcement activity both in uniform and in plain clothes as assigned. Officers assigned to the SPS are the Department's primary resource for the suppression of gang-related and graffiti activity.

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## Special Enforcement Section

### 902.1 PURPOSE

The Special Operations Unit of the Simi Valley Police Department shall establish standards governing the Special Enforcement Section (S.E.S.) Officer position.

### 902.2 PROCEDURE

#### A. RESPONSIBILITIES

1. Officers assigned to the Special Enforcement Section (S.E.S.) are expected to adhere to the highest professional standards of contemporary law enforcement. The responsibilities of Officers assigned to the S.E.S. are complex and varied. The following list, although not all inclusive, includes specific responsibilities of the Officers assigned to the S.E.S.

- a. Specialized crime suppression activity
- b. Lewd/dissolute conduct in public
- c. ABC enforcement/investigations/assessment
- d. Street-level narcotics enforcement
- e. Bicycle Patrol
- f. Parolee tracking
- g. Due Diligence/warrant service
- h. Executive protection
- i. Crime suppression through pattern analysis enforcement
- j. Labor dispute response
- k. Adult probation
- l. Other duties as assigned

2. The tracking and monitoring of parolees, residing within or otherwise patronizing the City of Simi Valley, is a priority within the S.E.S. S.E.S. Officers are expected to work cohesively with Crime Analysis and State Parole in remaining current on the activities of our parolees to include their release and placement within City limits.

3. Due to the nature and diversity of the assignment, S.E.S. Officers need to be resourceful, self-motivated and work cooperatively in a team environment.

## Special Investigation Section

### 903.1 PURPOSE

A. The Special Enforcement Bureau of the Simi Valley Police Department establishes standards governing the Special Investigation Section Detective positions.

B. Special Investigations Section (SIS) Detectives are responsible for the initiation and follow#up of all investigations concerning the sale, possession for sale, manufacture or cultivation of illegal narcotics and drugs.

C. SIS Detectives are responsible for the initiation and follow-up of all vice investigations as delineated in Section II.A.2.

### 903.2 PROCEDURE

#### A. Responsibilities

1. Detectives assigned to the SIS are expected to adhere to the highest professional standards of contemporary law enforcement. The responsibilities of Detectives assigned to the SIS are complex and varied. The following, although not all inclusive, includes specific responsibilities of the Detectives assigned to the SIS.

##### a. Narcotics Investigations

- 1) Illegal drug manufacturing
- 2) Illegal sales and transportation of controlled substances
- 3) Asset forfeiture investigations

##### b. Vice Investigations

- 1) Prostitution
- 2) Illegal gambling
- 3) Bookmaking

2. Due to the nature and variety of the assignment, SIS Detectives need to be resourceful, show self-initiative and work cooperatively in a team environment.

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## Special Problems Section

### 904.1 PURPOSE

The Special Enforcement Bureau of the Simi Valley Police Department establishes standards governing the Special Problems Section Detective position.

### 904.2 PROCEDURE

#### A. Responsibilities

1. Detectives assigned to the Special Problems Section (SPS) of the Special Enforcement Bureau are expected to adhere to the highest professional standards of contemporary law enforcement. The responsibilities of Detectives assigned to the SPS are complex and varied. The following list, although not all inclusive, includes specific responsibilities of the Detectives assigned to the SPS.

- a. Gang suppression/Registration
- b. Graffiti investigation
- c. Investigation of gang related criminal activity
- d. Specialized crime suppression activity
- e. Other duties as assigned

2. Gang suppression, mitigation and investigations shall be the priority of the APA assigned. Detectives are expected to work cohesively with Crime Analysis, Probation, School Resource Officers, Patrol and Detectives in resolving gang related issues and keeping the local gang situation in check.

3. Due to the nature and variety of the assignment, SPS Detectives need to be resourceful, be self-initiated and work cooperatively in a team environment.

#### B. Case Management

1. In the event SPS Detectives respond to a homicide scene, wherein a determination is made that it is gang-related, Detectives will be immediately notified and respond to the scene to assume responsibility for the investigation. Given the gang experience of SPS Detectives, they may assist in the investigation.

2. In the event SPS Detectives respond to a felonious gang-related assault, wherein the injuries are potentially life threatening, the following procedure applies:

- a. Detectives are to be notified and asked to respond. They will then assume responsibility for the investigation. SPS Detectives may assist in the investigation.
- b. The Deputy Chief shall have the flexibility to modify the above regulations depending on the investigative expertise, training and ability of the personnel assigned to SPS.

# Simi Valley Police Department

## PROCEDURES

### *Special Problems Section*

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Providing sufficient training, expertise and ability is possessed by SPS personnel, modification may include assigning the entire investigation to the SPS.

3. Should an SPS Detective wish to pursue the follow-up investigation of a case which would normally be handled by the Detective Bureau, the Detective will request authorization through his/her supervisor, who will then coordinate the effort with a Detective Bureau supervisor.

4. In the event that SPS personnel are assigned follow-up investigative responsibility of any criminal case, the following process shall be followed relative to the case management responsibilities and follow-up procedures. Cases may be those initiated by SPS personnel or those assigned to SPS for follow-up investigation.

a. Cases initiated by SPS personnel

1) It is the responsibility of the Detective writing the initial report to assume responsibility as the case agent.

2) The case agent is responsible for the proper investigation, follow-up and filing of the case.

3) The case agent will be assigned to work with the Deputy District Attorney on the court proceedings related to the case and will be the designated Investigating Detective for court purposes.

4) All follow-up conducted by other personnel assisting the case agent will be reported to and coordinated by the case agent. Unless it is impractical, the case agent will be contacted for coordination of all follow-up investigation and interviews. Copies of all related reports will be forwarded to the case agent in a timely manner.

5) A Special Enforcement Bureau Supervisor may assign a Detective as a case agent or reassign a case as necessary to best meet the needs of the Bureau.

6) Cases forwarded to SPS for follow-up investigation

a) Cases forwarded to SPS for follow-up investigation will be assigned by the SPS Sergeant.

b) All follow-up procedures in these cases will be as indicated above.

c) Completed case files will be maintained in the SEB master file.

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## Arrest Warrants

### 905.1 PURPOSE

A. The Special Operations Bureau shall establish uniform procedures for the serving of arrest warrants.

B. The Special Enforcement Section (S.E.S.) has been assigned the responsibility of coordinating and whenever practical, serving arrest warrants.

### 905.2 PROCEDURE

A. The Department Warrant File is maintained by the Court Liaison Section of the Detective Bureau. The Court Officer is responsible for ensuring that the file is up-to-date and in good order (this procedure is outlined in Detective Bureau Order 410, Court Liaison.

B. Officers assigned to the Special Enforcement Section shall maintain liaison with the Detective Bureau Court Liaison Section and ensure that due diligence in regards to the service of all warrants is current.

1. An attempt to serve each warrant on file shall be made at least once every ninety (90) days.

a. Each attempt shall be noted on the S.E.S. due diligence worksheet for that warrant. (See attached)

b. The ninety (90) day cycle will stop when all leads are exhausted and the suspect's location is unknown. In the event a suspect has moved outside the greater Los Angeles Metropolitan area, the warrant information will be forwarded by the Court Liaison Section to the agency having jurisdiction. This information shall be noted on the warrant card.

C. Whenever Officers attempt warrant service within the City limits of Simi Valley, the on-duty Dispatcher will be notified prior to such attempt.

1. Appropriate back-up will be requested and deployed as needed.

D. Whenever warrant service is attempted outside the City of Simi Valley, the on-duty Watch Commander of the law enforcement agency having primary jurisdiction shall be notified prior to any attempt of service.

1. Appropriate support and back-up will be requested from the Watch Commander of the agency having primary jurisdiction.

2. The responsibility for on-scene management of any warrant service attempt in a foreign jurisdiction will be coordinated with a representative of that jurisdiction.

3. At the conclusion of the investigation and prior to leaving the outside jurisdiction, the Handling Officer shall re-contact the Watch Commander or other appropriate officer of the agency having jurisdiction and advise him of the outcome of the investigation.

# Simi Valley Police Department

## PROCEDURES

### *Arrest Warrants*

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E. Whenever officers are in plain clothes, they will have with them and wear as appropriate their department issued raid jackets.

1. It is the intent of this policy to ensure that officers are protected to the greatest degree possible from a claim by a suspect that he did not know the officers were in fact sworn Police Officers. Therefore, officers involved in serving warrants must understand it is in their best interest that they be readily identified as Police Officers in most situations. Although the decision to wear a raid jacket will rest with the officer on#scene, officers are strongly encouraged to do so.

2. At least one member of the Warrant Service Team will be wearing the complete S.E.S. police uniform. A Patrol Officer in full, complete police uniform should also be considered for temporary assignment to the Warrant Service Team. In those cases where warrant service is taking place outside the City of Simi Valley, a uniform Police Officer of the police agency having jurisdiction where warrant service is being made should be considered for use during the service of the warrant.

F. Officers are required to have their ballistic vests with them at all times when actively seeking warrant suspects. Officers should wear their ballistic vests when serving felony warrants and in all circumstances where they can reasonably expect to be met with violence.

G. Attachment: [See attachment: Tactical Operation Plan.pdf](#)

## Search Warrants

### 906.1 PURPOSE

It is the policy of the Special Enforcement Bureau that the execution of search warrants, arrests, parole searches, or invoking search clauses as a condition of parole shall be accomplished with the safety of involved personnel as the prime consideration.

### 906.2 PROCEDURE

#### A. Supervisor

1. No search warrant (S/W) shall be executed on any type of building nor will a "buy#bust" take place without the approval of a Supervisor.

#### B. Operational Plan

1. Prior to the execution of any search warrant a written Operational Plan will be developed and approved by the Unit Supervisor.
2. The Operational Plan should include:
  - a. Necessary background information on the suspect(s) and location involved.
  - b. Photographs of the suspect(s) and of any informant(s) or undercover Officer(s) involved (if not present at the briefing).
  - c. Diagram of the location involved (interior and exterior).
  - d. Location of any "staging area" or command post to be used prior to the execution of the raid.
  - e. Directions to the suspect location and to the "staging area."
  - f. Specific assignments of all personnel involved in the raid.
  - g. Assignment of specialized equipment.
  - h. Assignment of radio frequency to be used.
  - i. Copy of appropriate street map for the location which also depicts route to nearest medical facility.

#### 3. Personnel assignments

- a. The Supervisor in charge of the operation shall ensure that an adequate number of personnel are assigned to execute the S/W or planned arrest in a safe manner.

#### C. Evidence

1. All evidence seized will be properly marked and tagged and shall remain in the possession of the case agent until secured in the evidence locker or crime lab.

# Simi Valley Police Department

## PROCEDURES

### *Search Warrants*

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2. All evidence seized will be recorded. A copy of the seized property sheet and a copy of the S/W shall be left with the occupant or left in a conspicuous place where it can be found by the occupant.

3. No property or evidence will be removed from the searched premises unless it is listed on the search warrant or is of explicit evidentiary value.

#### D. General Guidelines

1. In the event of a mistaken arrest or the entry into the wrong premises; or, alleged misconduct, the Bureau Supervisor or on-scene case Detective/Officer will report the circumstances of such incident to the Bureau Commander, who will immediately notify the Deputy Chief. Written reports detailing the circumstances of the incident will be submitted within 24 hours to the Bureau Commander.

2. On occasion, it may be necessary to secure a building prior to the receipt of a search warrant. In such instances, the structure will be secured and occupants controlled after which Special Enforcement Bureau personnel will vacate the structure to await arrival of the warrant.

Exception -- when occupants are not removed from the premises, a sufficient number of Police personnel will remain with the occupant(s) for security purposes.

3. Unless approved by the Bureau Commander in advance, non-enforcement personnel will not be allowed to accompany officers during any planned search or arrest activity.

#### E. Attachments:

[See attachment: Tactical Operation Plan.pdf](#)

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## Alcoholic Beverage Control Enforcement

### 907.1 PURPOSE

A. The Special Enforcement Bureau herein establishes standards and set guidelines governing the use of underage operatives (decoys) for the purpose of enforcing various provisions of the Business and Professions Code relating to the purchase and consumption of alcoholic beverages.

B. The Decoy Program is recognized as a viable method to abate the problems associated with the unlawful purchase and consumption of alcoholic beverages by under-age people. This program allows the Simi Valley Police Department to use persons under 21 years of age as decoys for the purpose of purchasing alcoholic beverages from a licensed premise.

### 907.2 PROCEDURE

A. The primary objective of this program is to minimize the sales of alcoholic beverages to minors. Therefore, officers should at all times keep in mind the need to have a credible program free from the appearance of entrapment, at all times.

1. Entrapment is defined by the California Supreme Court (People vs. Barroza, 23 Cal. 3d 675) as follows:

"...we hold that the proper test of entrapment in California is the following: Was the conduct of the law enforcement agent likely to induce a normally law abiding person to commit the offense? For the purposes of this test, we presume that such a person would normally resist the temptation to commit a crime presented by the simple opportunity to act unlawfully. Official conduct that does no more than offer the opportunity to the suspect - for example, a decoy program - is therefore permissible; but it is impermissible for the police or their agents to pressure the suspect by overbearing conduct such as badgering, cajoling, importuning, or other affirmative acts likely to induce a normally law abiding person to commit a crime."

"Although the determination of what police conduct is impermissible must to some extent proceed on an ad hoc basis, guidance will generally be found in the application of one or both of two principles. First, if the actions of the law enforcement agent would generate in a normally law abiding person a motive for the crime other than ordinary criminal intent, entrapment will be established. An example of such conduct would be an appeal by the police that would induce such a person to commit the act because of friendship or sympathy, instead of a desire for personal gain or other typical criminal purpose.

Second, affirmative police conduct that would make commission of the crime unusually attractive to a normally law abiding person will likewise constitute entrapment. Such conduct would include, for example, a guarantee that the act is not illegal or the offense will go undetected, an offer of exorbitant consideration, or any similar enticement."

"Finally, while the inquiry must focus primarily on the conduct of the law enforcement agent, that conduct is not to be viewed in a vacuum; it should also be judged by the affect

# Simi Valley Police Department

## PROCEDURES

### *Alcoholic Beverage Control Enforcement*

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it would have on a normally law abiding person situated in the circumstances of the case at hand. Among the circumstances that may be relevant for this purpose, for example, are the transactions proceeding the offense, the suspect's response to the inducements of the officer, the gravity of the crime, and the difficulty of detecting instances of its commission. (See *Grossman vs. State (Alaska 1969) supra*, 457 P. 2d 226, 230.) We reiterate, however, that under this test such matters as the character of the suspect, his predisposition to commit the offense, and his subjective intent are irrelevant."

#### B. Selection of Decoy:

1. Selection of decoys is critical. A review of cases that have not been successful reveals that the minor appeared much older than his true age. Ideally, the decoy should be:
  - a. Be 18 or 19 years of age.
  - b. Have the general appearance, mannerisms and dress of a person well under 21 years of age.
  - c. If male, generally not be large in stature, have a beard or mustache. If female minimal makeup and minimal jewelry.
  - d. Be of good moral character.
  - e. Have never purchased alcoholic beverages before or ever possessed false I.D.
  - f. Not have been a regular customer in the targeted premises.
  - g. Be willing and able to testify in court or at an ABC hearing if required.

#### C. Method of Operation:

1. The decoy shall be photographed prior to beginning the enforcement action, to verify dress and appearance. A photo of the decoy shall accompany the arrest report at the time of filing.
2. A photocopy shall be made of the bona fide identification card (preferably a California Driver's License) carried by the decoy.
3. The decoy shall be instructed to enter the targeted location, pick out a single item of alcoholic beverage, i.e., a six-pack of beer, a bottle of wine, or a bottle of distilled spirits, and put it down on the check-out counter with sufficient money to pay for the item.
4. The decoy shall be instructed not to initiate any dialogue unless it is necessary to order the beverage.
5. If the decoy is questioned about age, they shall state either his/her actual age or present their own true and correct identification. Under no circumstances should the decoy lie or tell any story to induce a sale.
6. The decoy shall be under constant surveillance by a regular Officer. If feasible, the Officer should be inside the store in a position to see and hear the entire transaction.

# Simi Valley Police Department

## PROCEDURES

### *Alcoholic Beverage Control Enforcement*

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7. After the sale is complete, the decoy should be stopped by an assigned officer when leaving the premise and an immediate confrontation by decoy made with the seller to elicit any statement they have to make.

8. The owner/ manager should be notified of the sale in a manner consistent with the provisions of 25658(f) B & P.

9. The evidence shall be booked into Property following established Department procedure. All evidence shall be retained for both criminal and ABC administrative hearings.

10. Peak business hours (rush hour) should be avoided.

D. If on-sale licensees are to be targeted, the decoy(s) should be seated in an area of high visibility and not in the company of adults. They should place and receive their orders with a minimum of conversation and not consume any of the beverages.

#### E. Target Plan:

1. The targeting plan should ensure that all retailers are treated fairly, and in an equal manner.

The targeting plan, if established on other than a defined geographic basis, should be supported by specific information regarding problem locations.

#### F. Press Release

A press release will be prepared at the conclusion of each completed operation. The press release will contain information relative to the total number of locations targeted, and the number of violations noted. See attached sample.

G. Letters will be prepared for the Chief's signature to all licensees whose locations were checked and who refused to sell to the decoy. The intent and purpose is to advise the business community of our decoy program and to thank the individual licensees for their compliance. See attached sample.

#### H. Cross Reference:

[See attachment: ABC Minor Decoy Program.pdf](#)

[See attachment: Decoy Shoulder Tap Program.pdf](#)

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## Narcotic and Vice Enforcement

### 908.1 PROCEDURE

By department policy and organizational structure, the Special Operations Bureau is responsible for conducting all narcotics and vice investigations in the City. The Special Investigation Section (S.I.S.) and the Special Enforcement Section (S.E.S.), are specifically charged with handling that assigned responsibility.

### 908.2 PROCEDURE

#### A. Narcotic Investigations

1. Violations of laws concerning narcotics and controlled substances shall be investigated by Unit personnel under the following criteria:
  - a. Sales of a narcotic or controlled substance.
  - b. Possession for sales of a narcotic or controlled substance.
  - c. Manufacture of a narcotic or controlled substance.
  - d. Cultivation of a narcotic or controlled substance.
  - e. Under the influence of a narcotic or controlled substance.
2. S.I.S. personnel are not to investigate "simple possession" cases unless the investigation is expected to develop into a case falling under one of the criteria listed in 908.2, A.1 or another offense normally investigated by the Unit.
3. Special Investigation Section personnel assigned to narcotic investigations are expected to provide training, guidance and assistance to other Department personnel in the identification of controlled substances and of users of those substances.
4. Officers assigned to the S.E.S. are charged with the responsibility and are expected to aggressively work "street level" narcotics activity. When working narcotics, S.E.S. Officers are expected to concentrate their enforcement activities on possession and U.I. cases.

#### B. Vice Enforcement

1. Violations of law concerned with vice activity shall be investigated whenever the activity meets any one of the following criteria:
  - a. Conspicuous : Obviously attracting attention
  - b. Complained of: Information initiated by a private citizen or another peace officer
  - c. Commercialized: Activity conducted for a profit

# Simi Valley Police Department

## PROCEDURES

### *Narcotic and Vice Enforcement*

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#### **908.3 INVESTIGATIVE PROCEDURE**

A. Bureau personnel shall not initiate any narcotic or vice investigation without the knowledge of the appropriate Section supervisor or the Bureau Commander.

B. Personnel assigned to narcotic enforcement shall not, except in the performance of duty during the furtherance of an official investigation, associate with any known user of narcotics, controlled substances or visit any place where such substances are being used.

C. Personnel assigned to vice enforcement shall not, except in the performance of duty during the furtherance of an official investigation under the direction of a Unit supervisor, enter any house of ill-repute, massage parlor, or place where illegal gambling or other criminal activity is occurring.

D. Vice Investigations:

1. Within fifteen (15) days after receipt of information concerning a vice condition, a field investigation will be conducted

2. After being investigated, a vice complaint will be "closed out" only after an arrest(s) has occurred concerning the reported activity or when a minimum of three (3) field investigations yield no evidence of the complained of activity.

E. Case Initiation:

1. Cases may be initiated by the S.I.S. Supervisor or by an S.I.S. Detective with the approval of the Supervisor.

- a. An S.I.S. Case number will be assigned to each new case by the S.I.S. Supervisor.
- b. The Supervisor will complete the top section of the Case Investigation and Disposition Report and distribute to the assigned Detective.
- c. The assigned Detective will prepare a case folder with the appropriate S.I.S. Case Number.

F. Preliminary Investigation:

1. The assigned Detective will complete all appropriate computer and background checks on the location and/or persons to be investigated.

G. Investigation:

1. The assigned Detective will coordinate the scheduling of surveillance, undercover buys or other action as deemed necessary to further the investigation.
2. All planned investigative actions will be scheduled and completed only with the approval of the Supervisor.
3. All investigations shall be actively worked as expeditiously as possible with due regard for the other commitments of S.I.S. personnel and investigations.

H. Case Disposition:

Simi Valley Police Department  
PROCEDURES

*Narcotic and Vice Enforcement*

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1. All cases shall be closed as soon as practical.
  - a. It is understood that the period of time necessary to investigate these type cases varies greatly and a certain time schedule may not be practical.
2. Cases shall be closed with one of the following dispositions.
  - a. Unfounded
  - b. Arrest
  - c, Exceptional
  - d. Inactive
3. When cases are closed the Detective will forward the completed case to the to the S.I.S. Supervisor approval.

I. File Maintenance:

1. All S.I.S. cases will be maintained in the electronic data base for future reference or possible reactivation if new information is received.

J. Attachments:

See attachment: [Tactical Operation Plan.pdf](#)

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## Tobacco Sales Enforcement

### 909.1 PURPOSE

A. It is the policy of the Special Enforcement Bureau to establish standards and set guidelines governing the use of underage operatives (decoys) for the purpose of enforcing laws regulating the sales of tobacco products to minors.

B. The decoy program is recognized as a viable method to abate the problems associated with the purchase and use of tobacco products by juveniles. This program allows the Simi Valley Police Department to use persons under 18 years of age as decoys for the purpose of purchasing tobacco products.

### 909.2 PROCEDURE

A. The primary objective of this program is to minimize the sales of tobacco products to juveniles. Therefore, officers should keep in mind the need to have a credible program free from the appearance of entrapment.

1. Entrapment is defined by the California Supreme Court (People vs. Barroza, 23 Cal 3d 675) as follows:

“...we hold that the proper test of entrapment in California is the following: Was the conduct of the law enforcement agent likely to induce a normally law abiding person to commit the offense? For the purposes of this test, we presume that such a person would normally resist the temptation to commit a crime presented by the simple opportunity to act unlawfully. Official conduct that does no more than offer the opportunity to the suspect – for example, a decoy program – is therefore permissible; but it is impermissible for the police or their agents to pressure the suspect by overbearing conduct such as badgering, cajoling, importuning, or other affirmative acts likely to induce a normally law abiding person to commit a crime.”

“Although the determination of what police conduct is permissible must to some extent proceed on an ad hoc basis, guidance will generally be found in the application of one or both of two principles. First, if the actions of the law enforcement agent would generate in a normally law abiding person a motive for the crime other than ordinary criminal intent, entrapment will be established. An example of such conduct would be an appeal by the police that would induce such a person to commit the act because of friendship or sympathy, instead of a desire for personal gain or other typical criminal purpose.

Second, affirmative police conduct that would make commission of the crime unusually attractive to a normally law abiding person will likewise constitute entrapment. Such conduct would include, for example, a guarantee that the act is not illegal or the offense will go undetected, an offer of exorbitant consideration, or any similar enticement.”

“Finally, while the inquiry must focus primarily on the conduct of the law enforcement agent, that conduct is not to be viewed in a vacuum; it should also be judged by the affect

# Simi Valley Police Department

## PROCEDURES

### *Tobacco Sales Enforcement*

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it would have on a normally law abiding person situated in the circumstances of the case at hand. Among the circumstances that may be relevant for this purpose, for example, are the transactions preceding the offense, the suspect's response to the inducements of the officer, the gravity of the crime, and the difficulty of detecting instances of its commission. (See *Grossman vs. State (Alaska 1969) supra*, 457 P. 2d 226, 230.) We reiterate, however; that under this test such matters as the character of the suspect, his predisposition to commit the offense, and his subjective intent are irrelevant."

#### B. Selection of the Decoy:

1. Selection of the decoy is critical. Ideally the decoy should:

- a. Be 15 or 16 years of age.
- b. Have the general appearance, mannerisms, and dress of someone well under 18 years of age.
- c. f male, generally not large in stature or have any facial hair.
- d. Be of good moral character.
- e. Have never purchased tobacco or related products or ever possessed a false I.D.
- f. Have never been cited for 308(b) PC.
- g. Not have been regular customers of the targeted premises.
- h. Be willing to testify should it become necessary.

#### C. Method of Operation:

- 1 The decoy shall be photographed prior to beginning the enforcement action, to verify dress and appearance. A photo of the decoy shall accompany the arrest report at the time of filing.
2. A photocopy shall be made of the bona fide identification card (preferably a California Driver's License or student I.D. card) carried by the decoy.
3. The decoy shall be instructed to enter the targeted location, pick out or request cigarettes, and put it down on the check-out counter with sufficient money to pay for the item.
4. The decoy shall be instructed not to initiate any dialogue unless it is necessary to request the cigarettes.
5. If the decoy is questioned about age, they shall state their actual age or present their own true and correct identification. Under no circumstances should the decoy lie or tell any story to induce a sale.
6. The decoy shall be under constant surveillance by a regular officer. If feasible, the Officer should be inside the store in a position to see and hear the entire transaction.

# Simi Valley Police Department

## PROCEDURES

### *Tobacco Sales Enforcement*

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7. After the sale is complete, the decoy should be stopped by an assigned Officer when leaving the premise and an immediate confrontation by decoy made with the seller to elicit any statement they have to make.
8. The owner/manager should be notified of the sale immediately.
9. The evidence shall be booked into Property following established Department procedure.
10. Peak business hours (rush hour) should be avoided.
11. At no time shall the decoy be left unattended by the assigned Officer.
12. The parental consent form shall be completed and signed prior to enforcement action ( [See attachment: Parental Consent Form.pdf](#) ).

#### D. Target Plan:

1. The targeting plan should ensure that all retailers are treated fairly, and in an equal manner. The targeting plan, if established on other than a defined geographic basis, should be supported by specific information regarding problem locations.

#### E. Press Release:

1. A press release will be prepared at the conclusion of each completed operation. The press release will contain information relative to the number of locations targeted, and the number of violations noted ( [See attachment: Press Release - Tobacco.pdf](#) ).
2. Letters will be prepared for the Chief's signature to all licensees whose locations were checked and who refused to sell to the decoy. The intent and purpose is to advise the business community of our decoy program and to thank the individual licensees for their compliance ( [See attachment: Post Enforcement Letters.pdf](#) ).

## Vehicle Rentals

### 910.1 PURPOSE

The Special Enforcement Bureau has established the following procedure for the rental of vehicles for use in surveillance and covert operations.

### 910.2 PROCEDURE

A. SEB Supervisors must approve all vehicle rentals in advance. Each of the Sergeants shall be responsible for approving and supervising the use of rental vehicles as it relates to their specific area of responsibility. Each Sergeant may designate one or more Officers/Detectives to sign the rental agreement contracts.

B. Prior to leaving the agency with a rental vehicle, the designated employee shall check the vehicle for damage and ensure that if damage is found, it is notated on the contract.

C. If additional funds are required for rental vehicles and it appears that the funds allotted for the vehicle may become overdrawn, the Special Enforcement Bureau Commander will prepare the appropriate memo, prior to the Mid-Year, for a budget review request.

## Administrative Reports

### 911.1 PURPOSE

The Chief of Police has directed that certain periodic activity reports be submitted by the Special Enforcement Bureau.

### 911.2 PROCEDURE

A The Special Enforcement Bureau Commander is responsible for ensuring completion and timely submission of all required administrative reports.

B. The following administrative reports are required:

	<b>TYPE</b>	<b>FREQUENCY</b>	<b>DUE DATE</b>
1.	Bi-Weekly Recap	Every two weeks	Pay Day Fridays
2.	Special Expense Fund Audit	Monthly	10th of Month
3.	Special Investigations Section: Case Management Report	Monthly	10th of Month
4.	Special Investigations Section: Seizure Summary	Monthly	10th of Month
5.	Working Informant File	Monthly	10th of Month
6.	Accomplishments	Quarterly	Memo Response
7.	Forfeited Assets	Biannually	January 1, June 1
8.	Informant File Audit	Biannually	March 1, September 1
9.	Mid-Year Budget	Annually (Midyear)	Memo Response
10.	Annual Budget	Annually (Fiscal Year)	Memo Response
11.	Special Enforcement Bureau Training	Annually	June 1
12.	Assigned Equipment Audit	Annually	January 1

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## Appearance Standards

### 912.1 PURPOSE

A. The Special Enforcement Bureau requires that all employees present a neat, clean, and standardized appearance at all times while on duty, unless the nature of an assignment requires otherwise, as authorized by the Chief of Police.

B. The Chief of Police has authorized the standards delineated in this Bureau Order for personnel assigned to the Special Enforcement Bureau.

### 912.2 PROCEDURE

#### A. General Appearance

##### 1. Special Investigations Section Personnel

a. Personnel assigned to the Special Investigations Section (SIS) may dress in the attire and adopt grooming standards appropriate to the nature of their assignment.

##### b. Facial Hair/Hair

1) Facial hair and the length and style of hair in general is expected to reflect contemporary standards for the socioeconomic level and the values of those individuals under investigation by SIS Detectives.

##### c. Jewelry

1) The Section Sergeant may authorize the wearing of earrings when appropriate for investigative purposes.

##### 2. Special Enforcement/Special Problems Section Personnel

a. Officers assigned to either the Special Enforcement Section (SES) or the Special Problems Section (SPS) are required to maintain their appearance in a neat and well-groomed manner and to meet the standards outlined in established General Orders unless specifically authorized to deviate by the Bureau Commander.

##### 1) Hair

a) Hair must be neatly trimmed and styled. Hair styles shall not be flamboyant.

Male members of the Unit will avoid allowing their hair to appear long and/or unkempt. The hairstyle may be "full" in appearance but shall not extend over one inch below the top of the collar at the back. Hair on the sides will not extend below the lowest portion of the ear when hair is combed straight down. Female members of the Unit shall style their hair consistent with existing Department policy when on duty. Female personnel shall ensure their hair is styled in a manner that it easily fits within the confines of the Police uniform helmet.

# Simi Valley Police Department

## PROCEDURES

### *Appearance Standards*

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#### 2) Facial Hair

a) Officers assigned to the SES and the SPS shall adhere to the appearance standards as outlined in Department General Orders. Any deviation from the related Orders will not occur unless circumstances warrant such and only upon obtaining approval from a Sections Supervisor. Sideburns shall not extend further than the lowest edge of the tragus (the prominence in front of the external opening of the ear). Sideburns shall extend in a clean shaven, horizontal line. The flair (terminal portion of the sideburn) shall not exceed the width of the main portion of the sideburn by more than 1/8 inch. SES/SPS personnel who choose to have a mustache shall ensure that it is neatly trimmed at all times. If worn, a mustache shall not be of an extreme type and shall not extend below the upper lip line. The mustache shall extend no more than 1/2 inch beyond the corner of the mouth, and shall not extend more than 1/2 inch below the corner of the mouth.

#### 3) Additional Standards

a) SES/SPS personnel shall conform to the standards as outlined in department policy.

#### B. General Attire

1. SIS personnel are authorized to wear civilian attire consistent with their assignment.
2. SES and SPS personnel when wearing civilian attire on duty are expected to present a neat, clean, professional appearance unless the specific assignment requires otherwise. Generally, SES/SPS personnel will wear their Department-issued raid jacket, black polo shirt, appropriate leather or web gear and black trousers and footwear consistent with their assignment.

#### C. Court Attire

1. When Special Enforcement Bureau personnel represent the Department in any public forum, including giving court testimony or other legal forum, i.e., depositions, unless otherwise approved by the Bureau Manager, shall wear professional business attire. For example, a business suit.

#### D. Safety Articles

1. All personnel assigned to the Special Enforcement Bureau shall have in their possession at all times or readily available while on-duty, their duty handgun, identification card and either their breast or wallet badge.
2. Additionally, all Special Enforcement Bureau personnel shall, when on duty, have readily available their Department-issued helmet with face shield and bullet resistant vest.

#### E. Uniform Availability

# Simi Valley Police Department

## PROCEDURES

### *Appearance Standards*

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1. All personnel assigned to the Special Enforcement Bureau are expected to have available for immediate use a complete Class "B" uniform with the necessary accessories.

## **Chapter 10 - Traffic Bureau**

## Traffic Bureau

### 1000.1 PURPOSE

A. The Traffic Bureau's purpose is to provide direct law enforcement services to the public to facilitate the safe and expeditious movement of vehicular and pedestrian traffic. The goal of the Traffic Bureau is to accomplish the ongoing reduction of traffic collisions throughout the City. In order to achieve this goal, the Bureau coordinates selective enforcement efforts of the motor officers and accident investigators based on analysis of statistical collision information. Specific responsibilities of the Bureau include:

1. Collision Investigation
2. Traffic Enforcement
3. DUI Enforcement
4. Hit and Run Investigation
5. Abandoned Vehicle Abatement
6. Private Property Abatement
7. Oversize Vehicle Abatement
8. Parking Enforcement
9. Off-Road Enforcement
10. Officer Involved Collision Review
11. Special Events
12. Tow Company Liaison
13. Traffic Education
14. Traffic Control

B. In order to effectively perform its functions the Traffic Bureau has formulated Bureau Orders to establish operational procedures and guidelines which are to be used in conjunction with other manuals published by the Department and the City of Simi Valley.

### 1000.2 ORGANIZATION AND STAFFING

A. The Traffic Bureau is composed of a Commander, a Sergeant, a Police Services Supervisor, Motor Officers, Collision Investigators and Police Services Officers.

B. The Traffic Bureau is divided into four areas of responsibility:

1. Collision Investigation Unit
2. Motor Officer Traffic Enforcement Unit
3. Vehicle Abatement and Parking Enforcement Unit

# Simi Valley Police Department

## PROCEDURES

### *Traffic Bureau*

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#### 4. Front Desk Services

C. Specialized details may include but are not limited to:

1. DUI Checkpoints and/or Saturation Patrols
2. Off-Road Enforcement
3. Traffic Safety Presentations
4. Abandoned Vehicle Abatement
5. Oversized Vehicle Abatement
6. Parking Enforcement
7. Radar Trailer Placement
8. Special Events

### **1000.3 JOB DESCRIPTIONS**

A. Commander - Under the direction of the Deputy Chief, the Traffic Commander is responsible for the effective management of the Traffic Bureau. This includes assigning responsibilities to the Traffic Sergeant and the Police Services Supervisor. It also includes Traffic Bureau budget preparation, scheduling, payroll, personnel complaint resolution, project analysis, special event planning and management and special projects as assigned.

B. Sergeant - Under the direction of the Traffic Bureau Commander, the Traffic Bureau Sergeant supervises sworn Traffic Bureau personnel and perform related works as required. The Traffic Bureau Commander will assign the Sergeant supervision duties. The Sergeant has primary supervisory responsibility for all sworn Traffic Bureau personnel.

C. Police Services Supervisor - Under the direction of the Traffic Bureau Commander, the Traffic Bureau Police Services Supervisor manages the Front Desk personnel, oversees and coordinates the Oversized Vehicle Abatement Program, Abandoned Vehicle Abatement Program, and all Parking Enforcement. Supervises non-sworn Traffic Bureau personnel, establishes schedules and monitors performance of non-sworn field personnel. Participates in the preparation and administration of the Traffic Bureau budget, maintains records and develops reports concerning new or ongoing programs and program effectiveness.

D. Officers/Senior Officers - Under direction of the Traffic Bureau Sergeant, the Traffic Bureau Officers/Senior Officers work the designated functions of Motor Officer or Collision Investigator. Motor Officers are primarily responsible for traffic enforcement. Collision Investigators are primarily responsible for the investigation and documentation of traffic collisions. Based upon department needs, Traffic Bureau personnel are responsible for other duties as assigned and covering each other's duties as needed.

E. Police Services Officer (PSO) - Under the direction of the Traffic Bureau Police Services Supervisor, the Traffic Bureau Police Services Officer provides both field and Front Desk services.

# Simi Valley Police Department

## PROCEDURES

### *Traffic Bureau*

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The PSO's assigned to field duty are responsible to enforce parking and abandoned vehicle laws, provide traffic control at collision scenes, deploy radar trailer(s), conduct vehicle abatements and perform various other duties as assigned.

1. PSO's assigned to the Front Desk provide reception, assistance, and information to citizens entering the department. PSO's on Desk duty take reports of theft and vandalism incidents without suspect information and other reports as assigned by the Watch Commander. Front Desk PSO's enter calls for service, conduct correctable citation reviews, and perform various other duties as assigned.
2. During large-scale emergencies, Traffic Bureau PSO's will be assigned a variety of both direct operational and support functions. Whenever the Emergency Operation Center is activated and/or a field command post established, the PSO's may be assigned duties as determined by the Incident Commander.

## Motor Officer

### 1001.1 PURPOSE

The purpose of the procedure is to establish operational guidelines for the selection, training and duties of the Traffic Bureau Motor Officer

### 1001.2 PROCEDURE

#### A. Selection:

1. The primary focus of the department will be selecting the officer who best meets the needs of the agency.
2. The Traffic Bureau supervisors will evaluate the riding skills of a Motor Officer candidate prior to sending the candidate to Motor School.

#### B. Pre-Motor School Training/Evaluation:

1. The trainee must possess a valid motorcycle endorsement
2. The trainee must have the physical ability to pick up a fallen motorcycle
3. The trainee must be able to "center stand" a motorcycle
4. The length of the trainee's legs must be sufficient to place both feet on the ground while seated on the motorcycle and remain balanced
5. The trainee shall successfully complete Motor School prior to the ordering of specialized equipment (i.e., helmet, pants, boots, and gloves).

#### B. Post-Motor School Training:

1. Ideally, a new Motor School graduate will be assigned to ride with a current Motor Officer for a minimum of 80 hours prior to being assigned to solo enforcement duties. This will allow the graduate to become familiar with traffic stop procedures, hazardous conditions in the City, and high probability violation areas.
2. After completing a minimum of 80 hours with a Motor Officer, the Traffic Supervisors will conduct an overall evaluation of the graduate's performance and either approve the officer for solo enforcement duty or recommend additional training.
3. Motor Officer candidates may have training extended and are subject to a one-year probation period from the date they begin their 80-hour training period.

#### C. Motor Maintenance:

1. The Traffic Bureau Commander or Sergeant will assign police motorcycles to specific officers. Officers shall not operate other motorcycles without authorization of a Traffic Bureau Supervisor.

# Simi Valley Police Department

## PROCEDURES

### *Motor Officer*

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2. Motor Officers are responsible for the care, maintenance, and general upkeep of their assigned motorcycle. Scheduled repairs and service should be made so that it will not interfere with assigned workdays or shift assignments.

3. No modifications, alterations, or additions of any kind will be made to department motorcycles without the authorization of the Traffic Bureau Commander. This includes such items as graphics, license plate frames, baton holders, cellular phone holders, weapons mountings and flashlight and citation book holders.

#### D. Motorcycle Use:

1. Motor Officers shall not operate police motorcycles unless they are wearing the appropriate uniform for the assignment at hand (i.e., Enforcement, Training, or Delivery).

2. Motor Officers shall wear helmets with the strap fastened and eye protection when operating the motorcycle.

3. Each Motor Officer assigned to a motorcycle may take the vehicle home providing there is adequate secured shelter available at their residence and they reside within 25 highway miles of the City limits. Officers living outside the 25-mile limit may take the motorcycle home for monthly cleaning, with supervisory approval.

4. Motor Officers should concentrate enforcement efforts on primary collision factors and DUI enforcement within the City. However, if traffic conditions on City streets are not yielding results due to conditions, enforcement on State Highway 118 is authorized to reduce collision incidents that enter the City from the highway.

5. While operating a police motorcycle Motor Officers should avoid becoming engaged in high-speed pursuits. When it becomes apparent that a vehicle being pursued is attempting to flee at a high rate of speed, the Motor Officer shall advise the Communications Center to facilitate a four-wheel, marked police vehicle to assume the pursuing role. Motor Officers may continue as the primary pursuit vehicle until relieved by a car or until they feel that the conditions have become unsafe, at which time they may discontinue the pursuit.

6. Motor Officers are not assigned as partners and should work independently to maximize enforcement exposure. This does not, however, prevent multiple Motor Officers from working high violation areas.

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## Traffic Bureau Training

### 1002.1 PURPOSE

The Traffic Bureau will arrange for adequate training of Traffic Bureau personnel, provide traffic training to department personnel, and traffic-related safety information to the public.

### 1002.2 PROCEDURE

A. Traffic personnel shall receive the following training:

1. Traffic Commander
  - a. Traffic Collision Investigation (40600 VC)
  - b. Special/Technical courses related to the Traffic function
2. Traffic Sergeant
  - a. Traffic Collision Investigation (40600 VC)
  - b. Commercial Vehicle Enforcement
  - c. Intermediate Traffic Investigation (Skid Analysis School)
  - d. Special/Technical courses related to the Traffic function
3. Traffic Officer
  - a. Traffic Collision Investigation (40600 VC)
  - b. Intermediate Traffic Collision Investigation (Skid Analysis School)
  - c. Commercial Vehicle Enforcement
  - d. Hazardous Materials; Level I and II
  - e. Advanced Collision Reconstruction
  - f. Drug-Alcohol Recognition Training
  - g. Alco-Sensor Training
  - h. Specialized Training (i.e., SFST, ARIDE, DRE)
  - i. Radar and Lidar Training
4. Traffic Senior Officer
  - a. Field Training Officer course
  - b. Those courses listed for Traffic Officer
5. Motorcycle Officer
  - a. POST Basic Motor Officer course
  - b. Quarterly Motorcycle refresher training

Simi Valley Police Department  
PROCEDURES

*Traffic Bureau Training*

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- c. Drug-Alcohol Recognition Training
  - d. Those courses listed for Traffic Officer
6. Police Service Officer
- a. Department PSO Orientation course (60-days)
  - b. POST Public Safety Aide course
  - c. First Aid and CPR training
  - d. Specialized/Technical courses related to PSA function

B Traffic personnel may provide the following training:

1. Requests from public and private entities
  - a. Traffic safety instruction to public/private schools, K-12. This includes bicycle safety presentations
  - b. Traffic safety instruction to Driver Safety classes at Royal, Santa Susana, Simi Valley, or Apollo High Schools
  - c. Traffic safety or public service requests to other groups
  - d. Roll Call Training:
    - 1) When practical and germane, Traffic Bureau personnel will present traffic material to officers during Roll Call Training
2. Training Format
  - a. Training material will be presented in a professional, clear, concise, and organized manner and conform to standards established by POST where applicable.
  - b. Training should satisfy the goals and objectives of the requestors.
  - c. Instructors will properly prepare their lesson plan for their presentation. When possible, presentations should include a variety of instructional techniques, which may include but are not limited to lecture, video, team teaching, audio recording, scenarios, question and answer, practical exercises, and cross talk.
    - 1) Lesson plans must be approved by a Traffic Supervisor
    - 2) Traffic Bureau will maintain an electronic file of approved lesson plans and training material

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## Off-Road Enforcement

### 1003.1 PURPOSE

The Traffic Bureau will establish standards governing the operation and use of the department's off-road motorcycles and will retain a team of trained officers skilled in the operation of off-road motorcycles. Off-road enforcement duties shall be an ancillary assignment.

### 1003.2 PROCEDURE

#### A. Personnel Selection

1. Selection of Off-Road Motorcycle Enforcement Detail will be based primarily upon the riding skill level of the individual officer.

a. Candidates for this detail will be required to undergo a riding skills appraisal test to determine their level of riding proficiency.

b. Eligibility for this detail will not be limited to any particular Bureau within the department.

c. Operating Policies:

1) The Off-Road Motorcycle Program is a component of the Traffic Bureau function under the direction of the Traffic Bureau Commander.

2) Administrative responsibility of the Off-Road Motorcycle Program rests with the Traffic Bureau Commander.

3) Operationally, the Off-Road Motorcycle Program is under the immediate control of the Traffic Bureau Sergeant.

4) For safety consideration, officers working routine off-road motorcycle patrol should be required to work with at least one partner.

5) Emergency situations, such as a search for a missing child or downed airplane, may necessitate deploying a solo officer.

#### B. Training

1. To maintain proficient riding skills, officers assigned to the Off-Road Motorcycle Enforcement Detail will train on an annual basis. This training will be conducted at locations authorized for the legal operation of off-road motorcycles and under the direction of the Program manager with authorization of the Deputy Chief. Department off-road motorcycles shall only be operated by authorized on-duty officers and only for official training, patrol or enforcement duties.

2. Additional training of previously certified officers may be conducted in areas within the jurisdiction of the Simi Valley Police Department where enforcement activities occur.

## Police Service Officer

### 1004.1 PURPOSE

The Traffic Bureau shall establish standards governing the Traffic Bureau Police Service Officers.

### 1004.2 PROCEDURE

#### A. Supervision

1. The Traffic Bureau Police Service Officers are under the supervision of the Traffic Bureau Police Services Supervisor.

B. Traffic Bureau Police Service Officer is a uniformed position with varied schedules.

#### C. Field Responsibilities:

1. Parking Enforcement
2. Abandoned Vehicle Abatement
3. Private Property Abatement
4. Radar Trailer Placement/Deployment
5. Tow Reports supporting Patrol/Traffic
6. Reports Assigned by the Watch Commander
7. Traffic Control/Direction
8. Property/Personnel Transportation
9. Lost/Found Property Reports
10. Front Desk Relief/Vacancies
11. Other Duties as Assigned

#### D. Station Responsibilities:

1. Front Desk
2. Public Reception, Assistance, and Information
3. Report Writing:
  - a. Theft without suspect information
  - b. Vandalism without suspect information
  - c. Lost/Stolen license plates
  - d. Identity Theft/Fraud with no suspect information
  - e. Other reports as assigned by the Watch Commander
4. Call For Service CAD Entry

Simi Valley Police Department  
PROCEDURES

*Police Service Officer*

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5. Correctable Citation Review and Sign Off
6. Maintenance of Equipment/Facility
7. Administrative Duties
8. Other Duties as Assigned

E. Responsibilities During Large-Scale Emergencies:

1. Whenever the Emergency Operations Center is activated and/or a field command post established, the Police Service Officers may be assigned any of the following positions as determined by the Incident Commander:
  - a. Front Desk Coverage
  - b. Field Command Post or Mobile Command Center
  - c. Emergency Operations Center
  - d. Traffic Direction and Control
  - e. Other Assignments as Directed

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## Sobriety and Driver's License Checkpoints

### 1005.1 PURPOSE

The Traffic Bureau will in be the Procedure establish guidelines for the operation of sobriety and driver's license checkpoints.

### 1005.2 PROCEDURE

#### A. Site Selection:

1. Locations which have experience a high number of traffic collisions or alcohol/drug related vehicular incidents should be given primary consideration.
2. Consideration should also be given to conditions that may pose a hazard, traffic volume, visibility, and sufficient adjoining space to pull vehicles off the traveled portion of the roadway.

#### B. Personnel:

1. The checkpoint will be staffed by a sufficient number of uniformed personnel to assure a safe and efficient operation.
2. A designated supervisor will be assigned to provide on-scene supervision of the checkpoint.

#### C. Advance Notification

1. For the purpose of public information and education, a press release announcing the checkpoint, but not identifying the location, will be distributed several days prior to the operation of the checkpoint.
2. Advance notification of the checkpoint will also be provided to other public safety agencies expected to be impacted.

#### D. Signs/Safety Methods:

1. Special care is required to warn approaching motorists of the checkpoint.
2. Basic equipment will include, but is not limited to the following:
  - a. Barricades
  - b. Traffic Cones
  - c. Flares
  - d. Warning Signs
  - e. Permanent/Portable Lighting
  - f. Marked Police Vehicles/Emergency Lights
3. The use, placement and types of traffic control devices must comply with federal, state, and local transportation codes.

# Simi Valley Police Department

## PROCEDURES

### *Sobriety and Driver's License Checkpoints*

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#### E. Operation:

1. An operational briefing will take place prior to the checkpoint.
2. A specific objective formula must be established to stop vehicles entering the checkpoint (i.e., stopping every vehicle, every fifth vehicle, etc.). At no time will random stops be utilized.
3. Contact with motorists should be as brief as possible in order to remain within legal operating guidelines and to limit traffic congestion.
4. Personnel will be assigned to specific duties during the operation of the checkpoint. These assignments may vary during the duration of the checkpoint and include the following:
  - a. Contact Officer
  - b. Statistician
  - c. Traffic Control
  - d. Chase Officer
  - 1) A motorist who wishes to avoid the checkpoint by legally turning before entering the checkpoint control area should be allowed to do so unless a traffic violation is observed or other probable cause exists to detain the vehicle. The mere act of avoiding a checkpoint does not constitute probable cause for a traffic stop.

#### F. Contingency Planning:

1. Any deviation from the predetermined guidelines must be thoroughly documented with the reason for the deviation (i.e., traffic backing up, inclement weather, etc.).

#### G. Data Collection and Documentation:

1. To ensure standardization and consistency of the checkpoint program, a systematic method of data collection will be incorporated into checkpoint operations. An after action report may include, but is not limited to the following:
  - a. Time, date, and location of checkpoint
  - b. Weather and road conditions
  - c. Total number of vehicles passing through checkpoint
  - d. Number of vehicles detained for further investigation
  - e. Average time delay of motorists
  - f. Number and type of arrests and citations
  - g. Number of motorists detained for field sobriety testing
  - h. Number of vehicles stored/impounded
  - i. Unusual occurrences or deviation from the predetermined guidelines

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## Enforcement Profile

### 1006.1 PURPOSE

In this Procedure the Traffic Bureau will establish enforcement guidelines for its personnel.

### 1006.2 PROCEDURE

A. It is recommended that traffic enforcement efforts focus on the top five primary collision factors, which include:

1. Unsafe Speed
2. Failure to yield the right-of-way
3. Unsafe turns/lane changes
4. Driving under the influence
5. Failure to obey traffic control devices/signs/signals/markings
6. Enforcement should be concentrated on the time and location of the most frequent collision patterns to reduce collisions (i.e., intersections during commute, school zones during and after instruction).
7. Special Enforcement activities will be identified and targeted to address specific traffic concerns. This may include DUI drivers, speed complaints, construction zones, pedestrian and bicyclists complaints, and related traffic matters.

B. It is recommended that traffic violators under the age of 14 years be documented on a field interview, counseled, and released from the scene of detention. This applies to infractions only. More serious offenses, felony and misdemeanor shall be handled in the manner prescribed by department policy and current law. Juveniles 14 years and older should be cited for committing traffic infractions.

C. Traffic citations should be issued to the appropriate party following investigation of a collision provided that:

1. In the investigating officer's opinion the case can be proven to the degree necessary to support a conviction
2. The case can be proven independent of the defendants's admission(s).
3. There are independent witnesses who are available to testify to support prosecution. It is the investigating officer's responsibility to subpoena witnesses or ensure their presence in court for trial.
4. The investigating officer has completed the POST mandated training as prescribed in 40600 VC.

## Radar Trailers

### 1007.1 PURPOSE

The Traffic Bureau is committed to community safety and uses radar trailers to remind the motoring public of the safe speeds. This procedure details the guidelines regulating the placement of those radar trailers.

### 1007.2 PROCEDURE

A. The placement of radar trailers will be coordinated by the Traffic Bureau Supervisors and should occur on a daily basis depending upon weather conditions and availability.

B. Placement locations will be selected on a number of factors, including but not limited to:

1. Traffic Volume
2. Collision History
3. Construction Zones
4. Complaints

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## Front Desk Coverage

### 1008.1 PURPOSE

The Simi Valley Police Department provides Front Desk coverage with Police Service Officers from 0800 to 1800 hours, Monday through Friday primarily utilizing PSO's. This public service is a priority and personnel vacancies may be covered by Field PSO's or other staffing as required.

### 1008.2 PROCEDURE

A. Vacancies will periodically occur at the Front Desk, which may be planned or unplanned.

1. Planned vacancies (48 hours or more notice) may be filled by posting the vacant position for overtime. PSO's assigned to the Front Desk have first priority for this overtime and may bump others who have signed up, until 48 hours prior to the commencement of the posted shift. Should an employee be bumped, it is the responsibility of the bumping employee to advise the employee who was bumped as soon as possible.

2. Unplanned vacancies (48 hours or less notice), or planned vacancies that have not been filled may be filled by an available Field PSO. Should no Field PSO be available the vacant position may be offered to any PSO. Should no PSO volunteer, a PSO will be ordered to fill the vacancy. Mandated coverage will start with those assigned to the Front Desk and may include those assigned to the field. Should no PSO be available and ordering a PSO to fill the position is impractical, the vacant position may be filled by a sworn officer. Sworn personnel in excess of minimum deployment may be eligible for this assignment. Should staffing not permit the assignment of an on-duty officer, the position may be offered to any sworn officer on an overtime basis.

3. The Traffic Bureau Police Service Supervisor will maintain an Order-Over/Order-In Log. The PSO's will be mandated to fill vacancies on overtime on a rotation basis based on seniority.

B. Personnel eligible to work PSO assignments at the Front Desk must possess the following minimum qualifications:

1. Ability to log into Versadex and/or Mobile Report Entry (MRE) systems, conduct routine name searches, calls for service searches, enter calls in CAD, assign a call in CAD, clear and disposition a call in CAD, complete reports and all processes related to MRE
2. Ability to inspect vehicles in the front parking lot of the police facility and sign off correctable violations
3. Ability to be in uniform
4. Ability to receive and transfer phone calls throughout the department
5. Ability to Page on the P.A. system
6. Ability to answer routine questions from the public

# Simi Valley Police Department

## PROCEDURES

### *Front Desk Coverage*

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7. Demonstrate a thorough knowledge of parking enforcement related Simi Valley Municipal Codes and basic knowledge of the California Penal & Vehicle Code.

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## CHP / SVPD Enforcement Guidelines

### 1009.1 PURPOSE

The purpose of this Bureau Order is to define the jurisdictional responsibilities and response of the Department in cooperation with California Highway Patrol (CHP).

### 1009.2 PROCEDURE

A. Pursuant to a Memorandum of Understanding, the following are the duties and operational guidelines as established to provide the highest level of service possible to the public.

1. The CHP is responsible for providing traffic patrol, Vehicle Code enforcement, accident investigation and motorist services on State Route 118.
2. The CHP shall handle all non-Vehicle Code crimes occurring on state property, with the exception of serious felonies
3. The Simi Valley Police Department (SVPD), at the request of the CHP, will investigate major crimes occurring on state property including but not limited to; homicide, sexual assault, assault with deadly weapon and CHP Officer-Involved shootings.
4. In the event that the SVPD arrives first as the scene of an incident where CHP has primary investigative responsibilities, the SVPD will take reasonable steps to secure the scene until the CHP arrives.
5. If the agency with primary responsibility is delayed or unable to respond, that agency may request the other provide investigation, reporting or other services as required.
6. The CHP and SVPD mutually agree that this department may enforce all local, state, and federal laws on all state property adjacent to and below SR 118.

B. For additional details refer to the complete MOU [See attachment: CHP Jurisdictional Responsibilities MOU 6-10-19.pdf](#).

# Simi Valley Police Department Bureau Orders

## PROCEDURES

### **Attachments**

**CHP 187A PURSUIT REPORT FORM.pdf**

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**DECLARATION IN SUPPORT OF  
PUBLIC RECORDS REQUEST.pdf**

<b>SIMI VALLEY POLICE DEPARTMENT POLICY AND PROCEDURES MANUAL</b>  Records Bureau	SUBJECT:  DAILY LOG		NUMBER:  BUREAU ORDER 08
	DATE:  06/12/18	PAGE 1 OF 2	SUPERSEDES:  BUREAU ORDER DATED 08/09/06

**DECLARATION IN SUPPORT OF PUBLIC RECORDS REQUEST**

I, \_\_\_\_\_, have made a request under the Public Records Act to the Simi Valley Police Department for the current address information of the following:

Report Number: \_\_\_\_\_ Arrestee Name: \_\_\_\_\_  
Report Number: \_\_\_\_\_ Arrestee Name: \_\_\_\_\_  
Report Number: \_\_\_\_\_ Arrestee Name: \_\_\_\_\_

I declare under penalty of perjury that I have not been arrested for nor am I a defendant in any criminal action involving any victim(s) or arrestee(s) contained within the information requested.

I further declare under penalty of perjury that this request is specifically made for the following purpose(s):

Scholarly \_\_\_\_\_  
Please identify school and nature of project

Journalistic \_\_\_\_\_  
Please identify professional affiliation

Political \_\_\_\_\_  
Please state political purpose

Governmental \_\_\_\_\_  
Please identify governmental agency

Private Investigator: I am a licensed private investigator requiring this information for investigative purposes. \_\_\_\_\_  
License # \_\_\_\_\_ Expires \_\_\_\_\_

I further declare under penalty of perjury that the address information obtained pursuant to this request shall not be used directly or indirectly to sell a product or service to any individual or group of individuals.

Date: \_\_\_\_\_ Signature \_\_\_\_\_

For Department Use Only:		
Identification Provided: <input type="checkbox"/> Drivers License # and State if not California _____ State _____ <input type="checkbox"/> Letter of Authorization (attach) <input type="checkbox"/> Other: _____	Tech.Initials: _____	

## **Follup-up letter.pdf**

May 17, 2019

«Company»  
«FirstName» «LastName»  
«Address1»  
«City», «State» «ZipCode»

Dear Mr. «LastName»:

**CASE NO. «DRnumber»**

The Simi Valley Police Department is committed to providing superior police service to the community. We are contacting you to determine if there is any additional information regarding your case that you may wish to convey to our Department.

If your personal identity was compromised, or credit cards used without your permission, we are asking you to obtain as much information as possible from your credit issuer and provide that information to the Department, either by telephone or using the additional property list provided.

I have reviewed your report, which is documented under the above-listed case number. Although, your case is not currently assigned, your report will remain on file in the event new leads are obtained. Should you have any further information regarding your investigation, or would simply like to discuss its status, please feel free to contact me at (805) 583-6955. In the event you have identified additional property stolen during this offense, please list those items on the additional property list, and return it to the Simi Valley Police Department, 3901 Alamo Street, Simi Valley, CA 93063.

I would also like to take this opportunity to invite you to contact our Crime Prevention Unit at 583-6276, so that we can work together to possibly prevent you from being victimized again.

Sincerely,

David M. Livingstone  
Chief of Police

James Buckley  
Detective Sergeant

**Weekly Firearm Audit MASTER.pdf**



**PATROL BUREAU – Weekly Inventory of General Issue Firearms**

**RIFLES**

#	Accounted For	Other Location	Unaccounted For	#	Accounted For	Other Location	Unaccounted For
50				100			
51				101			
52				102			
53				103			
54				104			
55				105			
56				106			
57				107			
58				108			
59				109			
60				110			
61				111			
62				112			
63				113			
64				114			
65				115			
66				116			
67				117			
68				120			
69				121			
70				122			
71				123			
72				124			
73				125			
74				126			
75				127			
88				128			
89				129			
90				130			
91				131			
92				132			
93				133			
94				134			
95				135			
96							
97							
98							
99							

Completed By: \_\_\_\_\_ ID #: \_\_\_\_\_ Date: \_\_\_\_\_

**Commander Training Guide.pdf**

**PATROL BUREAU COMMANDER TRAINING GUIDE**

**ITEM**

**COMPLETION SIGN-OFF**

		TRAINER	TRAINEE	DATE
A.	POLICY REVIEW: The Commander will review and understand selected department policy documents related to his/her role as a Commander:			
1.	Policy 202 (Training Policy)			
2.	Policy 203 (Electronic Mail & Voicemail)			
3.	Policy 205 (Staffing Levels)			
4.	Policy 323 (Media Relations)			
5.	Policy 326 (Outside Agency Assistance)			
6.	Policy 328 (Major Incident Notification)			
7.	Policy 341 (Off-Duty LE Actions)			
8.	Policy 344 (Gun Violence Restraining Order)			
9.	Policy 407 (Hostage & Barricade Situations)			
10.	Policy 417 (Obtaining Air Support)			
11.	Policy 307 (Vehicle Pursuits)			
12.	Policy 600 (Investigation & Prosecution)			
13.	Policy 404 (SWAT/CNT Deployment)			

COMPLETION SIGN-OFF

		TRAINER	TRAINEE	DATE
14.	Policy 431 (First Amendment Assemblies)			
15.	Policy 1001 (Evaluation of Employees)			
16.	Policy 303 (Control Devices & Techniques)			
17.	B.O. 500 (Mission Statement)			
18.	B.O. 502 (Watch Guidelines)			
B.	ROLE IDENTIFICATION: The Commander will understand his/her role as part of middle management.			
1.	Management's expectations of the Commander.			
2.	Peer's expectations of the Commander.			
3.	Subordinate's expectations of the Commander.			
C.	LEADERSHIP: The Commander will understand how to gain cooperation of subordinates through the use of realistic and fair personnel management techniques:			
1.	Deployment of personnel/preparing work schedules/managing Watch activity			
2.	Shows respect and a feeling of responsibility for subordinates			
3.	Shows respect and a feeling of responsibility for subordinates			

COMPLETION SIGN-OFF

		TRAINER	TRAINEE	DATE
4.	Works at maintaining and developing productive peer relations			
5.	Resolves issues/problems through negotiation with subordinates, peers and superiors			
6.	Manages time effectively			
7.	Understands the inspectional role of a supervisor:			
a.	Inspection of personnel			
b.	Inspection of equipment			
c.	Inspection of facility for safety of personnel and agency equipment.			
D.	EMPLOYEE RELATIONS: The Commander will understand the elements of an employee relations program and the organizational responsibility to the program's maintenance:			
1.	Understands employee bargaining agreements (sworn and civilian)			
2.	Understands the City's affirmative action program			
3.	Understands the City's and the Department's sexual harassment policy			
4.	Understands the provisions of F.S.L.A.			
E.	ADMINISTRATIVE SUPPORT: The Commander will understand the analytical process, the communication of policy, the process of problem-solving, decision-making and the budget process:			
1.	Understands how to analyze statistical data used by the Department			
2.	Understands the need to communicate and support department policy			

COMPLETION SIGN-OFF

		TRAINER	TRAINEE	DATE
3.	Understands the need to communicate and support department policy			
4.	Understands the need for completed staff work:			
a.	How and why work is staffed within the Department			
b.	Understand the format for various types of staff work (Departmental/City memorandum, internal investigations, etc.)			
5.	Understands the problem-solving process (chain of command) within the Department and City			
6.	Understands the decision-making process used by the Department			
a.	How to provide input as a Commander			
b.	How to be a department resource			
7.	Understands the budget process:			
a.	The budget cycle and fiscal year			
b.	Purchasing processes and restrictions			
c.	Limitations on a supervisor in making purchases			
8.	Limitations on a supervisor in making purchases			
9.	Understands the Department's Media Policy			

COMPLETION SIGN-OFF

		TRAINER	TRAINEE	DATE
10.	Understands the Department's policy in the dissemination of information:			
	a.    To the press			
	b.    To the public			
	c..   To other agencies			
11.	Understands the need to communicate the needs of subordinates to management			
F.	TRAINING: The Commander will understand the responsibilities of being a trainer of subordinates:			
1.	Understands the instructional role of a supervisor			
2.	Is aware of the training resources that are available within the Department			
3.	Understands the career development concept and process and provides guidance to subordinates			
4.	Understands the concept of vicarious liability for failure to train			
5.	Understands the department's force policy and provides adequate instruction and direction to subordinates			
6.	Takes advantage of briefing period to provide spontaneous training			
7.	Understands the need to critique incidents, both good and bad, for the purpose of training			
G.	REPORT REVIEW: The Commander will understand how to review the written documents of subordinates to ensure that they are clear, concise, accurate, complete and legible			

COMPLETION SIGN-OFF

		TRAINER	TRAINEE	DATE
1.	Understands the various types and uses of report forms			
2.	Understands the need for quality control			
3.	Understands the various review steps required by the Department			
4.	Understands the most common types of report writing problems and how to resolve them			
H.	<b>CRITICAL INCIDENT MANAGEMENT:</b> The Commander will demonstrate an understanding of the Department's procedures in managing critical incidents:			
1.	Bomb threats			
2.	Barricaded suspects			
3.	Hostage situations			
4.	Command post operations			
5.	Explosions			
6.	Hazardous materials incidents			
7.	Use of SWAT & CNT			
8.	Major fires			

COMPLETION SIGN-OFF

		TRAINER	TRAINEE	DATE
9.	Use of additional resources:			
	a. Canines			
	b. Helicopters			
	c. Crime Scene Investigators			
I.	OFFICER INVOLVED INCIDENTS: The Commander will demonstrate an understanding of the Department's procedures in managing officer involved incidents:			
	1. Officer involved shooting			
	2. Injury/death of officer			
	3. Injury/death of citizen/prisoner			
	4. Officer involved traffic collision			
	5. Loss/damage of property/equipment			
J.	FIELD RESPONSES: The Commander will demonstrate the ability to direct the on scene activities of subordinates; and a knowledge of the types of calls that require the response of a Commander as Watch Commander			
	1. Felonies in progress			
	2. Unruly crowds			
	3. Labor disputes			

COMPLETION SIGN-OFF

		TRAINER	TRAINEE	DATE
4.	Parties			
5.	Calls with potential for violence			
6.	Major crimes/investigations			
K.	CUSTODY PROCEDURES: The Commander will demonstrate an understanding of the Department's procedures in the operation of its detention facility			
1.	Fires:			
	a. Emergency detention procedures			
2.	Medical situations:			
	b. Procedure for rendering aid to prisoners			
	c. Notification requirements			
3	Critical incident:			
	a. Escapes			
	b. Hostage situations			
	c. Fights/disturbances in the facility			
4.	Prisoner processing:			
	a. Logging/booking requirements			

COMPLETION SIGN-OFF

TRAINER    TRAINEE    DATE

b.	Segregation requirements			
c.	Duration of detention requirements			
d.	Food, clothing and blankets			
e.	Telephone Calls			
f.	Visiting			
g.	Attorney contacts			
5.	Facility management:			
a.	Operation of camera equipment			
b.	Inspection of facility			
c.	Availability of supplies			
L.	SPECIAL OPERATIONS UNIT: The Commander will demonstrate an understanding of programs and enforcement responsibilities assigned to Special Operations Unit:			

COMPLETION SIGN-OFF

TRAINER      TRAINEE      DATE

1.	Alcohol violation enforcement			
2.	Parolee monitoring			
3.	Warrant service			
4.	“Street Level” narcotics enforcement			
5.	Crime pattern response			
6.	Gang suppression			
M.	INVESTIGATIVE SERVICES: The Commander will demonstrate an understanding of programs and responsibilities assigned to the Detective Bureau:			
1.	Knowledge of department policies related to the Detective Bureau			
2.	Knowledge of Detective Bureau Orders			
3.	Importance of the working relationship between the Detective Bureau and the Patrol Bureau			
N.	TRAFFIC: The Commander will demonstrate an understanding and knowledge of responsibilities of the Traffic Bureau:			
1.	Traffic collision investigation			
2.	Motorcycle Unit/traffic enforcement			
3.	Police Services Officer Front Desk Program			
4.	Special event and permit review and approval			

COMPLETION SIGN-OFF

		TRAINER	TRAINEE	DATE
O.	TRAFFIC SUPERVISION: The Commander will demonstrate an understanding of the supervision of the traffic function as it relates to the Patrol Bureau:			
1.	Importance of enforcement action and relationship to collision reduction			
2.	Availability of information on collision patterns of major collision scene			
3.	Supervision of major collision scenes			
4.	Knowledge of collision investigation methods			
P.	COMMUNICATIONS/DISPATCH: The Commander will demonstrate an understanding and knowledge of the responsibilities of the Communications Bureau			
1.	Radio Procedures			
2.	9-1-1 System			
3.	Use of the CAD System			
Q.	RECORDS BUREAU: The Commander will demonstrate and understanding and knowledge of the Public Records Act and CLETS policies, practices, and procedures			
R.	AUXILIARY SERVICES BUREAU: The Commander will demonstrate an understanding and knowledge of the responsibilities of the Auxiliary Services Bureau			
1.	Property/Evidence			
2.	Temporary Holding Facility			
S.	PROFESSIONAL STANDARDS BUREAU: The Commander will demonstrate an understanding and knowledge of the responsibilities of the Professional Standards Bureau			

COMPLETION SIGN-OFF

TRAINER      TRAINEE      DATE

1. Internal affairs investigations			
2. Recruitment/Background investigation			
3. Response to City Claims			
T. PUBLIC RELATIONS BUREAU: The Commander will demonstrate an understanding and knowledge of the Public Relations Bureau			
1. Media Relations			
2. Social Media Platforms			
3. Homeless Liaison Officer Program			
4. Mental Health /Hospital Liaison			
5. Volunteer Program			
6. Explorer Program			
U. POLICY REVIEW: The Commander will review and understand selected Department policy documents related to his/her role as Watch Supervisor:			
1. Policy 205, Staffing Levels			
2. Policy 324, Subpoenas and Court Appearances			
3. Policy 900, Temporary Custody of Adults			
4. Policy 328, Major Incident Notification			

COMPLETION SIGN-OFF

		TRAINER	TRAINEE	DATE
5.	Policy 607, Operations Planning and Deconfliction			
6.	Policy 1010, Personnel Complaints			
7.	Policy 1003, Grievance Procedures			
8.	B.O. 511, Equipment Audits			
9.	B.O. 514, Criminal Investigation			
10.	B.O. 515 Reports & Logs			
11.	B.O. 519, Daily Watch Reports			
V.	PRIMARY ("CRITICAL") TASKS: The Commander shall demonstrate an understanding of the following primary or critical tasks and functions of the Watch Commander role:			
1.	Ensuring adequate police protection and coverage throughout the City.			
2.	Either personally or through the Field Supervisor, exercise command and control of all critical field incidents.			
3.	Maintain control and security over all station operations:			
a.	Employees			
b.	Arrestees			
c.	The public			
d.	The facility & equipment			

COMPLETION SIGN-OFF

TRAINER    TRAINEE    DATE

	TRAINER	TRAINEE	DATE
W.    DETENTION FACILITY RESPONSIBILITIES: The Commander shall demonstrate an understanding of the following responsibilities relating to the operation of the Department's Temporary Holding Facility			
1.    Physical inspection of the facility			
2.    Review of the facility log			
3.    Monitoring use of the facility and handling of prisoners:			
a.    Ensuring juveniles in the facility are lawfully there			
b.    Ensuring required personal observation requirements for juveniles are met			
c.    Ensuring required segregation of all classes of prisoners			
d.    Ensuring appropriate medical treatment is provided			
e.    Ensuring prisoner meals are provided when required			
f.    Ensuring appropriate cell assignment			
g.    Reviewing all uses of force			
h.    In an emergency, ensuring that appropriate rescue, evacuation and relocation procedures are conducted			
i.    Reviewing and deciding on all requests for strip and body cavity searches; and completing appropriate documentation			

WATCH SUPERVISOR'S TRAINING GUIDE

COMPLETION SIGN-OFF

TRAINER    TRAINEE    DATE

X.	MEDIA RESPONSIBILITIES: The Commander shall understand his or her role and responsibilities relating to the news media:			
1.	Releasing previously written press releases upon request			
2.	Generating (or causing to be generated) new press releases when appropriate and pursuant to department policy			
3.	Responding to media requests and inquiries			
4.	Review press releases for sufficiency of information, confidentiality factors, completeness and grammar			
5.	When required, making arrangements for central press information point; assign Public Information Officer as appropriate			
Y.	SHIFT MANAGEMENT RESPONSIBILITIES: The Commander will demonstrate an understanding of their role in the management of the shift:			
1.	Ensuring adequate staffing for the shift			
2.	Reviewing oncoming shift's schedule and making necessary arrangements for adequate staffing of that shift			
3.	Reviewing off-going shift's status (calls for service still in progress, calls for service holding, significant events, personnel status, etc.)			
4.	Prior to shift change, evaluation of the calls for service level to determine if any holdover of the off-going shift is necessary			

COMPLETION SIGN-OFF

		TRAINER	TRAINEE	DATE
5.	Monitoring calls for service, dispatching, police responses, call dispositions, etc., during the shift to assure:			
a.	Determine compliance with policy			
b.	Reduce unnecessary response time delays			
c.	Reduce unnecessary expenditure of overtime			
d.	Control allocation and deployment of personnel to various calls and incidents			
6.	Monitoring all vehicular pursuits to:			
a.	Determine if cancellation of the pursuit is indicated			
b.	Control the number of units involved			
c.	Notify adjacent jurisdictions as required			
d.	Ensure response by Field Supervisor			
e.	Complete required pursuit memorandum			
7.	Reviewing all incidents involving the use of significant force, including contact with the arrestee/subject; ensure adequate documentation and notifications			
Z.	REPORT REVIEW RESPONSIBILITIES: In addition to the report review responsibilities of the Field Supervisor, the Commander will demonstrate an understanding of:			

COMPLETION SIGN OFF

TRAINER    TRAINEE                      DATE

1.	The need to review the status of any "held over" reports			
2.	In open criminal cases, assigning follow-up responsibility in compliance with Policy			
NOTIFICATION RESPONSIBILITIES: The Commander will demonstrate an understanding of the various notification responsibilities of the Watch Supervisor:				
1.	The briefing of on-coming shift supervision:			
a.	Crimes and calls for service still in progress			
b.	Arrests and prisoner dispositions still pending			
c.	Calls for service holding			
d.	“News worthy” events			
e.	Scheduling issues			
f.	Equipment/Facility problems			
2.	Detective Bureau notification			
a.	Major crimes			
b.	Sex crimes pursuant to Bureau Order 523			
c.	Critical missing persons			
d.	Cases involving confidential informants, or requests from confidential informants that their handling Detective be contacted			

**Pursuit Memo tab format.pdf**

# CITY OF SIMI VALLEY • MEMORANDUM

**DATE:**

**TO:**

**FROM:**

**SUBJECT: PURSUIT MEMORANDUM, DR#**

1. Date / Time of Pursuit:
2. Length of Time / Distance / Route of Pursuit:
3. Initiating Unit / Jurisdiction:
4. Reason for Pursuit:
5. SVPD Involvement If Not Initiating:
6. SVPD Officers Involved:
7. Disposition-
  - Pursuit Terminated By:
  - Arrest(s) / Charge:
  - Arrestee's Name/DOB:
  - Others involved parties:
8. Medical Treatment:
  - Officer(s):
  - Suspect(s):
  - Others:
9. Property Damage:
10. SVPD Supervisor at Scene:
11. Any unusual circumstances should be documented on an additional page.
12. Attach all related reports and forward to the Operations Captain prior to the next business day.  No Reports Required.
13. C.H.P. Pursuit Report (CHP 187a103) Completed per 14602.1 VC:  Yes

**With Record.pdf**

DATE>

To Whom It May Concern:

This is to certify that **LAST, FIRST, MIDDLE, DOB: XX-XX-XX**, was detained by this agency on

DATE	CHARGE	REPORT NO.	DISPOSITION
02/20/06	459 PC	Burglary	<Guilty>or<Contact the Court>
11/24/03	484 PC	Petty Theft	<Guilty>or<Contact the Court>

This information is based upon a check of our department records only and not of any other jurisdiction. Submission of fingerprint cards to the California Department of Justice is required for a complete California background inquiry.

This letter is not a personal identification, nor is it a recommendation for the above named individual.

Sincerely,

Name  
Records Manager

/technician initials

**Parental Consent Form.pdf**

# SIMI VALLEY POLICE DEPARTMENT

## **Parent/Guardian Consent and Hold Harmless Form** **Youth Purchasing Tobacco Products for Tobacco Enforcement Program**

1. Your signature in ink on this form indicates your consent for your son, daughter, or legal custodial minor to:
  - a. Participate in tobacco purchase enforcement activities conducted by the Simi Valley Police Department.
  - b. Purchase tobacco products at retail businesses under the supervision of a Simi Valley Police Officer to determine if sales of cigarettes or other tobacco products are being made to persons under 18 years of age.
2. The name of your son, daughter, or custodial minor will not be revealed unless requested by the City Attorney's Office.
3. Participation in the tobacco enforcement program is voluntary. Your son, daughter, or legal custodial minor has the right to stop at any time.
4. Your son, daughter, or legal custodial minor shall not be prosecuted for purchasing tobacco products while under the supervision of the Simi Valley Police Department during its decoy operation.

I/we hereby give my consent for my/our son/daughter/legal custodial minor \_\_\_\_\_  
\_\_\_\_\_ to participate in tobacco enforcement activities that will require my child to purchase tobacco products from retail businesses with the Simi Valley Police Department. As the parent(s)/guardian of the above-named minor, I/we certify my/our child's birth date to be \_\_\_\_\_. I/we understand that in allowing my/our child to participate in the tobacco enforcement program, my/our child may be subjected to risk of injury or damage to property. By signing this form, I/we, agree to indemnify and hold harmless the Simi Valley Police Department from any claim for injuries or damage if my/our child should become injured while participating in tobacco enforcement activities. In addition, I/we expressly waive all rights I/we may have under California Code or Civil Procedure 376, which provides for a parent's cause of action for injury to said child. I/we also give my/our consent to have my/our child treated by a physician in case of sudden illness or injury while participating in tobacco enforcement activities. If your physician is listed below, every effort will be made to contact the physician. However, the location of activities and nature of the illness or injury will determine the use of emergency medical personnel.

\_\_\_\_\_  
Signature of Parent or Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Minor

\_\_\_\_\_  
Emergency Phone Number

\_\_\_\_\_

\_\_\_\_\_

Name of Family Physician

Physician's Phone Number

This form must be properly executed prior to participation in the tobacco enforcement program. The original signed copy of this form shall be retained and additional copies may be requested by the signatory.

**Background Investigations of Peace  
Officers and Public Safety Dispatchers .pdf**

**Recruitment\_and\_Selection.pdf**

## **CHP Jurisdictional Responsibilities MOU 6-10-19.pdf**

**MEMORANDUM OF UNDERSTANDING**  
**Simi Valley Police Department**

**MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding (MOU) is among and between the California Highway Patrol (CHP) Moorpark Area and the Simi Valley Police Department. Hereafter, referred to as "the parties".

The purpose of this MOU is to define the jurisdictional responsibilities and response policies of each party within the city/county of Simi Valley/Ventura. In accordance with Section 14615(b) of the California Government Code, The Department of the California Highway Patrol has jurisdiction over those matters related to the security of state officers, property and occupants of state property. Furthermore, Section 2400(h) of the California Vehicle Code authorizes CHP to provide for the physical security of any current or former constitutional officers of the state, and any current or former legislator of the state.

There is one (1) State of California venue (hereafter referred to as "Service Area") within Simi Valley. The CHP's Service Areas exclude state entities that employ their own law enforcement personnel with police services responsibilities (e.g., State Correctional Facilities, Youth Authority, applicable State Universities, and any other identified applicable agency. The primary state Service Area is:

1. Department of Motor Vehicles (DMV) located at 3855 D Alamo Street, Simi Valley, CA 93065.

It is the mutual desire of the CHP and the Simi Valley Police Department to provide the highest level of service possible to the public, as well as provide for the continuity of crime reporting, analysis, and prevention. To achieve those goals, party duties and the operational guidelines of this MOU are as follows:

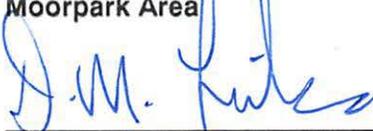
1. The CHP is responsible for providing traffic patrol, Vehicle Code enforcement, accident investigation, and motorist services on all highways designated as freeways in the city of Simi Valley.
2. The CHP shall respond to and investigate all non-Vehicle Code crimes occurring on state property, in the CHP's jurisdiction, and Service Areas within the city limits of Simi Valley. Exceptions to this protocol may include incidents involving serious crimes (e. g., homicide, sexual assault, assault with a deadly weapon). Upon request by the CHP, the Simi Valley Police Department will assume primary responsibility for investigating specific incidents. Under the specified conditions, the Simi Valley Police Department will become the primary investigative agency.
3. The Simi Valley Police Department at the request of the CHP will respond and investigate CHP officer-involved shootings within the Simi Valley Police Department's jurisdiction. The CHP may conduct concurrent investigations for internal purposes only.
4. When requests for police or emergency services within the CHP's Service Areas are received, all requests will be dispatched in accordance with current protocol. If the initial request is received by the Simi Valley Police Department, they shall notify the CHP Ventura Communications Center (VCC) as soon as it is practicable. In the event that the Simi Valley Police Department arrives first at the scene of an incident where CHP has primary investigative responsibilities, the Simi Valley Police Department will take reasonable steps to secure the scene until the CHP arrives.
5. In the event of a significant incident within the city limits that presents a potential danger to the public and/or causes vehicular traffic congestion, the Simi Valley Police Department may contact

the CHP's VCC with a request for activation of appropriate Changeable Message Signs (CMS) in order to advise the public. VCC will promptly forward all requests to the Department of Transportation (Caltrans). CMS's are under the exclusive control of Caltrans and their policies will determine if the CMS's are activated and the content of any message.

6. The CHP and Simi Valley Police Department mutually agree that in the event of an inability or delayed response on the part of either party, each may, upon the request of the party having primary jurisdiction, provide for the investigation, reporting, or other services as required.
7. The CHP and Simi Valley Police Department mutually agree that the Simi Valley Police Department may enforce all local, state, and federal laws on all state property adjacent to and below SR 118. As part of enforcing "quality of life" laws, the Simi Valley Police Department may enforce applicable laws upon notification to the CHP and request that Caltrans remove rubbish and seize property slated for destruction from state property.
8. Indemnification. In the event of a claim or lawsuit, accident, injury, or loss of property, arising under this MOU, each party is to bear its own cost.
9. Termination. Either party may terminate its responsibilities and duties under this MOU after having provided sixty days written notice to the other party.
10. This MOU shall remain in effect for five years from date of signing and may be extended on a year by year basis upon review and approval of the CHP area Commander.

  
\_\_\_\_\_  
M. J. LOGIE, Lieutenant  
Acting Commander, California Highway Patrol  
Moorpark Area

6/10/19  
DATE

  
\_\_\_\_\_  
DAVID M. LIVINGSTONE  
Chief, Simi Valley Police Department

6/10/19  
DATE

## **Trascription Guidelines.pdf**

# TRANSCRIPTION GUIDELINES

## G.O. Transcription

1. Make sure **case status** is correct
2. Check **Date & Time of occurrence and reported**
3. **Approval** field is filled in
4. **Submitting officer** is correct
5. **Location** – correct address used, Unit or Apt #, Beat & Grid are filled in, INV: *Out of Simi* or UI: *Ventura County Jurisdiction* (**read narrative**)
6. Ensure **runaway/missing returns and 10851 recoveries** refer to the original GO
7. Confirm **Offense Code and extension** is correct (**read narrative**)
8. **Offense Location code**: make sure it indicates the correct location type
9. **Criminal activity** if applicable
10. **Weapon(s)** used if applicable
11. Check **severity classification** on summary tab (**misdemeanor, felony or leave blank if infraction or incident report**).
12. **Damaged value** for 594PC & 451PC when applicable
13. **Study field** if applicable
14. **Gang involvement** field If applicable and officer confirms
15. **Family violence** field if applicable
16. **Entities**: Make sure **all entities are entered**; check MNI to ensure we do not add duplicate names and spellings are correct, **make sure entity role is correct** (for persons and vehicles) and vehicle entity is entered and is correct if vehicle is involved (**read narrative**) **Note**: when you run a CDL for an arrest ensure CDL and entity match.
17. Complete **Victim Linkage** when applicable
18. **LEOKA** (officer injured) is completed when applicable.
19. Check **property Page** for property crimes/reports:  
Make sure all property is entered  
Make sure the number of pieces is filled in  
Property Category is correct (use search feature)  
Review items that are in Type Miscellaneous to see if they can be categorized.  
Value of credit cards should equal \$0.00 not \$1.00  
Value of CDL should be \$26.00  
Ensure all serialized property is entered into or removed from CLETS (stolen, recovered, and lost)  
Recovered property section is filled in when applicable
20. **Details page**: make sure a details page is completed for all missing persons, stolen vehicles, 459's, any crime against a person (211's, sex offenses,

ADW's), frauds, tows, DUI's, use of force, deaths and DV. Make sure suspect is linked to details page if known

21. **CIT template** for 5150's
22. **CLETS**: ensure all reports with CLETS information is either entered or canceled when applicable.
23. **BOLO's**: enter and remove when applicable
24. **Clearance Block**
25. **IBR check**: correct errors. Don't forget State Specific IBR Info: [F9] for Arson and [F11] for Homicides (found in victim entity).
26. **Route Case** – Rules should be set in place to take out any guess work. If applicable person/unit is not there, add it and route it.
27. **Release track** to applicable agencies for applicable reports (ie: tows, CIT, TE, RM ect...)

### **A.B. Transcription:**

1. Status & Type
2. Date & Time of Arrest
3. Arresting officer is correct
4. Arrest status box for juvenile checked & status – **H**: C & R, Counseled & Released, Other or **R**: Incarcerated
5. Booking agency – VENT / EVSO / HALL
6. Location of arrest
7. UCR Arrest Dispo [F11]
8. Charge(s): verify in narrative
9. Warrant #
10. Related Event GO#
11. Dispo remarks for other related charges
12. No routing of AB

**Note:** when you run a CDL for an arrest ensure CDL and entity match.

## **Communications Training Manual 2019 (Master).pdf**

# SIMI VALLEY POLICE DEPARTMENT COMMUNICATIONS BUREAU TRAINING

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## WELCOME

Welcome to the Simi Valley Police Department's Communications Team. During the next several months you will learn how important your role is in the field of police communications.

This guide is divided into phases that coincide with the different functions you will perform as a dispatcher. This means several persons may become involved in your training. It also defines the standards by which trainees are measured as they progress through the program.

Within your first year you will attend a three-week Dispatcher Academy. The academy is taught by P.O.S.T. certified instructors. The material and subjects covered will be directly related to your new job. Though it will not be agency specific, all material will be Police- and Fire-related. You will learn a great deal from the academy. If the academy is held out of county you will stay in a hotel and attend class during the week, coming home on the weekends. The Department will pay for class-related expenses: hotel, food, gas, etc.

Your training officer is your direct supervisor and the first person you should contact for questions and direction. As you progress through the phases of training, you will begin to perform a greater share of the actual work, while your trainer adapts more of a coaching role. The essentials of dispatching are best learned through hands-on experience. Part of your training will consist of a ride-along with a police officer(s).

You will work first as a call taker and later move to the radio position. As a call taker, you will learn how to be a viable back up for the on-duty radio dispatcher. During this stage you will answer all phones and deal with callers. Learning to properly decipher, classify and create radio calls will be a crucial part of your training.

In the next phase, you will become the primary radio dispatcher, learning to dispatch, update and complete calls for service. During this part of training you will be responsible for making critical decisions that affect the safety of many people. This will be a stressful yet highly rewarding time for you.

The last portion of training will be an evaluation period. You will be rated on your knowledge and ability to be an independent dispatcher. You will be assessed on your retention of all information given to you during training. To successfully complete this stage, you must be able to assume the position of a self-sufficient working dispatcher on any assigned shift.

Although your trainer has assumed the responsibility for your instruction, the ultimate responsibility to learn is yours. To be successful, you must make a commitment to learning that at times may seem uncommonly intense.

Keep in mind the training program is designed to benefit you. The amount of knowledge you gain is directly proportional to the degree of energy and concentration you devote to the program. It is imperative that you report to work every day – arriving alert, enthusiastic and ready to learn. We are here to help you become a vital member of the Communications team!

It is your responsibility as a trainee to solicit further clarification on any materials or procedures that are unclear to you during the training process. While on duty as a dispatcher in training, you must possess your training manual at all times and present it for inspection upon request of any authorized trainer or supervisor.

Remember, you hold the key to your success – be alert and assertive. Actively participate in the process.... **ASK QUESTIONS!**

## **COMMUNICATIONS TRAINING PROGRAM**

### **POLICY STATEMENT**

The Simi Valley Police Department prides itself on maintaining the highest standards of professionalism. To this end, the training of the finest police dispatchers in law enforcement remains a fundamental objective of the Department. The Communications Training Program has been developed and implemented to successfully realize this goal.

The Performance Objectives and Standardized Evaluation Guidelines are integral features of the program, providing the basic learning foundation each trainee will undergo. Senior Dispatchers, in conjunction with the Communications Manager, determine the parameters of training and evaluation. These guidelines are carefully scrutinized on a regular basis to assure they remain current and provide equal, systematic training and assessment. The standards of proficiency set by the Communications Training Program are meant to certify that each dispatcher completing the course will have received the necessary instruction and guidance to perform as expected. These provisions also serve as benchmarks for final acceptance of the trainee as a permanent dispatcher at the end of the probationary period.

During the training program, any identified deficiencies will be documented and followed by attempts to correct or overcome the weakness. Corrective solutions will be proposed, put into effect and recorded in writing. Only if attempts at correction fail will a trainee be considered for termination. Throughout the training every attempt will be made to develop all dispatchers in a conscientious, consistent and equitable manner.

# **SIMI VALLEY POLICE DEPARTMENT**

## **MISSION STATEMENT**

Achieving excellence in public safety by providing superior service and encouraging community involvement.

## **VALUE STATEMENT**

We will accomplish our mission with a commitment to duty, honor and integrity.

### **DUTY**

The obligation to do what is legally and morally right.

### **HONOR**

Treating everyone with dignity, respect and equality.

### **INTEGRITY**

Honesty and fairness in everything we do.

## **COMMUNICATIONS TRAINING PROGRAM**

### **GOALS AND OBJECTIVES**

The Simi Valley Police Department Communications Training Program has been designed and implemented so the following objectives are achieved:

1. To provide a highly trained and positively motivated dispatcher capable of meeting or exceeding the standards of performance required by the Department.
2. To provide equal and standardized training to all newly hired dispatchers and to administer remedial training in those areas where deficiencies are identified.
3. To build on the foundation of knowledge given at the Dispatch Academy, creating an environment in which the trainee may develop new abilities and establish proficiency in skills acquired in an academic setting.
4. To teach and provide on-the-job training for each Dispatch trainee.
5. To establish an appraisal system that is valid and job-related, utilizing a standardized approach to documented measurement of probationary dispatcher performance.
6. To increase the overall efficiency and effectiveness of the Department by enhancing the professionalism and competency demanded by ethical standards of law enforcement.
7. To provide timely response to requests for service and assistance, dispatching appropriate emergency personnel and equipment to meet public needs.
8. To deliver telecommunications support to the Police Department, monitoring and coordinating field operations of all Police Department Personnel.

In order to effectively perform its mission, the Dispatch Unit has formulated Unit Orders to establish operational procedures and guidelines. These are to be used in conjunction with the respective manuals published by the Simi Valley Police Department and the City of Simi Valley.

## **STATION TOUR**

The following is a list of units within the Simi Valley Police Department and questions to ask each unit representative when doing an in-house tour.

### **TRAFFIC UNIT**

1. How many motor units does the Department have?
2. Who is in charge of the motors?
3. What is the main function of a motor unit?
4. What are their hours?

### **DETECTIVES**

1. What is the main function of the detectives?
2. Which detective and sergeant handle which case types (property, person, etc.)?
3. Who supervises the Detective Unit?
4. What is the on-call list for detectives and how does it relate to Dispatch?

### **ADMINISTRATION**

1. What is the main function of the Administration Department?
2. What are the duties of the Chief's executive assistant?
3. How should dispatch handle calls from citizens requesting to speak to the Chief?
4. Who handles our payroll?
5. Who is in charge of Internal Affairs?
6. What are the Administrative Deputy Chief duties?

### **RECORDS**

1. What is the main function of the Records Department?
2. Who is the supervisor in Records?
3. Who oversees the entire Records Department?
4. When is the Records Department open to the public?

### **VOLUNTEERS/PUBLIC INFORMATION OFFICER (PIO)**

1. What is a PIO and what are his/her duties?
2. What functions do volunteers fulfill? Who is in charge of them?

### **K-9 UNIT**

1. How many K9s does the Department have?
2. Who oversees the K9 program?
3. What is the function of K9 Units?

## **COMMUNICATIONS TRAINING PROGRAM ROLE/EXPECTATIONS OF TRAINEES**

### **ROLE OF THE TRAINEE**

The goal of a Communications trainee is to demonstrate the ability to perform as a solo Dispatcher by the end of the program. This is the standard by which the trainees will be measured throughout the training.

The trainee's primary responsibility is to commit his/her full attention and effort to successful completion of the program. This will be a very intense and stressful time in the trainee's life. The Communications training staff will make every effort to provide the tools necessary for the trainee to succeed. Trainees must put forth their best effort each and every moment they are assigned to the program.

### **EXPECTATIONS OF TRAINEES**

Trainees are to be respectful of their Senior Dispatchers and other Communications staff members. The Senior Dispatcher's direction is to be accepted and followed at all times. If the trainee believes that a specific order is improper, or an evaluation unfair, he/she should discuss it with the Senior Dispatcher. If the trainee is unable to resolve the issue, the trainee should ask to meet with the Communications Manager. If the trainee still has a concern or problem, the trainee may ask the Communications Manager to set up a meeting with the Deputy Chief. The Communications Manager shall notify the Deputy Chief and a meeting will be arranged.

Dispatchers in training will complete all assignments in a prompt, professional manner. They will follow all policies and procedures as outlined in Department manuals.

Trainees should ask questions as they arise. Senior Dispatchers are a primary information resource; trainees should not wait for the Senior Dispatcher to cover an area of concern they may have. Trainees are expected to make mistakes. They should not be overly concerned with errors when they are made; instead they must channel their efforts into recognizing and correcting the errors.

Dispatchers in training will receive daily evaluations. They should use these as tools to track their own progress and to help identify areas requiring additional effort. Trainees should be open and honest during review of these evaluations, accepting constructive criticism offered by the Senior Dispatcher and Communications staff. They must understand that all guidance is given in a spirit of assistance, support and a genuine collective desire to see the trainee succeed. The trainee should not take criticism personally, nor should he/she react defensively, attempt to rationalize mistakes, or respond with hostility.

Trainees' relationships with Communications training staff, other trainees, and co-workers shall be respectful and strictly professional at all times, both on and off duty, as this will establish a positive foundation for all subsequent interactions with one's peers and supervisors.

## **COMMUNICATION TRAINING PROGRAM REMEDIAL TRAINING STRATEGIES**

Senior Dispatchers understand that training is an ongoing process resulting from the natural interactions between themselves and the trainee. Still, some training may have to take place at another time or location away from the actual event. It is important to remember that a mistake or performance deficiency must be corrected, and the correction should come as soon as practical after the behavior without interfering with the Department's service responsibilities. Most performance mistakes are relatively simple to fix and are rectified almost immediately. Problems that do not go away, or are repeated, call for a more formal approach known as remedial training.

Remedial training is defined as a correction or review of previously taught information or procedures. "Previously taught" does not include training the trainee received in the Dispatch Academy. Remedial training becomes necessary when the trainee's job performance is evaluated as less than acceptable, after he/she has been provided with sufficient initial training or additional intervention to correct or improve job performance.

While the Senior Dispatcher's role is to help the trainee overcome performance deficiencies and give him/her every opportunity to learn and perform, some performance flaws have as their root cause something the Senior Dispatcher cannot correct. Examples include immaturity, absence of a positive self-image, lack of common sense and worldliness, stress and fear. These are attitude-based and are occasionally so ingrained in the trainee's behavior that they cannot be overcome. It would be wrong to automatically assume that a failure to perform well is linked to one of these reasons. It is more likely that inexperience and absence of sufficient practice has led to the problem. Remedial training should begin as soon as an ongoing weak point is noted.

Since formal remedial training may require an extended stay in the Communications Training Program, there are several steps the Senior Dispatcher must take when trying to resolve the deficiency:

1. Be as specific as possible. Identify and describe the problem. Do not overlook enlisting the trainee to help in this endeavor.
2. Reflect on and determine what has been tried and found to be effective in resolving similar performance issues.
3. Develop a plan which clearly identifies what the new dispatcher is expected to accomplish, under what conditions, within what time frame, and utilizing what resources.
4. Implement the plan and evaluate its progress. If the desired level of performance is not achieved, return to step one.

Consider using a Remedial Training Assignment Worksheet when developing the remedial plan. Be certain to d

## **REMEDIAL TRAINING STRATEGIES**

The following section is designed to assist Senior Dispatchers in recognizing and correcting training deficiencies and/or performance problems. It describes some of the commonly reported trainee problems and offers strategies for resolving them. For any identified performance flaw, the types of remedial training strategies are limited only by imagination and feasibility; however, no training should be dangerous, demeaning, harassing, or expose the Department to liability. Department policies, procedures, or safety standards may never be violated for the sake of training.

The following strategies can be appropriate for assisting trainees in gaining proficiency with items in the Communications Training Program or in designing written training plans.

## **ROLE PLAYS AND SCENARIOS**

These can be used for a variety of performance tasks. Care should be taken to ensure the following:

1. All participants must be made aware that the situation is a training exercise, not an actual event.
2. Notification of other potentially involved parties (i.e., patrol, field supervisors, dispatchers).
3. Selection of role players who understand the win-win philosophy.

## **ROLE REVERSALS**

Similar to role plays, here the Senior Dispatcher reverses roles with the trainee. The trainee then watches the Senior Dispatcher perform a task in the same incorrect manner that the trainee did earlier. The trainee is then required to critique the Senior Dispatcher and offer suggestions for improvement.

## **FLASH CARDS**

Having trainees make flash cards enhances the learning process by using more than one learning style. Flash cards are particularly effective with topics such as Radio Codes, Vehicle or Penal Codes, crime elements and Spelling.

## **SPELLING QUIZZES**

The Senior Dispatcher keeps track of words that are frequently misspelled. The trainee is provided a list of these words and advised a few days in advance of the quiz. If the trainee finds it helpful, he/she may wish to practice writing the words a number of times.

## **SELF-EVALUATIONS**

This technique, especially valuable when the trainee has difficulty accepting feedback, involves having the trainee keep notes during the shift and completing a Daily Probationary Evaluation at the end of the day. The Daily Probationary Evaluation should be labeled "Self-Evaluation." As with the Senior Dispatcher's evaluation, both parties review and compare their Daily Probationary Evaluation's at the conclusion of the shift.

## **ORIENTATION SKILLS**

1. Give trainee a copy of a map that contains the streets but no names. Trainee fills in the names.
2. Verbal and written quizzes on the hundred blocks, landmarks, and other important locations.
3. Throughout shift ask trainee, "where is?"
4. Demonstrate efficient ways to use the map in CAD, using the "street" command to look up streets, addresses, etc.

## **RADIO PROCEDURES AND CODES**

1. Role Plays
2. Obtain a tape recorder that you and the trainee use as a radio in role plays.
3. Have trainee speak in codes rather than plain text/English.
4. Assign trainee on a ride along with Patrol.
5. Have trainee listen to a scanner.
6. Have trainee read all license plates phonetically.
7. Listen to old Communications tapes.

## **TOTAL CONFUSION**

1. Have trainee complete self-evaluation.
2. Develop a flow chart of basic tasks.
3. Have trainee speak with and/or observe Senior Dispatcher or Communication Manager.
4. Utilize flash cards.
5. Role play simple tasks.
6. Have trainee list his/her perceptions of the job.

## **SUMMARY**

For remedial training strategies, always remember to:

1. Diagnose the true problem.
2. Provide feedback.
3. Use all resources available.
4. Be creative.
5. Document the trainee's performance and your efforts.

**COMMUNICATIONS TRAINING PROGRAM  
REMEDIAL TRAINING ASSIGNMENT WORKSHEET**

Trainee: \_\_\_\_\_

Date: \_\_\_\_\_

Your Senior Dispatcher has identified one or more areas of deficient performance that need your immediate attention for improvement. You will be expected to fully complete the training assignment listed below by: Date \_\_\_\_\_

**PERFORMANCE DEFICIENCIES**

Define the problem specifically giving examples. Describe the training already conducted.

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**TRAINING ASSIGNMENT**

Describe the specific assignments given to the trainee to correct the above problem. Senior Dispatchers will describe the specific assignment given the trainee to correct the above-described problem(s). Assignment will be given in terms of specific performance goals: The trainee will be expected to perform at a satisfactory level in the identified area(s).

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Trainee Signature: \_\_\_\_\_

Senior Dispatcher Signature: \_\_\_\_\_

## ASSIGNMENT COMPLETION

1. Has the trainee satisfactorily completed the training plan?
2. Is the trainee now performing at a competent level?
3. Has an additional assignment been given?

COMMENTS:

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If the training plan is not satisfactorily completed, specific recommendations must be made regarding the trainee's continued substandard performance. Additional remedial training worksheets should be generated outlining a follow-up training plan.

\*\*It is the responsibility of the Senior Dispatcher to ensure that this assignment is communicated to the trainee's next Senior Dispatcher so follow-up can be completed.

Trainee Signature: \_\_\_\_\_

Senior Dispatcher Signature: \_\_\_\_\_

## **COMMUNICATIONS TRAINING PROGRAM TRAINEE CAD & TEXT MESSAGE**

During the duration of the training program at Simi Valley Police Department, trainees are expected to spend all of their assigned working hours learning their new position as a Public Safety Dispatcher. The trainees are expected to utilize any slow times in the Communications Center for studying their training materials.

The Public Safety Dispatcher is a position which requires complete focus and concentration. We are responsible for life and death situations and therefore need to be attentive to all tasks being performed. This is especially true of trainees as they hone their skills and abilities.

It is the expectation of the Department and the Communications Center that while in training the trainees will be entirely devoted to learning their new position. Outside distractions are to be kept to a minimum in order to create an environment conducive to learning.

The CAD is a tool that will be utilized in accomplishing the job of the Public Safety Dispatcher. While training on the radio, the trainee will be expected to utilize the CAD for dispatching calls for service and for rendering communication with officers in the field. Additionally, during the call taking phase of training, the new dispatcher will be instructed to utilize the CAD for work-related communications.

While in training the CAD will not be utilized for any informal communications or non-work related conversation. The CAD may only be utilized for circumstances pertaining to performance of the job.

There is additional expectation of Dispatch trainees in regard to personal cell phone text messaging. Personal text messages will not be exchanged during working hours. Trainees are allowed to use their own cell phones and send text messages while on their breaks and during their lunch. However, while training in the Communications Center the trainee should not have his/her personal cell phone accessible for use.

## **COMMUNICATIONS TRAINING PROGRAM TRAINEE PERSONAL CELL PHONE**

The Simi Valley Police Communications Center training program requires dedication and focus in order to be successful. It is the expectation of the Department, the Communications Manager and the Senior Dispatchers that during work hours all available time will be utilized for learning and practicing the skills needed for the job.

The use of personal cell phones for verbal and text conversations is a distraction to the trainee and the trainer. It is necessary for your focus to be on the calls coming into the Communications Center, the radio, the other job duties and the trainer. During on-duty hours your cell phone should be stored in your locker or pedestal, and in silent mode or turned off. It may be checked only on breaks and during lunch.

In the case of an emergency, family and/or friends may call the Communications Center and ask to speak with you. In general, however, there should be no prolonged personal phone calls.

It is also recognized that experienced Dispatchers do have and utilize their personal cell phones while on duty. They have completed their training program and have honed their multi-tasking skills to a level in which interference should not occur.

**COMMUNICATIONS TRAINING PROGRAM  
DISCRIMINATION & HARASSMENT POLICY**

Policy Statement

The Simi Valley Police Department is committed to providing a work environment in which all employees are treated with respect and dignity, and is free of discrimination or harassment. It is a “Zero Tolerance” policy.

Discrimination or harassment based on an individual’s race, religious beliefs, national origin, ancestry, gender, marital status, sexual orientation, age, or physical, mental or medical condition is an inherent impediment to full employment opportunities and workplace equality. Federal and state laws prohibit such discrimination and harassment.

The City of Simi Valley recognizes that discrimination and harassment are against the law and create a negative atmosphere that reduces work productivity, undermines the integrity of the workforce and destroys professionalism. For this reason, even minor forms of harassment that may not be considered illegal will not be tolerated.

Please read the Non-Harassment Policy in the Simi Valley Communications Policy Manual and sign the acknowledgement.

Trainee: \_\_\_\_\_ Date: \_\_\_\_\_

Trainer: \_\_\_\_\_ Date: \_\_\_\_\_

## Simi Valley at a Glance

The City of Simi Valley, with an estimated population of 126,414 (as of December 2011) is the third largest of Ventura County's ten cities. Occupying an area of approximately 42 square miles, it is located in Southeast Ventura County, adjacent to the northwestern perimeter of the San Fernando Valley, approximately 37 miles northwest of downtown Los Angeles. The City was incorporated in 1969 under the general laws of the State of California and operates under a General-Law/council-manager form of government.



It is believed that the name of the Chumash Indian Village "Shimiji" is the origin of the City's name. The valley was originally inhabited by the Chumash Indians in two villages named Simi and Tapo. The official City tree is the Coast Live Oak, whose acorns were used by the Chumash Indians for food. The official City flower is the California Wild Rose, from which the Chumash Indians ate vitamin-rich rosehips. In 1795, El Rancho San Jose de Garcia de Simi was granted to Santiago Pico and Luis Pena by Governor Diego de Borica of Spanish California. This land grant, approximately 100,000 acres, was one of the largest ever made.

Transportation to and from the City is provided through the following means:

**Highway:** Highway 118 runs through the City and connects with State Highways 23 and 101, Interstates 5, 405, and 210.

**Air:** Los Angeles International Airport, 42 miles; Burbank Airport, 26 miles; Camarillo Airport, 25 miles.

**Rail:** Union Pacific Railroad for [freight service](#); Amtrak and Metrolink for passenger service.

**Bus:** The City operates a local bus system, with connections to Los Angeles County Metropolitan Transportation Authority (LACMTA) and Ventura Intercity Service Transit Authority (VISTA). Taxi services are also available.

**Water:** Port facilities are located in Port Hueneme, 34 miles.

### INCORPORATED

October 10, 1969

### TOPOGRAPHY

Elevation ranges from 700 feet to 1,000 feet

## POPULATION

2011 126,414  
2010 126,329  
2009 126,322  
2008 126,291  
2007 125,741  
2006 125,096  
2005 122,485  
2004 119,364  
2003 117,983  
2002 117,726  
2001 116,048  
2000 113,941

## MEDIAN AGE

36.0 (Ventura County Statistical Abstract  
2010-11)

## RECREATION & CULTURAL

34 Parks  
4 Golf Courses  
1 Performing Arts Center  
2 Theaters (26 screens)  
2 Swimming Pools  
1 Library (140,000 vol.)

## HOSPITALS

**Simi Valley Hospital**  
201 beds

## AREA

Approximately 42 square miles

## AVERAGE TEMPERATURE

	High	Low
Jan.	63.8	35.5
Aug.	94.5	55.6

## RAINFALL

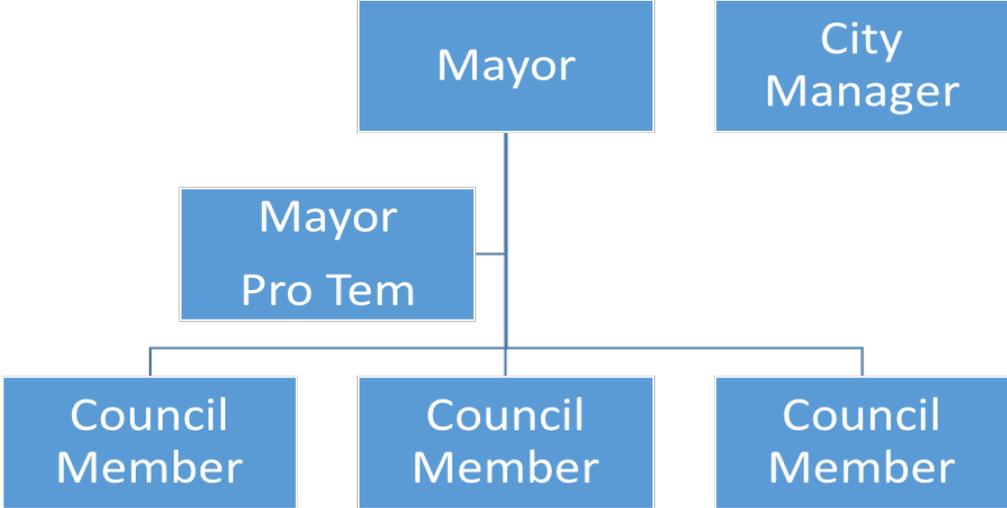
Average yearly 14.37"

## PUBLIC EDUCATION

**Simi Valley Unified School District**  
Annual [Enrollment](#) 19,998 (2011-12)  
21 Elementary Schools  
3 Middle Schools  
3 High Schools  
1 Continuation High School  
1 Adult School  
1 Independent Study School (K-12)

**City Government Structure**

The City of Simi Valley utilizes a council-manager form of government comprised of one mayor and four part-time City Council members. The mayor is elected every two years whereas the City Council members are elected to four-year terms. The City Council appoints the City Attorney and City Manager. The City Manager appoints the department heads for the City.



## Local Law Enforcement Agencies

<b>Station 1</b>	Ventura County Sheriff's Office 800 S. Victoria Ave., Ventura 805-654-9511
<b>Station 2</b>	Ventura Police Department 1425 Dowell Dr., Ventura 805-805-339-4399
<b>Station 3</b>	Oxnard Police Department 251 South "C" Street, Oxnard 805-385-7740
<b>Station 4</b>	Santa Paula Police Department 214 South 10 <sup>th</sup> Street, Santa Paula 805-933-4230
<b>Station 5</b>	Fillmore Police (Ventura Sheriff) 524 Sespe Ave., Fillmore 805-524-2233
<b>Station 6</b>	Ojai Police (Ventura Sheriff) 402 S. Ventura St. 805-646-1414
<b>Station 7</b>	Honor Farm (Ventura Sheriff) 600 Todd Rd., Santa Paula 805-933-8562
<b>Station 8</b>	Port Hueneme Police Department 250 N. Ventura Rd., Port Hueneme

805-986-6530

**Station 9**

Simi Valley Police Department  
3901 Alamo St., Simi Valley  
805-527-2911

**Station 10**

East Valley Sheriff's Station  
2101 E. Olsen Rd., Thousand Oaks  
805-494-8200

**Station 11**

Lockwood Valley (Ventura Sheriff)  
15021 Lockwood Valley Rd., Frazier Park  
661-245-3829

**CHP Ventura**

California Highway Patrol  
4656 Valentine Rd., Ventura  
805-477-4173

**CHP Moorpark Office**

California Highway Patrol  
610 Spring Rd., Moorpark  
805-553-0800

**LAPD Devonshire**

Los Angeles Police Department  
10250 Etiwanda., Los Angeles  
818-832-0633

**LASO Lost Hills**

Los Angeles County Sheriff's Department  
27050 Agoura Rd., Agoura Hills  
818-878-1808

**LASO Santa Clarita**

Los Angeles County Sheriff's Department  
23740 Magic Mountain Pkwy., Santa Clarita  
661-255-1121

**LASO TSB (Metrolink)**

Los Angeles County Sheriff's Department  
Transit Services Bureau  
323-563-5000

**Park Rangers**

Rancho Simi Recreation and Park District  
1692 Sycamore Dr., Simi Valley  
805-584-4445

**Fire Stations  
Battalion 40, Simi Valley**

**Station 41**

1910 Church St.  
805-371-1111 Ext. 41

**Station 43**

5874 E. Los Angeles Ave.  
805-371-1111 Ext. 43

**Station 44**

1050 Country Club Dr.  
805-371-1111 Ext. 44

**Station 45**

1090 Pacific Ave.  
805-371-1111 Ext. 45

**Station 46**

3265 Tapo St.  
805-371-1111 Ext. 46

**Station 47**

2901 Erringer Rd.  
805-371-1111 Ext. 47

## **Tow Companies**

### **Dave's Club Towing**

890 West Los Angeles Ave  
805-526-4221

Handles all tows from the east curb line on Sycamore Drive to the city limits at the west end of the City. Also handles all tows for vehicles that need to be stored for evidence.

### **Swink's Towing**

4506 Industrial St  
805-522-2262

Handles all tows from the east curb line on Sycamore Drive to the city limits at the east end of the City. Also handles all AAA Club tows.

## **SIMI VALLEY STREETS AND FREEWAYS**

### **North/South Streets**

Madera

Sinoloa

First

Erringer

Sycamore

Sequoia

Tapo Canyon

Tapo

Stow

Stearns

Yosemite

Kuehner

### **East/West Streets**

Alamo

118 freeway

Cochran

Los Angeles

Royal

Fitzgerald

## **Freeway Off Ramps**

Madera

First

Erringer

Sycamore

Tapo Canyon

Stearns

Yosemite

Kuehner

## **Freeways**

118 - Simi Valley/San Fernando Valley

23 - Fillmore

405 -San Diego

5 - Golden State

210 - Foothill

# **SIMI VALLEY POLICE COMMUNICATIONS**

## **LOCATION/LANDMARK TRAINING**

### **BEAT ONE**

DAVE'S CLUB

PUBLIC WORKS

ANIMAL CONTROL

OAK PARK

LANDFILL

WALMART

TARGET

COSTCO

CHILIES

COURTYARD MARRIOTT

SIMI VALLEY TOWN CENTER

GOLDS GYM

MOUNTAIN GATE PLAZA

MAYFAIR PARK

PARKVIEW ELEMENTARY

ARROYO ELEMENTARY

VONS

## **BEAT TWO**

EVSO

RONALD REAGAN LIBRARY

WOODRANCH COUNTRY CLUB

WOOD RANCH TRAIL HEAD

ALBERTSONS

24-HOUR FITNESS

7-ELEVEN

ROYAL HIGH

MADERA ELEMENTARY

LINCOLN ELEMENTARY

SINALOA GOLF COURSE

RIDGEGATE APARTMENTS

SINALOA JUNIOR HIGH

GRACE BRETHERN ELEMENTARY

HILLSIDE JUNIOR HIGH

HOLLOW HILLS ELEMENTARY

ASHLAND AVENUE

FIRE STATION 44

COUNTY AREA

SAMARITAN CENTER

## **BEAT THREE**

CREEKSIDE APARTMENTS

RANCHO SIMI PARK

ADULT SCHOOL

GRACE BRETHREN HIGH SCHOOL

HILLSIDE JUNIOR HIGH

CRESTVIEW ELEMENTARY

MOUNTAIN VIEW ELEMENTARY

BERLYWOOD ELEMENTARY

BERLYWOOD PARK

FIRE STATION 41

RALPHS

SIMI ELEMENTARY

PARK AND RECREATION

BMX

SYCAMORE PARK/ELEPHANT ROCK

GATEWAY PARK

## **BEAT FOUR**

BIG SKY PARK

LOST CANYONS GOLF COURSE

DMV

COURT HOUSE

LIBRARY

POLICE STATION

REGAL PLAZA

TARGET

REARDONS

GARDEN GROVE ELEMENTARY

SANTA SUSANNA HIGH

SYCAMORE ELEMENTARY

FARMERS

TARGET

CVS

ATHERWOOD ELEMENTARY

ATHERWOOD PARK

JUSTIN ELEMENTARY

HOSPITAL

COUNTY AREAS

WALMART

**BEAT FIVE**

KOHL'S

SIMI HILLS GOLF COURSE

EL PATIO

HOUGHTON PARK

VALLEY VIEW JR HIGH

POA

FIRE STATION 46

ALBERTSONS

RANCHO SANTA SUSANNA PARK

METROLINK

24HR FITNESS

VENTURA CREDIT UNION

SWINKS

BERYLWOOD ELEMENTARY

SANTA SUSANNA ELEMENTARY

## **BEAT SIX**

MOUNT SINAI

IN AND OUT

7-ELEVEN

VONS

CHUYS

CORRIGANVILLE PARK

FOOTHILL PARK

WHITE OAK ELEMENTARY

SIMI VALLEY HIGH SCHOOL

KNOLLS ELEMENTARY

KATHERINE ELEMENTARY

VERDE PARK

KNOLLS -COUNTY

HUMMINGBIRD RANCH

**RANCHO SIMI RECREATION AND PARK DISTRICT**

Apollo Athletic Field	3300 East Los Angeles Avenue
Arroyo Park	2105 Socrates Avenue
Arroyo Simi Bike Path	Peppertree Lane to Madera Road
Arroyo Simi Equestrian Center	2900 Royal Avenue
Arroyo Stow Park	1700 North Stow Street
Atherwood Park	2271 Alamo Street
Berylwood Park	1955 Bridget Avenue
Big Sky Park	2251 Lost Canyons
Box Canyon Park	Box Canyon Road
Challenger Park	298 First Street
Chumash Park	Flanagan Drive & Broken Arrow Street
Citrus Grove Park	2100 North Marvel Road
Corriganville Park	7001 Smith Road
Coyote Hills Park	275 Valley Gate Road
Darrah Volunteer Park	3700 Royal Avenue
Foothill Park	1850 Ardenwood Avenue
Frontier Park	2163 Elizondo Avenue
Gateway Park	3455 Chicory Leaf Place
Houghton-Schreiber Park	4333 Township Avenue
Hummingbird	Far north end of Kuehner Drive
Indian Hills	East side of Indian Hills Drive
Knolls Park	1300 West Katherine Road
Lincoln Neighborhood Park	1215 First Street
Mayfair Park	2550 Caldwell Street
Old Windmill Park	201 Long Canyon Road
Rancho Madera Community Park	556 Lake Park Drive
Rancho Santa Susana Community Park	5005 East Los Angeles Avenue
Rancho Simi Community Park	1765 Royal Avenue

Rancho Tapo Community Park	3700 Avenida Simi
Strathern Park	137 Strathern Place
Santa Susana Park	6503 Katherine Road (county)
Sequoia Park	2150 North Tracy
Simi Hills Neighborhood Park and Golf Course	5031 Alamo
Sinaloa Public Golf Course	980 Madera Road
Stargaze Neighborhood Park	355 Stargaze Avenue
Sycamore Canyon Park	502 South Martha Morrison
Sycamore Drive Community Center	1692 Sycamore Drive
Sycamore Park	855 North Planetree Avenue
Tierra Rejada Park	365 Tierra Rejada Road
Verde Park	6045 East Nelda Street
Vista Arroyo	3451 Chicory Leaf
Willowbrook Park	1786 Willowbrook Street

## SIMI VALLEY UNIFIED SCHOOL DISTRICT

### ELEMENTARY SCHOOLS

Abraham Lincoln Elementary	1220 Fourth Street
Atherwood Elementary	2350 East Greensward
Berylwood Elementary	2300 Heywood Street
Big Springs Elementary	3401 Big Springs Avenue
Crestview Elementary	900 Crosby Avenue
Garden Grove Elementary	2250 North Tracy Avenue
Hollow Hills Elementary	828 Gibson Avenue
Justin Elementary	2245 North Justin Avenue
Katherine Elementary	5455 Katherine Street
Knolls Elementary	6334 Katherine Road
Madera Elementary	250 Royal Avenue
Mountain View Elementary	2925 Fletcher Avenue
Park View Elementary	1500 Alexander Street
Santa Susana Elementary	4300 Apricot Road
Simi Valley Elementary	2956 School Street
Sycamore Elementary	2100 Ravenna Street
Township Elementary	4101 Township Avenue
Vista Elementary	2175 Wisteria Street
White Oak Elementary	2201 Alscot Avenue
Wood Ranch Elementary	455 Circle Knoll Drive

### **MIDDLE SCHOOLS**

Hillside Middle School	2222 Fitzgerald Road
Sinaloa Middle School	601 Sinaloa Road
Valley View Middle School	3347 Tapo Street

### **HIGH SCHOOLS**

Royal High School	1402 Royal Avenue
Santa Susana High School	3570 Cochran Street
Simi Valley High School	5400 Cochran Street

### **CONTINUATION SCHOOLS**

Apollo High School	3150 School Street
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### **ADULT SCHOOLS**

Simi Valley Adult School	3192 East Los Angles Street
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## CALL TAKER POSITION

The term “Public Safety Dispatcher” describes today’s professional whose skills combine those of a radio dispatcher, telephone call-taker and computer specialist.

Welcome to the world of Computer Aided Dispatching (CAD). If you have not previously used a CAD system, you will be introduced to the most modern method of public safety dispatching. Although it can appear intimidating, it is a user-friendly system. You can’t break the computer by pressing the wrong button and if you do make a mistake, it can be corrected.

The term *call-taker* refers to the individual who receives a call for police service from the reporting party and gathers enough information to determine the proper allocation of responding police resources. The *dispatcher*, by use of the police radio, assigns departmental resources to the incident based on the information received from the call taker.

Your role in performing the Communications function is to serve as a vital link between the public and the police. It takes a special kind of person to be able to perform the jobs of call taking and dispatching accurately and responsibly.

You need the ability to make quick decisions and take necessary action. A prime requirement is the ability to quickly comprehend what is read or heard and process that information in a clear and concise manner.

The telephone is the most available and therefore the most important means of access the citizen has for obtaining public safety services. It is the primary link between callers and the help they need. For the public, the call taker and/or dispatcher are the voice of the law enforcement agency. The impression you make on each caller will determine the effectiveness of the Department as a whole.

As a member of the public safety Communications team, you are a part of the total public safety services team providing vital support functions and services to the citizens of Simi Valley.

## TELEPHONES/CALL TAKING

This is the telephone call taking portion of the Communications Training program. It is expected to have a seven- to nine-week duration. You must successfully complete the telephone call taking phase occur to advance to the next part of your training.

Call taking will involve answering emergency and non-emergency phone lines. The trainee will be responsible for questioning, performing active listening and controlling the conversation through proven techniques. In addition, the trainee will input calls for service using CAD in a timely manner, and include all necessary information needed for the radio dispatcher to determine and dispatch Police and/or Fire resources.

The trainee will begin by observing the trainer in call taking procedures for a maximum of five days. The trainee will then begin to answer in-house and non-emergency phone lines with the trainer's assistance. Initially, it is expected and recognized that the trainer will be handle the 911 and emergency phone lines. By the end of the second week, the trainee will be introduced to the 911 system. At this time, he/she should be fairly independent in answering and handling non-emergency call. The trainee should also be competent in utilizing the call types and be able to input calls into CAD without trainer assistance. The last three weeks of this module will involve answering multiple phone lines, including both emergency and non-emergency. The trainee will also become proficient in entering calls for service simultaneously into CAD. It is expected the trainee will make correct referrals, be able to question appropriately for the majority of the calls, create calls independently of the trainer and require little to no supervision.

There are several areas encompassed in the telephone call taking training. In order to pass this phase of the training program the trainee will have to demonstrate knowledge and skill in the following areas:

**Mechanics of Telephone:** The trainee must have a working knowledge of the Communication Center's telephone system and demonstrate mastery of its use. He/she must be able to recognize the different rings on the phone lines and know their functions. He/she must become proficient in use of the telephone system. In addition, phones must be answered with the correct greeting and calls successfully transferred when necessary.

**Motor Responses/Dexterity Skills:** The trainee must demonstrate mechanical proficiency with the phone system. He/she must work with speed and accuracy.

**Answers the Phone Promptly:** The trainee must be able to answer multiple phone lines and answer before the second ring. It is recognized that during extremely busy times this may not always be possible.

**Listening and Comprehension:** The trainee must demonstrate an ability to listen and understand the information given by the caller. The dispatcher in training must be able to interpret the majority of the information correctly and seldom need information repeated. In general, most calls must be handled with little or no assistance. The trainee must be aware of background noise and take this information into account during creation of the call. He/she must take into account the reporting party's voice inflection, tone and situational descriptions.

**Knowledge: State and Municipal Law:** The trainee must be able to recognize the commonly encountered criminal offenses in both state and municipal statutes, and apply this knowledge to call taking.

**Priority System:** The trainee must be able to prioritize the majority of calls for service with little or no assistance. The priority system is based on threat to life, the time element and officer safety.

**CAD Codes:** Calls for service must be created utilizing the correct CAD code. The trainee will come to have the majority of CAD codes memorized.

**Control of the Call:** The trainee must demonstrate the ability to maintain control of challenging situations on the phone utilizing verbal commands and instructions. He/she must convey confidence, authority, knowledge and professionalism.

**Call Taking (Collection of Information):** The trainee must be able to obtain complete and concise information from callers at all times. The dispatcher in training asks appropriate questions based on his/her understanding of the situation being described, and accurately documents all details in the call created.

**Relationships and Attitudes with Citizens:** The trainee is courteous, friendly, professional and compassionate with citizens while handling calls for service. He/she must remain unbiased in all communications with callers. Renders excellent customer service.

**Organization/Computer Input:** The trainee inputs calls into CAD in a timely manner with little or no assistance. Calls are logical, accurate, concise, and have complete descriptions shown in the correct order.

**Speed in Processing Calls:** The trainee must create and amend calls quickly, especially high priority incidents. He/she must multi-task well and be able to talk and type simultaneously. The trainee also provides updates with speed and makes appropriate notifications upon doing so. Abbreviations are utilized correctly and efficiently.

**Accuracy of Calls:** The information gathered during caller interviews will be accurate, make use of approved abbreviations, abide by Department standards and contain no spelling errors.

## **TELEPHONE MECHANICS**

### **BUSINESS LINES**

The business lines are to be answered, "Simi Valley Police, this is John." During the work week, between 0830 and 1730 hours, the switchboard is open. Business calls will go there first before being transferred to Communications. After the switchboard closes, all business lines will come directly to the Center.

### **INTERNAL LINES**

The business telephone lines are also "internal lines" and are to be used to dial other extensions, page personnel or transfer calls. These lines should be answered, "Dispatch, this is John."

### **PUNCH DOWN LINES**

These lines are directly connected to the other businesses or agencies. To place a call, just pick up the receiver and punch the line. The phone will begin to ring. An employee of the business (such as Swink's Towing) or other agency will answer. When the line rings on our end, indicating an incoming call from the outside entity, the phone is to be answered: "Hi Swinks. This is John from Simi PD."

### **TELEPHONE PAGING SYSTEM**

To page someone inside the station, dial 77# and you will be live on the public address system. Speak slowly and repeat the name of the person you are paging. It is suggested that you give the person the extension number at which to contact you.

### **TRANSFERRING CALLS INTERNALLY**

When a call is received that should be transferred to another extension within the Department, check the correct extension. Click the flash key, wait for a dial tone, and enter the extension.

## **TRANSFERRING OUTSIDE CALLS TO OUTSIDE NUMBERS**

You may be asked by an officer or a citizen to transfer their call to a number outside the Department. Remember when you transfer such calls we are charged for the call so use your discretion. After speaking with the caller and determining the appropriate number to dial, hit the flash key, dial 9 and then the number.

## **PLACING A CALL ON HOLD**

Explain when it is necessary to put any caller on hold, such as “hold on please, I have another line ringing.” Try to never leave the caller on hold for more than one minute. Remember the information already provided so the caller does not have to start over each time you come back on the line. A caller should never be put on hold while you are on a personal call, unless it is to terminate that personal call.

## **CALLS FOR HOME PHONE NUMBERS OF POLICE PERSONNEL**

You will not give anyone other than current police personnel the home address or phone number of any sworn officer or non-sworn civilian employee. There are NO exceptions. Make sure you know to whom you are speaking and that they are entitled to the information. If a person who is not a member of the Department indicates some emergency exists, take the name and phone number of the calling party and make the emergency call to the employee yourself.

## **OBTAINING NON-PUBLISHED NUMBERS**

Telephone companies may release non-published telephone listings and/or subscriber information to public safety agencies under the following conditions only:

- To enable response for a possible life and death situation. These include incomplete 911 calls, unknown trouble calls, barricaded suspects, suicides and other similar emergency situations.
- In response to a lawful search warrant.

Any employee requesting and obtaining non-published telephone information must dial “zero” for operator, ask to speak to a supervisor and explain what information you need for a non-published number. This does not apply to numbers that are published. This policy does not cover calls relayed to the Department by the telephone operator when callers have requested police assistance. The operator is authorized to give such information (i.e., address and telephone number of calling party) to enable police response.

## 911 LINES

The State of California, like many other states, has adopted the 911 emergency phone system to expedite emergency police, fire and medical assistance to those who urgently need it. This emergency telephone system enables the Public Safety Answering Point (PSAP) to immediately identify the telephone number and address of the calling party. Each position is independently supported by Automatic Number Identification (ANI) and Automatic Location Identification (ALI) systems. The Simi Valley Communications Center is the primary answering point for Police and Fire service. Therefore, the proper operation and maintenance of the 911 system is of vital importance to the welfare and safety of the residents of Simi Valley.

The 911 coordination for the City of Simi Valley is the responsibility of the Communications Manager. The Ventura County Sheriff's Department is responsible for 911 Coordination in County of Ventura.

The 911 phone lines (not nine-eleven) are to be answered within three rings by state law, however we at Simi Valley pride ourselves on answering the first ring whenever possible. The appropriate way to answer 911 lines is by saying, "911 Emergency, What are you reporting?" After you answer, listen to determine if the call is an emergency. If the caller says his call is not an emergency, and you confirm from a short conversation that it is not urgent enough to continue the conversation, it is recommended that you ask the caller to call back on a non-emergency, police business line. However, it is the policy of the Simi Valley Police Department that you will not provide the non-emergency telephone number over 911. You are to instruct the caller to check directory assistance, the telephone book or a phone company operator.

When the call is for the Fire Department or paramedics, tell the caller you are transferring them to the Fire Department and to not disconnect the line.

If the incident is also a police-related matter (injury accident, arson fire, death investigation, etc.) stay on the line to obtain the information you need for responding officers. When you transfer the caller to the Fire Department, you will have a three-way conversation that allows you to obtain necessary details without needing the reporting party to repeat the story. This will also allow you to coordinate directly with the Fire Department.

The address and phone number display is made to interface directly with the CAD Add Call screen. It is recommended practice that call takers have a clear Add Call screen up whenever answering a 911 line so the 911 caller's location and phone number immediately transfer and populate the appropriate fields on the call screen.

The 911 telephone lines can be transferred using a one-button method. You only have to push the button, hear the phone being answered and you have a three-way conversation. If you have no need to remain on the line you can just hang up. The caller and the agency will stay connected in a two-way conversation.

If you receive a 911 call and there is no one talking on the line, listen for background noise. If you hear nothing or the caller has hung up and you are unable to reestablish contact, make a call for service reflecting what you heard and queue it to be dispatched. This is a priority call. If possible, stay on the line and listen for any other traffic until units arrive. If you receive a 911 call where it is obviously a child playing on the phone, you may call back and attempt to talk to the child's parents and advise them of the occurrence. If a 911 call is answered and the line goes dead, there is a hang up, or the conversation is cut short, the dispatcher shall call back the listed telephone number to check the status of the caller.

If you are unable to contact the caller or verify the status of the caller, create a call for service and send two officers to the location for a welfare check.

### **IDENTIFY YOURSELF**

In the interest of professionalism and saving time, answer immediately: "9-1-1 Emergency, what are you reporting?"; or "Police Emergency, this is John"; or "Simi Valley Police, this is John"; or "Dispatch, this is John"; depending on which line you are answering.

### **ANSWER QUICKLY**

Every effort should be made to answer all calls on the first or second ring. Each second counts. Remember, emergency calls can come in on any phone line. Also, a person who has been kept on hold too long could have had a pleasant attitude to begin with, but has become irritated and difficult to handle.

### **LEGAL JARGON**

Utilize plain, everyday language when dealing with the public. They do not understand legal jargon or radio codes. Never attempt to educate the public on law enforcement terminology.

### **PERSONAL CONDUCT**

Remember, every word of every conversation is recorded, so develop telephone habits above reproach. You should be dignified without sounding aloof, friendly without being too familiar, and sound sincerely interested in each caller. Never do or say anything that may be construed as disparaging to any race, creed, or class of people. If the caller makes derogatory remarks about an ethnic group or other segment of society, ignore it. Don't fall prey to becoming

argumentative or defensive, even if you are personally offended. Be businesslike at all times. Use your sense of humor when appropriate. Again, keep in mind you are being recorded. Call tapes are discoverable and may be subpoenaed for judicial proceedings. One measure is to ask yourself if you would you be embarrassed to have a call reviewed by your supervisor or played back in open court.

## **COMMUNICATIONS BARRIERS**

Frequently you will be speaking to people who are in very emotional, upsetting and even tragic circumstances. When a caller requests assistance from a Police Department, the element of emotion – to a greater or lesser degree – is always present. You will eventually develop your own style, but now you must become proficient in communicating properly and effectively with callers who are:

### **TALKING TOO FAST**

When excited, most people speak far more quickly than they do in normal situations. Always use a calm, confident voice in your dealings with callers. Explain what is taking place (i.e., prioritizing), how the officers will respond (i.e., checking the area first before making contact with them), and, if time allows, explain why it is necessary for you to pose the questions you are asking. The questions are important!

### **HOSTILE**

Hostility is contagious. By treating hostility with courtesy; the caller may likely follow your example. With uncooperative or evasive reporting parties, a greater attempt must be made to control the conversation. Speak in an even, professional voice. The person will often respond by lessening their antagonism. Never jeopardize your professional reputation by responding to profanity with profanity, or escalating an already emotionally charged call by contributing negative energy of your own.

### **ANGRY**

Realize that most callers who are angry are not angry at you personally and may have a legitimate reason, at least to them, for being indignant. Do your best to convey sympathy and dispassion. Sometimes a good ear is what they need to dissipate the anger and become a good reporting party.

## **HYSTERICAL**

Calm hysterical callers. It is the only way you will get the information you need. Explain the need for them to regain control so together you can help address their problem.

## **INTOXICATED**

Don't assume that because a caller is intoxicated you may be judgmental or discourteous. Do not hang up on a drunken caller or fail to fully evaluate and respond to his/her request. Always note the R/P's intoxicated condition in the call comments.

## **MENTALLY UNSTABLE**

Calls from mentally impaired citizens are among the most difficult. Listen to what is being said and assess whether the R/P is capable of focusing on one train of thought. Evaluate these conversations with great care. Chronic or unstable callers can and do place bona fide requests for police and other emergency services. Be sure to include your suspicions in the incident comments.

## **LIMITED OR NO ENGLISH SKILLS**

Utilize the translation service to assist these callers.

## **CHILDREN**

Get as much information as possible. Take calls from children very seriously. Don't assume the child is simply playing on the phone. Remember, children are very suggestible.

## **ELDERLY PERSONS**

Treat the aged or confused elderly caller with sympathy and respect. Take control of the conversation without seeming impatient or frustrated. Even though he/she may be calling with a non-police matter, you may consider sending an officer to check the person's welfare.

## **EVASIVE CALLERS**

Be aware that in order to avert suspicion, persons who have broken the law may attempt to report a crime by identifying themselves as a victim. Such R/Ps may invent or embellish a story in order to get a responding unit. Use your intuition and best judgment, documenting any concerns or inconsistencies within the incident.

## **“I DON’T WANT TO BE INVOLVED”**

If an R/P requests anonymity and/or does not wish to be contacted by officers, this should be noted in the incident comments. Assure the caller that any personal information will not be released to the person(s) causing the problem. In most instances this will assist you in obtaining the proper reporting party information.

## **LIARS**

If you feel a caller is giving false information, double check the information given later in the call.

## **COMPLAINTS AGAINST AN OFFICER**

All of these calls shall be transferred to the Watch Commander. If he/she is unavailable, take a message and make certain it is received promptly.

## **COMPLAINTS AGAINST A DISPATCHER**

Transfer the call to a Senior Dispatcher, Communications Manager or Watch Commander (in this order). If you feel someone is going to complain about you, notify the Senior Dispatcher, Communications Manager or Watch Commander immediately. It is often easier to have a rational conversation with a complainant when the supervisor has been briefed in advance.

## **CALL SCREENING AND PRIORITIZATION**

The purpose of screening calls for service is to ascertain which calls require an emergency response (lights and sirens), an immediate response, a routine response or no response at all. All call takers are required to handle multiple incoming telephone lines, therefore a clear understanding of call prioritization is vital.

## **HIGH PRIORITY CALLS**

The highest priority calls are those in which the physical well being of a person is in jeopardy. Examples include injury traffic accidents, suicide attempts, domestic disputes, fights, robberies, and any calls involving the use of weapons. Also included in priority calls, but to a lesser degree, are calls in which property is in jeopardy, i.e., burglaries, thefts or malicious damage, where the crime is in progress or the crime has just occurred and suspects are still in the area. Determine the location of the problem. Get a phone number and address of the R/P. Confirm the location of the R/P. If the caller is at a business, get the name and suite number of the business. Send the call to the dispatcher immediately with partial information. Update the call as new information is obtained so the radio dispatcher can relay it to responding officers. If there are injuries, have the Fire Department respond. For officer safety, it is imperative that we gather the following specifics:

- A. Vehicle Description – make, model, color, year, and body style.
- B. Direction of travel and mode (in vehicle, on bicycle, on foot, etc.).
- C. Weapons used or displayed.
- D. Number of suspects.
- E. Suspect Description – sex, race, age, height, weight or build, hair and eye color, physical oddities.
- F. Clothing description.
- G. Intoxication or other impairment.

## **SECONDARY PRIORITY CALLS**

These calls for service do not require immediate response but should be dealt with as soon as possible. However, a situation such as a combative shoplifter in custody could fall within the High Priority classification. All calls of this type must be carefully and accurately screened by the call taker to ensure no person is in immediate danger.

## **ROUTINE CALLS**

The majority of calls received fall into this category. They are informational in nature, or the time element dictates no person or property is in jeopardy. Calls in this category are responded to in the order in which they are received.

## **CALLS FOR SERVICE ROUTING GUIDELINES**

**County Areas** – Forwarded to and handled by the Ventura County Sheriffs Department.

**Freeway** – Traffic problems handled by the California Highway Patrol. Crimes not traffic-related are handled by Simi Valley PD.

**Fire Calls** – Handled by the Ventura County Fire Department.

**HazMat** – Handled by the Ventura County Fire Department with Simi Valley PD to assist with traffic and crowd control.

**Medical Calls** – forwarded to the Ventura County Fire Department, who will also advise AMR.

## **RESOURCE MATERIAL**

### **ALZHEIMER BOOK**

This book, compiled by the Department, contains complete information and pictures of residents in our city suffering from Alzheimer's. These citizens have a tendency to wander from their homes and get lost. We have learned that with this resource we are able to locate their homes and return them to their families quickly, sometimes even before the family realizes its loved one is missing. This information can also be found in the RMS system if you have the person's name

### **CLETS**

This is a DMV Teletype reference manual listing all of the codes used to access the system and an explanation of what information is available.

### **GENERAL ORDERS**

The General Orders contain the Department's expectations in handling important matters. Although many of the procedures in the book are for sworn officers, they will affect your day-to-day duties as well. Violating a General Order can be punishable up to and including termination from your job with the Police Department. You will be held responsible for knowing these orders as they apply to your position. The orders are also available on the Intranet.

### **MAP AND MAP BOOKS**

The CAD computer is equipped with a GEOBASE file. This map information system contains most streets in Simi Valley. However, do not rely solely on the GEOBASE. Learn and know the city where you work. There is a Simi Valley Street Guide to assist with streets and directions in Simi Valley. There is also a Thomas Brothers Map Book available for finding locations in and outside the city.

## **NCIC OPERATING MANUAL**

This is another Teletype reference manual containing all of the codes and an in-depth explanation of the system.

## **PENAL CODE**

Even though many of our call types and radio codes are taken from the Penal Code, this volume is available for reference and need not be memorized. The Penal Code contains definitions and penalties for various crimes in the State of California. You will become familiar with much of this information as your training progresses.

## **SIMI VALLEY MUNICIPAL CODE BOOK**

The SVMC book lists municipal codes which have been passed by the City Council and approved by the City Attorney. Municipal codes are generally misdemeanor violations. You will learn the most common violations, such as noise abatement, stealing recyclable materials from the City-supplied trash bins, door-to-door peddling, etc. It is also available on the Intranet.

## **VEHICLE CODE**

This book lists definitions and punishments for various Vehicle Code violations in the State of California. The back of the book contains a list of the codes and classifies whether they are infractions, misdemeanors or felonies.

There are numerous other resources in Communications for your reference. Be sure to take time to learn them and know what and where they are. Your instructor will show you books covering a wide variety of subjects. You are responsible for knowing their location and what information is contained therein. You will be expected to use them whenever needed.

## **TELETYPES**

### **(CLETS/VCJIS)**

You are the primary person to run teletype queries for officers requesting checks for warrants, vehicle registration, stolen vehicles, and all other teletype inquiries. As the telecommunications operator, you are the link between the police officer, a subject or a piece of property in the field, and the computer data bank that determines whether a subject is to be arrested or a piece of property seized. You must be accurate in receiving and capturing the data provided by the officer, input the information without errors, and master the ability to read and interpret the data returned by the system.

Communications at Simi Valley deals mostly with the data queries, with the exception of entries into the vehicle system, and occasional entries into the Missing Persons System. The Records Division has the responsibility for entering and deleting property and most missing persons. In Ventura County, the county warrants system is called CJIS. Queries can be made through your CAD computer. You can access CLETS through CAD by typing "N" on the command line and entering. This will give you a drop down list of options from which to choose. You can run everything through CAD that you run through CJIS.

In order to access county, state, and federal property and warrant systems, you need to be familiar with the necessary CLETS formats, and the special codes required for those formats. Many of the formats query both state and federal systems in one action.

All three of the aforementioned systems have methods of sending messages between agencies. A mnemonic is the address of the terminal. Each agency in California has at least one mnemonic, a three-letter code unique to that terminal used for routing messages to the appropriate agency location.

#### **Simi Valley PD Mnemonics:**

SVS –Communications

SVR –Records

SVT –Investigations

The NCIC (National Crime Information Center) identifier is similar, with each agency in the United States assigned a letter/number identifier. The identifier for all California agencies starts with "CA". The "%" portion denotes Ventura County. The remainder specifies the respective

Police Department and terminal within that Department. This is also referred to as an “ORI” (Originating Agency Identifier). The mask already contains, out of view, our NCIC number.

Simi Valley NCIC ID: CA0560900 Communications

## **THE FEDERAL SYSTEM**

NCIC is the name of the nationwide federal system we use to access property and warrant systems. In order to place a warrant into NCIC, the agency must be willing to extradite out of state. This would be a felony warrant significant enough to justify bringing a prisoner back from another state for trial. This is obviously a lengthy and costly venture. In Ventura County, the District Attorney will only approve extradition for homicides, crimes involving great bodily harm, and crimes against property with significant monetary damages. If you get an NCIC “hit” on a person or property, plan to spend a substantial amount of time making phone calls to verify the information. Not all states are equally efficient in responding to verification requests.

## **THE STATE SYSTEM**

The state property and warrant systems are set up and monitored by the Department of Justice (DOJ). Data is entered by the agency holding the report and/or warrant. Criteria must be met in order to enter property or persons in the system, and the respective state’s coding protocols must be followed correctly. Any property item with a brand and a serial number may be entered. This is a very useful tool for returning stolen property to the rightful owner. Be sure to confirm the information with the officers prior to an arrest or seizure (i.e., serial number, make, model, etc.) and verify it with the originating agency. A great deal depends on our accuracy and professionalism to ensure only valid arrests and seizures are carried out.

## **THE COUNTY COURT SYSTEM**

Ventura County has its own warrant system. This is a valuable tool in expediting arrests and conducting investigations. The County Warrant System is automated and hits are automatically confirmed.

## **CRIMINAL HISTORY SYSTEM**

The Criminal History System contains the records of criminal offenders (CORI). This information is provided to agencies on a right-to-know and need-to-know basis. 11105 CPC defines who may have access to this information. Criminal History is not to be used for licensing, employment, or certification purposes. Inquiries are made with name, social security number (SOC), FBI number (FBI), California Operator License or Identification Number (OLN), or California Department of Corrections or Youth Authority Institution number (INN). When making an inquiry, it is possible to specify (1) a complete history via mail, (2) an abbreviated criminal history, or (3) personal descriptors only.

There are three types of number groupings used in the CHS:

“A” – Automated Criminal Information Index (CII) records. Rap sheets and identifiers can be accessed via the “CR-HST” mask or the “RAP” string format.

“M” – Numbers less than 90 million indicate a manual record. A criminal history can be obtained via mail. Only the personal descriptions can be obtained via the “CR-HST” mask.

“M” – Numbers from 90 million to 98,999,999 indicate applicant records. These will have the abbreviation “APP” in the type field of the return.

11142 CPC states “any person authorized by law to receive a record or information obtained from a record who knowingly furnishes the record or information to a person who is not authorized by law to receive the record or information is guilty of a misdemeanor.” Along with the penal code violation, anyone found in violation will be subject to Departmental sanctions up to and including termination.

## **MISSING/UNIDENTIFIED PERSONS**

The California Department of Justice (DOJ) has developed a Criminal Justice Information System (CJIS) that keeps a computerized record of Missing and Unidentified Persons (MUPS).

The MUPS will automatically forward copies of all missing/unidentified persons report to NCIC. This works in the same fashion as the Stolen Vehicle System that automatically forwards information to the NCIC Vehicle File. Copies of selected reports of persons missing “at risk” (as

defined in 14213(b) CPC) and all unidentified persons will automatically be forwarded to DOJ's Violent Crime Information System (VCJIS). In an effort to generate leads to assist local law enforcement agencies solve violent crimes, these reports will be compared to reports of homicide cases and records of registered sex offenders

Records will have primary responsibility for entering missing/unidentified person into the system. Dispatch may have to make periodic entries, but primarily will be concerned with inquiries into the MUPS. Inquiries can be made via name, vehicle, driver's license number, guns, originating agency case number, or body parts status.

## **DEPARTMENT OF MOTOR VEHICLES**

The California Department of Motor Vehicles maintains fully automated vehicle registration and driver license files. This system is often referred to as "AMIS" (Automated Management Information System). It is interfaced with the Department of Justice's statewide California Law Enforcement Telecommunications System (CLETS). CLETS comprises one of the largest persons and property files in the country. It can be accessed within seconds via messages transmitted over the telephone lines and returned to your terminal. Information contained in this system is intended strictly for the purpose of enforcing the law and may not be given out to unauthorized second parties.

## **PERSONS**

An individual record is established in the Driver's License File on all applicants for a driver's license (permits), those with a driver's license, those with an identification card, and subjects issued an index number. An index number is a file number beginning with the letter "X", followed by a maximum of seven numbers, assigned to unlicensed drivers that have given the DMV need to document a traffic violation or restriction. Information is placed in these files from the initial application, accident reports, court abstracts of convictions for traffic violations, and any restrictions placed on the person's driving privileges by the Department of Motor Vehicles.

Inquiries may be made via names or numbers. Names are run through the Automated Name Index (ANI), which is structured the same as "AMIS". The system is designed to cross reference a driver's name to his driver's license number and contains over 20 million drivers, ID card holders, and index number holders. The "ANI" records are stored in Soundex code in a file separate from "AMIS". (Soundex(ing) is a method of coding names so that sound alike names are grouped together).

The basic record includes identifying information, license and ID issue data, license status, Departmental actions, abstracts of convictions, FTA's and accidents.

When querying information for a field officer on a suspended or revoked license, it is necessary to obtain the "CDL" response. The officer will need the following suspension data:

- A. Effective date of suspension
- B. Ending date of suspension (if noted)
- C. Authority Code
- D. Reason for suspension (not all officers request this)
- E. Service Code

The service code is essential to the officers in determining if the subject is to be cited for 14601 CVC or 12500 CVC. If the suspension has not been served, the subject will be cited for 12500A CVC and given official notice of the suspension.

The service codes are:

- A – Mailed, not returned unclaimed
- B – Served, signed document on file
- D – Personal service document on file
- H – Acknowledged, no signature
- I – Returned unclaimed
- J – Written notice served by an officer
- K – Refused
- L – Deceased
- M – Verbal notice document on file

## VEHICLE REGISTRATION

An inquiry may be made on a vehicle via the license plate number, vehicle identification number (VIN), or the registered owner's name. Each type of vehicle has a specific vehicle type code assigned to it. They are:

A – Automobile, legislative officials, historical vehicles (you must enter “HV” prior to the license plate of a historical vehicle)

B – Vessels (when using the vessel number, delete the “CF” from the vessel number. The input must be six characters: “CF1234AA” is input as “1234AA”.)

C – Commercial

E – Exempts

F – Off road vehicles

H – Ham

I – Apportioned plates

L– Environmental plates

M – Motorcycle

P – Prorated ID commercial and trailers

S – Special vehicles (mopeds w/o motorcycles plates, etc.)

T – Trailers, horseless carriages, press photographer

V – Vehicle identification numbers, motorcycle engine number, or hull identification number

Our system is set up to return a “4P” response. This includes complete records and/or any DMV automated update information on the vehicle. A response may indicate a pending master file record, release of liability, or lease vehicle information. The abbreviation “PNO” may be listed above the expiration date of registration. This means the vehicle has been registered through DMV to be non-operational. The owner does not have to pay for registration during the time of non-operation and will not be penalized with late fees when he/she re-registers the vehicle for use on the streets. However, if the vehicle is driven while it is registered non-operational, the driver can be cited for 4000(A) CVC.

## **STOLEN VEHICLE SYSTEM**

When we inquire to determine if a vehicle, license plate, or vehicle part is wanted by a criminal justice agency, we are actually soliciting a dual response. The California Department of Justice (DOJ) maintains the Stolen Vehicle System (SVS); the FBI's National Crime Information Center (NCIC) maintains the Vehicle File.

Vehicles are entered into SVS utilizing the following retention periods:

**Stolen Vehicle** – Balance of the year entered plus four years.

**Stolen Vehicle Part** – Balance of the year entered plus four years.

**Stolen/Lost License Plate** – One year past the year of registration.

**Felony Vehicle** – 90 days.

**Felony License Plate** – 90 days.

**Found/Evidence Vehicle Part** – six months.

**Missing Person Vehicle** – 30 days.

**Stored Vehicle** – 30 days.

**Impounded Vehicle** – 30 days.

**Lost Vehicle** – 30 days.

**Located Vehicle** – 30 days.

**Cleared Vehicle** – 30 days, unless another agency record of the same vehicle needs to be entered.

NCIC allows fewer record types than SVS and has a different retention period. The types and retentions are:

**Stolen Vehicle** – Balance of the year entered plus four years. Records without VINs are purged after 90 days and license plate data is purged one year past the year of registration.

**Stolen Vehicle Part** – Balance of the year entered plus four years.

**Stolen License Plate** – One year past the year of registration.

**Felony Vehicle** – 90 days

Once the vehicle is successfully entered into the CJIS, you will receive an acknowledgement of the entry, along with a uniquely-generated File Control Number (FCN). The FCN is a thirteen-digit number comprised of the entering agency's ID number, Julian date of the entry, and sequential number of the entry (sequential number entries made by the entering agency). For example:

FCN-8649217801043

864 – Simi Valley's agency identifier

92 – Year of the entry

178 – Julian date for June 26-178<sup>th</sup> day of the year

01043 – Sequential number of entries made by Simi Valley for the year.

## **AUTOMATED PROPERTY SYSTEM**

There are two sources of stolen property information available from your terminal. The California Department of Justice (DOJ) maintains the Automated Property System (APS) and the National Crime Information Center (NCIC) maintains the Stolen Article File. Both contain records of serialized property reported lost, found, under observation, pawned, bought or held as evidence (a requirement of 11108 CPC).

When inquiring into the property system, you must specify the category. These are listed in the CJIS manual and on the property CLETS screen. Property category codes are:

A – Automotive\*

B – Bicycle

C – Cameras

D – Data processing equipment

E – Equipment/Tools

F – Furniture and furnishings

G – Games and gaming apparatus

I – Identification cards, special documents, food stamps, tickets

J – Non-serialized jewelry, coins, and precious metals

K – Keepsakes and collectibles

L – Livestock/Pets

R – Radio, sound devices, stereos

S – Sporting equipment and toys

T – Televisions, TV games, related accessories

V – Optical viewing equipment

W – Well drilling equipment

Y – Other, lottery tickets, mace, ingots, etc.

Z – Credit cards

\*Vehicle or boat parts that are not included in SVS or ABS.

The same confirmation restrictions for Wanted Persons apply to any hit you may receive on property. By itself, a positive response is not enough for confiscation.

## **AUTOMATED FIREARMS SYSTEM**

The inquiring agency must contact the entering agency to ensure that the firearm is the same and that the record is correct before taking any action.

Within CLETS inquiry can be made via a screen. The caliber and serial number are the only two fields that are mandatory for entry. You can specify inquiry into one of four categories. Each will query a particular series of gun entries. They are:

**Law Enforcement** – Queries guns that are stolen, evidence, found, institutional registration, lost, under observation, retained for official use or destroyed.

**Historical** – Queries guns that are listed as bought, on consignment, DROS, serial number assigned, serial number restored, licensed for CCW, pawned, voluntary registration, or sold at auction.

**Both** – Queries both law enforcement and historical.

**Mail Response** – Used to generate a mail response when you receive a “more than 12 records response” to a previous inquiry or when a mail response is wanted. This will check both law enforcement and historical segments of the system.

### **WANTED PERSONS (CALIFORNIA STATE WARRANT SYSTEM)**

If a match is made with an out-of-county warrant, you will need to call to verify with the agency that entered the warrant. If the match shows to be a Ventura County (CJIS) warrant, it will say Ventura County Sheriff’s Department. In this case, you will refer to the CJIS return for the exact information.

### **NCIC (NATIONAL CRIME INFORMATION CENTER-NATIONWIDE FELONY WARRANTS)**

A hit from this system will require a phone call to the entering agency to verify validity and whether that agency will extradite.

### **CJIS (VENTURA COUNTY WARRANT SYSTEM)**

A positive response from the CJIS is automatically confirmed. This will specify if the subject of your inquiry has or has had a warrant in Ventura County.

### **MISSING AND UNIDENTIFIED PERSONS FILE**

This file is used to enter information on persons that are missing. Also listed are unidentified persons and/or body parts that have been found.

### **RESTRAINING ORDER FILE**

This file will return information on a defendant against which a restraining order has been filed in the state. The entry is added only after the defendant has been served with the order. The record is purged on the date the restraining order expires.

### **SUPERVISED RELEASE FILE**

Any person entered into this file is one that his supervising agent feels is important for law enforcement personnel to know about. Not all parolees and probationers are in the system. The information is an aid for ensuring safety of officers in the field. It save the dispatcher the time and energy of searching and calling various agencies to see if a particular subject is on parole, probation, subject to search and seizure, or a registrant. A person can be placed into the supervised release file only if he/she falls into one of the following categories:

**California Department of Corrections (CDC) parolees**

**California Youth Authority (CYA) parolees**

**Subjects on probation**

**Sex and arson registrants**

**Career criminals, as defined in 13853 CPC**

**Federal parolees and probationers**

With access to the above teletype systems and information, you now possess the ability to use them to their fullest potential. If you see that the warrant information you are tracking could pose a potential officer safety problem, like a felony warrant, alert the Primary Dispatcher so they can make manpower decisions for back-up. Then advise the officer what you are doing. Use the code "10-35", advising him/her you are working something that could jeopardize officer safety. Don't broadcast the information until the officer advises he is ready. Remember, the officer could be standing next to the suspect alone and you don't want the suspect to know that you have information on him that could put him in jail. Many suspects know police codes. Let the officer ask for the complete information when he knows that he has placed himself in a safe position. If you have located a misdemeanor warrants, use the radio term "10-35". Again, don't broadcast the information until the officer advises you he is ready. Know what you are going to say before you broadcast on the radio. State clearly whether the 10-35 information is already confirmed or whether you will have to call for verification. Don't abstract the warrant until directed by the officer to do so. If you are unsure, ask the unit in the field.

## **CRIMINAL MANUALS**

There are a number of manuals you will reference on an ongoing basis. Following is a list of those commonly used. This is an overview of the manuals; more detailed information will be provided hands-on during the training process.

### **CALIFORNIA LAW ENFORCEMENT TELECOMMUNICATIONS SYSTEM (CLETS)**

The California Law Enforcement Telecommunications System (CLETS) provides information access to qualified law enforcement and criminal justice agencies via a Message Switching Computer (MSC) at the Department of Justice in Sacramento. The system:

Receives all messages transmitted by CLETS terminals.

Validates each terminal mnemonic and journals each message.

Checks for proper terminal access authorizations.

Forwards the message to its destination via high speed digital lines.

Provides access to various state and federal files.

### **CRIMINAL JUSTICE INFORMATION SYSTEM (CJIS)**

The Criminal Justice Information System (CJIS) is a computerized file containing records of interest to the criminal justice community. CJIS is maintained by the California Department of Justice (DOJ) and available to authorized local, state, and federal criminal justice agencies via the California Law Enforcement Telecommunications System (CLETS) network.

CJIS contains seven systems:

Stolen Vehicle System (SVS)

Automated Boat System (ABS)

Wanted Persons System (WPS)

Criminal History System (CHS)

Automated Firearms System (AFS)

Automated Property System (APS)

Restraining Order System (ROS)

CLETS provides inquiry and update access to the CJIS systems 24/7. CJIS has a back-up computer to ensure that the systems are operational at all times.

### **MISSING AND UNIDENTIFIED PERSONS SYSTEM (MUPS)**

There are two sources of missing person's information available from your CLETS terminal. DOJ maintains MUPS and the FBI's NCIC maintains the Missing Persons file.

### **DEPARTMENT OF MOTOR VEHICLES (DMV)**

This is a teletype reference manual listing all the access codes and explaining what information is available. To effectively promote traffic safety, the DMV provides information through computer interchange to the DOJ's statewide CLETS, enabling the DMV, DOJ, and law enforcement agencies to work together as a team.

### **DRIVER'S LICENSES**

An individual record is established in the Driver's License (DL)/Identification (ID) card database from information contained in hard copy application forms. Records are made for applicants for DLs and/or IDs. The initial basic record includes the permanent DL/ID card number assigned and the driver's name, address, birth date, and physical description. Primarily the DL/ID card number identifies each record. This number consists of a single alpha prefix followed by seven numbers.

The DL/ID Card Database also contains records for people who have not been issued a California Driver's License. A file number beginning with the letter "X" followed by a maximum of seven digits is assigned to unlicensed California records. This is the same alphanumeric configuration used for DL's and ID cards.

### **VEHICLE REGISTRATION**

The DMV maintains an ongoing record of vehicle and vessel registration (VR) status. The VR Database includes all vehicles and vessels currently registered or with planned non-operation (PNO) status. A file code designates the different types of vehicles/vessels stored in the VR database. The appropriate file code is required to make an inquiry to the VR Database.

A vehicle or vessel registration record is established by the input of data extracted from registration application forms. This includes a description of the vehicle or vessel, the name(s) and address(s) of the registered owner(s), and when applicable, the legal owner(s). The DMV processes subsequent transactions, such as renewals, changes of address, transfers, etc. The record is updated with the new information. An “information code” determines the format of the reply that is returned to a requestor for information from the vehicle/vessel registration database.

## **NCIC OPERATING MANUAL**

The National Crime Information Center (NCIC) is a nationwide computerized information system established as a service to all local, state and federal criminal justice agencies. The goal of NCIC is to help the criminal justice community perform its duties. In providing and maintaining a computerized filing system of accurate and timely criminal justice information, NCIC is readily available to as many criminal justice agencies as possible. For NCIC purposes, “criminal justice information” is defined as “information collected by criminal justice agencies that is needed for the performance of their legally authorized, required function.” This includes: wanted person information; stolen property information; criminal histories; information compiled in the course of investigation of crimes that are known or believed on reasonable grounds to have occurred, including information on identifiable individuals compiled in an effort to anticipate, prevent, or monitor possible criminal activity.

NCIC contains twelve systems:

- Vehicles
- License plates
- Boats
- Guns
- Articles
- Securities
- Wanted persons
- Missing persons
- Foreign fugitive
- III (Interstate Identification Index)
- USSS Protective
- Unidentified persons

## **PENAL CODE**

Even though many of our call types and radio codes are taken from the Penal Code, the manual is kept for reference and need not be memorized. The Penal Code contains definitions of and penalties for various crimes in the State of California. You will become familiar with a great deal of this information as training progresses.

## **VEHICLE CODE**

This book lists definitions and punishment for various vehicle code violations in the State of California. The back of the book contains a complete list of the codes and distinguishes between infractions, misdemeanors, and felonies. This is helpful when trying to determine the severity of various traffic warrants.

## **MISCELLANEOUS**

There are numerous other books/binders/clipboards in the Dispatch Center for your reference. Be sure to take time to learn what and where they are. Your training officer will show you books ranging from disaster planning to equipment operation. You will be responsible for knowing their location and what information is contained in each book. You will be expected to use them for reference on a continuing basis.

## **NLETS ABBREVIATION CODES**

AI – AIR FORCE OSI

DJ – DEPARTMENT OF JUSTICE

DS – DEPARTMENT OF STATE

DC – DISTRICT OF COLUMBIA

FB – FBI/NCIC

IP – INTERPOL

NA – NATIONAL INFURANCE CRIME BUREAU (NCIB)

DN – NAVAL INVESTIGATIVE SERVICE

NL – NLETS CONTROL CENTER

US – US DEPARTMENT OF JUSTICE (DIPLOMATIC LICENSE PLATES ONLY)

NX – NLETS HEADQUARTERS

OD – ORION DATA BASE

FN – ORION FOREIGN FILE

PR – PUERTO RICO

PS – POSTAL INSPECTION SERVICE

FA – TECS/FAA FILE

TC – US CUSTOMS, TECS

MR – US MARSHALS SERVICE

SS – US SECRET SERVICE

## **STATE ABBREVIATIONS**

AL – ALABAMA

AK – ALASKA

AR – ARKANSAS

CA – CALIFORNIA

CO – COLORADO

CT – CONNECTICUT

DE – DELAWARE

DC – DISTRICT OF COLUMBIA

FL – FLORIDA

GA – GEORGIA

HI – HAWAII

ID – IDAHO

IL – ILLINOIS

IN – INDIANA

IA – IOWA

KS – KANSAS

KY – KENTUCKY

LA – LOUISIANA

ME – MAINE

MD – MARYLAND

MA – MASSACHUSETTS

MI – MICHIGAN

MN – MINNESOTA

MO – MISSOURI

MT – MONTANA  
NB – NEBRASKA  
NV – NEVADA  
NH – NEW HAMPSHIRE  
NJ – NEW JERSEY  
NM – NEW MEXICO  
NY – NEW YORK  
NC – NORTH CAROLINA  
ND – NORTH DAKOTA  
OH – OHIO  
OK – OKLAHOMA  
OR – OREGON  
PA – PENNSYLVANIA  
RI – RHODE ISLAND  
SC – SOUTH CAROLINA  
SD – SOUTH DAKOTA  
TN – TENNESSEE  
UT – UTAH  
VT – VERMONT  
VA – VIRGINIA  
WA – WASHINGTON  
WV – WEST VIRGINIA  
WI – WISCONSIN  
WY – WYOMING

## **OTHER ABBREVIATIONS**

ABS – Automated Boat System

AFS – Automated Firearms System

AKA – Also known as

APS – Automated Property System

B&P – Business & Professions

CAD – Computer Aided Dispatch

CCW – Carrying a concealed weapon

CDL – Driver's License

CII – Criminal Identification and Information Number

CJIS – Criminal Justice Information System

CLEMARS – California Law Enforcement Mutual Aid Radio System

CLETS – California Law Enforcement Telecommunications System

CORI – Criminal Offender Record Information

DA – District Attorney

DMV – Department of Motor Vehicles

DOA – Dead on arrival

DOB – Date of birth

DOE – Date of emancipation

DOJ – Department of Justice

DOT – Direction of Travel

EPO – Emergency Protective Order

ETA – Estimated time of arrival

FCN – File Control Number

FI – Field Interview

FTA – Failure to appear  
FTP – Failure to pay fine  
H&S – Health and Safety  
LIC – Vehicle license number  
LIS – Vehicle license state  
LIT – Vehicle license plate type  
LIY – Vehicle license year of expiration  
MNE – Agency Mnemonic  
MP – Missing person  
MUNI – Municipal Code/Court  
MUPS – Missing Unidentified Persons System  
ORI – Originating Agency Identifier  
PC – Penal Code  
RO – Registered owner  
ROS – Restraining order  
SSN – Social Security Number  
SVS – Stolen Vehicle System  
TRO – Temporary Restraining Order  
UNK – Unknown  
VC – Vehicle Code  
VIN – Vehicle Identification Number  
VMA – Vehicle Make  
VMO – Vehicle Model  
W&I – Welfare and Institutions  
WPS – Wanted Persons System

## VERSATERM TRAINING

### **Add a Call**

F1 or AC

F2 call nature

Address (override using F3 or F2 check range)

RP address field = will fill in above address automatically

### **Add a Call for DR Number Only**

ACC

Enter information

Clear call

### **Add Comments to a Call**

AR, (remarks)

AR (enter)

ARM, (remarks) (add remarks to call and MDT screens)

VR, view remarks

### **Add Comments from Officer**

Unit # AR, remarks (will wrap to three lines)

## **Browse**

Entities

Role 15 (enter)

Synopsis

## **Cancel a Call**

Can (unit#)

Clear remarks

Enter remarks of the call

Final type dispo

ISALL (enter) clears all units from the call

## **Change Dispo of a Call**

R (call#)

U to update

QBD

Find call in list, U to update call

## **Change Location of a Unit**

CL unit #, new location

CLA unit #, new location

CLE unit #, new location (puts unit enroute to location)

## **Clear a Call**

ACC

Enter information

Enter

ISALL clears all units off a call

Unable to clear a call

R (call #)

C

Enter

## **CLETS/NCIC**

AR, name and DOB (add comments to call)

Comment line for requesting unit's name

PL unit #, @gad123 (runs 10-28 and 10-29)

PL unit #, @123abc.nv.11.pc (plate, state, year, and type) (runs out of state 10-28)

NCIC RQ (format for 10-28)

NCIC QVC (format for all ways check)

PL unit #, !last,first,initial,DOB,sex (runs all ways check from command line)

NCIC enter (run multiple requests using single entry)

QVEH

QV

QDL

QPER

QW

QVC

Full NCIC Query

NCIC enter

Fill in screen

## **Codes**

10-6 | Busy

10-7 | End of Watch

10-10 | Busy but Available

10-14 | Transport

10-19 | Coming to Station

10-21 | Telephone

10-42 | Officer's Residence

10-72 | At Gas Pumps

10-81 | At Station

10-99 | Sign Off

AC | Animal Control

C7 | Lunch

CH | Citizen Hail (creates a DR number automatically)

CI | Cit or Crisis Team

CO | Coroner

CT | Enroute to court

DT | Dave's Tow

ED | Edison

FD | Fire Department

FU | Follow up

PC | Pedestrian Contact (creates a GO number automatically)

PE | Arrest

PU | Pursuit (creates a DR number automatically)

PW | Public Works

SM | Signal Maintenance

S | Stranded Motorist (creates a DR number automatically)

ST | Swinks Tow

SW | Swat

TO | Tow Request

TS | Traffic Stop

TX | Taxi

**Code 3**

U (call #)

Priority

C (code 3)

Enter

**Code 4**

Unit # (space) C4

**Code 7**

Unit E7 (Enroute to Lunch)

Unit C7 & Location

**Cursor**

Hit home to move from map to call screen

**Dispatching Multiple Units at One Time To a Call**

Bring up call to be dispatched

DE unit # space unit #

Enter

Activity code unit # unit #

## **Dispatching a Unit**

Back up unit

BO unit # backing unit #

## **Change responsible unit on a call**

Prime unit # (new responsible unit #)

## **Clear a call**

IS (puts unit 10-8)

Unit # IS (puts unit 10-8)

## **Dispatching Units**

R call #

DA unit # (puts unit AS on a call)

DE unit # call # (dispatches unit to a call on screen)

DE call # unit # (dispatches unit to a call not on screen)

DE unit # space unit # (to place multiple units on one call)

## **Duplicate calls**

Place cursor in the address field

F2 view other calls

F3 not same and exit

S mark as same

ACC choose yes or no

## **Enroute**

No enroute code. Use 6 or CLE

## **Entities**

Ent (enter) displays lists of entities (person, business, vehicle)

## **Extra Patrol Requests**

Use BOLO in RMS

## **Follow up**

FUP (used to create a follow-up DR#)

## **Help Commands**

Help Call (lists commands specific category)

Help Dispatch (lists command specific category)

Help DR (help file for specific command)

## **Hold a Call**

Enter date

Enter time

QH (view calls on hold)

U (to open held call)

## **Home Phone Numbers**

ID enter (gives employees' home phone numbers)

## **Identification**

ID enter

## **Locate Call Location on Map**

Have the call on your screen

ALT M

## **Messaging Another Dispatcher**

SM (space) unit #, remarks

SM (space) call #, remarks

DEL ALL (delete all messages)

SMP (space) unit #, remarks (High Priority Message)

## **Modify a Call**

R call #

U

Make changes

Enter

## **Monitor information**

MON (view your desk messages and activities)

MON call # (view a call)

MON unit # (view a unit)

MON desk # (view a desk)

MON S (view ascending/descending info)

MON system (view log on and log off times)

## **Natures**

1 | In Progress

2 | Just Occurred

3 | Report

Example: “DOM1” Domestic Violence in Progress. “VBURG2” Vehicle Burglary Just Occurred.

## **911 Interface Calls**

F6 or A9

Police

Select either location, complainant, location, none or all

After selection screens prefills

## **Notepad**

NP

Follow dashboard

## **Preempt Call**

PR (space) unit # (places officer back in service and requests the call)

## **Print a call**

Call on screen

Type PRINT

## **Prisoner code**

PE (space) unit #, remarks

## **Private party Impound**

ACC (add call clear, also used for other call types)

## **Pursuit**

PU

If on a call use the CLA or 6 command

If not on a call use the CLA command

## **Query**

QBA – Query by Address

QBD – Query by Date (shows last 10 hours)

QCL – Query Call Change Log

QL – Query Log

QLOG – Query Radio Log

QMDT – Query MDT Log

Q911– Query by 911

QSH– Query Calls for Last 10 Hours

QST – Query Street Name

SQ – Query Duty Roster

WHO (unit #) – Query Desk or Unit

WHERE (last name) – Shows Where Logged On

## **Radio Activity**

When several units advise you and you are still on the same command line.

First unit's information; second unit's information

Example: 2P1 TS FIRST/LOS ANGELES, @123abc/; 2P2 PE LA/HUBBARD

This will create two different DR's

## **Radio History**

QSH – View Last 10 Hours of Traffic

## **Reassign a Call**

Prime unit #

## **Recall a Call**

Call #

## **Red Symbol**

Officer F12 to reset MDT

## **Reopen a Call**

RQ (last 3 digits of DR)

## **Repo**

ACC

## **Reset MDT and Receive a Sent Call**

Officer hit get call

F1

## **Retrieve a Call**

QF – Retrieve 1<sup>st</sup> Queued Call

QN – Retrieve Next Call

RR – Retrieve Call and Dispatch

## **Search for a Closed Call**

R (last 3 digits of DR)

## **Self-Initiated Calls**

SI Nature Enter (must be exact)

Example: SI 2P2 EXTRA 1234 E Los Angeles, remarks

## **Sign Units On**

SON unit # (Sign on Unit without MDT)

## **Sign Units Off**

SOFF Unit # (Sign Unit Off)

## **Add Special Services**

SS (service type)

SS enter (pick from list)

## **Stacking Calls**

STACK unit #

STACK (remove stacked call)

VSTACK unit # (view stacked calls for unit)

## **Status Codes**

AS – At Scene (10-97)

C4 – Code 4

DP – Dispatched

ER – Enroute (can only be used while on a call)

IS – In Service (10-8)

NA – Not Available

OA – Out but Available

OV – Out of Vehicle

PE – 10-15

## **Summary of a Call**

R call #

SUM (view all comments of call)

VR

DOC (shows all documents attached to the call)

## **10-6 on Activity**

F9

## **10-28 and 10-29**

PL Unit # @plate

PL Desk ID @plate (request for someone not signed on)

## **Timer on Units**

Timer unit #, minutes

Timer enter (check time left)

Time O (turn timer off)

## **Tow**

R call #

DT (Dave's) or ST (Swinks)

## **Traffic Stop**

Unit # TS Location

Unit # TS Location, @Plate

## **Unit Information**

Unit # (Update Unit Information)

## **Unit Status**

2P2 enter (brings up call unit is assigned to)

## **View Comments**

VH – View Address History

VR – View Comments

VU – View Units on Call

VZ – View Hazards

V5 – View Comments in Groups of 5

## **View Location Records**

CAN – Add Address Contacts

VC (call) – View Address Contact

VH (call) – View Address History

VI (call) – View Address Itinerary

VZ (call) – View Address Hazards

## **Where**

WHERE last name (Gives ID Number)

## **Who**

WHO x1754

WHO (enter) – Lists all employees

WHO UNIT – (gives Unit status, ID Number, Name)

## **FUNCTION KEYS**

AC – Add a call

Alt Tab – Scrolls through all screens

APPEND – Adds to call

## **Colors of Calls**

Red – Priority 1

Yellow – Priority 2

Blue – Priority 4

## **Colors of Activities**

Green – Code 4

Orange – 10-15

White – 10-97

Yellow – Enroute

Blue – 10-6

Light blue – 10-81

ERR – displays the last error entered

ESC – toggle between sessions

PC – Pedestrian Contact

PE – 10-15

F1– Add a call (also replaces working call) do not use when entering a call, you will lose the one you are working on.

F2 –Lookup  
F3 – Abort screen  
F4 – Attach  
F5 – Add command line  
F6 – Import 911 caller information from ANI/ALI  
F7 – Units status screen  
F8 – Quit screen  
F9 – Unit activities  
F10 – Retrieve call  
F11 – Page up  
F12 – Page down  
PQ – Moves status screen up and down  
Q (enter) – View queued calls  
SQ – Duty Roster  
SQ SKILL – shows officer skills  
SQ SKILL:TYPE – Shows a specific skill  
U – Update call

## VERSADEX POLICE CAD COMMANDS

### CALL RELATED

AC	Add Call	This command displays a new call screen in add mode. The command works the same as the F1 Function Key.
F1		
ACC	Add Call and Clear	This command automatically clears a call after it has been added. Typically this is done to generate a new call number.
AR	Add Remarks to a Call	This command adds additional remarks to a call. A call number or unit ID may be specified. If the specified unit is not on a call, the remarks are added to the unit's activity log.
	AR,<remarks>	
	AR <call#>,<remarks>	
	AR<unit ID>,<remarks>	
	<unit ID>, AR,<remarks>	
BATCH	Add Call Retroactively	This command activates the retroactive call facility where you can add or maintain calls retroactively.
CAN	Cancel Call and Clear	This command clears a call with a "cancel" code. Clearance remarks are mandatory when canceling a call. If no call number is added, the current call is cancelled. If no clearance remarks are
	CAN	
	CAN <call#>	
	CAN,<remarks>	
	CAN <call#>,<remarks>	

added, a form prompting you to enter them is displayed.

FUP	Add a Follow-up Call	This command adds a follow-up call to an original/prime call. If no call number is specified, the current call is used as the prime.
	FUP	
	FUP <call#>	
R	Recall Call by Number or Unit	This command retrieves the specified call by call number or unit ID.
	R <call#>	
	R <unit ID>	
	<unit ID> R	
SUM	View Call Summary	This command lists call details in chronological order. If no call number or unit ID is specified, the summary for the current call is displayed
	SUM	
	SUM <call#>	
	SUM <unit ID>	
	<unit ID> SUM	
U	Update Call Information	This command puts a call in update mode where call information may be added or updated. If no call number or unit ID is specified, the current call is updated.
	U	
	U <call#>	
	U <unit ID>	
	<unit ID>	
VU	View Prior Dispatches	This command displays a synopsis of all dispatches related to the current or
	VU	

VU <call#> specified call.  
VU <unit ID>  
<unit ID> VU

## ADDRESS RELATED

VH View Address History This command displays a history of calls  
VH for a call address. If no call number or  
VH <call#> unit ID is specified, the history for the  
VH <unit ID> current call address is displayed.  
<unit ID> VH

VZ View Address Hazards This command displays hazard records  
VZ for the call address. If no call number or  
VZ <call#> unit ID is specified, the hazard record  
VZ <unit ID> for the current call address is displayed.  
<unit ID>, VZ

## DISPATCH RELATED

AS Set Units Status to At Scene This command sets the unit status to At  
AS <unit ID> Scene for up to 5 units.  
AS <unit ID>, <remarks> If you specify a time, this is the  
AS <unit ID>/<retro time> retroactive At Scene time that overrides  
AS <unit ID>,<remarks>/ the system time. The retro time appears  
Retro time> in the Call Summary (SUM Command) but  
<unit ID> AS does not appear on the call screen.  
<unit ID> AS,<remarks>

C	<p>Clear an Active Call</p> <p>C</p> <p>C &lt;unit ID&gt;</p> <p>C&lt;call#&gt;</p> <p>&lt;unit ID&gt; C</p>	<p>This command clears a call if no units are still on the call or if the specified unit is the last unit on the call. Clearance info can also be added from the command line.</p>
C4	<p>Set Unit Status to Code 4</p> <p>C4 &lt;unit ID&gt;</p> <p>C4 &lt;unit ID&gt;, &lt;remarks&gt;</p> <p>&lt;unit ID&gt; C4</p> <p>&lt;unit ID&gt; C4,&lt;remarks&gt;</p>	<p>This command sets the unit status to Code 4 for up to five units.</p>
DA	<p>Dispatch Units, Status At Scene</p> <p>DA &lt;unit ID&gt;&lt;unit ID&gt;</p> <p>DA &lt;unit ID&gt;,&lt;remarks&gt;</p> <p>&lt;unit ID&gt; DA</p> <p>&lt;unit ID DA,&lt;remarks&gt;</p>	<p>This command dispatches up to 5 units and updates the units' status to At Scene. Optional remarks may be added and are logged with the call.</p>
DE	<p>Dispatch Unit, Status En Route</p> <p>DE &lt;unit ID&gt;&lt;unit ID&gt;</p> <p>DE &lt;unit ID&gt;, &lt;remarks&gt;</p> <p>&lt;unit ID&gt; DE</p> <p>&lt;unit ID&gt; DE, &lt;remarks&gt;</p>	<p>This command dispatches up to 5 units and updates the units' status to En Route. Optional remarks may be added and are logged with the call.</p>

ER	Set Unit Status to En Route ER <unit ID> ER <unit ID>,<remarks> <unit ID> ER <unit ID> ER, <remarks>	This command sets the unit status to En Route for up to five units
IS	set unit status to in service IS <unit ID> IS <unit ID>,<remarks> <unit ID> IS <unit ID>, IS, <remarks>	This command sets the unit status to In Service for up to five units
ISALL	Place All Units on Call In Service ISALL ISALL <call#> ISALL <unit ID> <unit ID> ISALL	This command places all units on a call In Service. If no call number or unit ID (for one of the units on call) is specified, units on the current call are put In Service.
PE	Set Unit Status to Prisoner Transport (10-15) PE <unit ID> PE <unit ID>,<remarks> <unit ID> PE <unit ID> PE,<remarks>	This command sets the units status to Prisoner Transport (10-15) for up to five units. The remarks are added to the unit activity log.

PR	Pre-Empt (Cancel) Unit From Call PR <unit ID> PR <unit ID>,<remarks> <unit ID> PR <unit ID> PR,<remarks>	This command pre-empts a unit from a call or a busy code and places the unit back in service. If it is the only unit on a call, the call will be re-queued.
Q	View List of Queued Calls Q Q<coverage>	This command lists queued/pending calls. If no coverage area is specified, the queued calls for all areas are displayed.
RQ	Re-queue an Active or Cleared Call RQ RQ <call#> RQ <call#>,<remarks> RQ <unit ID> <unit ID> RQ	This command re-opens a cleared call and then places it in the queue. This command also re-queues an active call. If no call number or unit ID is specified, the current call is re-queued.

### UNIT/OFFICER RELATED

CLA	Change Location for a Single Unit CL<unit ID>,<location> <unit ID> CLA,<location>	This command changes the location of a busy or dispatched unit.
CLAA	Change Location for All Units on Call, Status At Scene CLAA <call#>,<location> CLAA <unit ID>,<location> <unit ID> CLAA,<location>	This command changes the location of all units on the same call and updates the unit status to At Scene. Uses either the call number or the unit ID of one of the units on the call.

CLE	<p>Change Location for a Single Unit Status En Route</p> <p>CLE &lt;unit ID&gt;,&lt;location&gt;</p> <p>&lt;unit ID&gt; CLE,&lt;location&gt;</p>	<p>This command changes the location of a busy or dispatched unit and updates the unit's status to En Route.</p>
MAP	<p>Display Unit Location on the Map</p> <p>MAP &lt;unit ID&gt;</p> <p>MAP &lt;officer no.&gt;</p> <p>MAP&lt;portable no&gt;</p> <p>&lt;unit ID&gt; MAP</p>	<p>This command displays the specified unit's location on the map. You may use either unit ID, officer number, or portable number to specify a unit.</p>
PL	<p>Plate or Person Check for a Unit, With logging</p> <p>PL &lt;unit ID&gt;</p> <p>PL&lt;unit&gt;,&lt;@plate.state&gt;</p> <p>PL &lt;unit&gt;,&lt;@plate.state.type.year&gt;</p>	<p>This command logs (with the call) that a plate or person check has been performed for a unit.</p> <p>For plate NCIC checks, the type and year are optional when checking passenger or personalized plates. If the state is not specified, your agency's state is assumed.</p>
PRIME	<p>Designates Unit as Primary</p> <p>PRIME &lt;unit ID&gt;</p> <p>&lt;unit ID&gt; PRIME</p>	<p>This command sets the primary unit on a call initially; the first unit dispatched is considered the primary unit.</p>
SOFF	<p>Sign Off a Unit</p> <p>SOFF &lt;unit ID&gt;</p>	<p>This command signs off a unit and is the same as the '99' sign-off command.</p>

SON	Sign On a Unit SON SON<unit ID> <unit ID> SON	This command activates the unit sign on form. If a unit is specified, the sign on form is prefilled with the unit information from the organization table.
TIMER	Sets or Resets Timer for a Unit TIMER TIMER <unit ID>,<minutes> TIMER <unit ID> <unit ID> TIMER <unit ID> TIMER,<minutes>	This command sets a timer for a unit for a specified number of minutes. If no parameters are specified, a timer form prompting you to enter a unit is displayed. If only the unit ID is specified, the timer resets to the site default number of minutes
UNIT	Changes Unit's Information Using a Form. UNIT UNIT <unit ID> <unit ID> UNIT	This command displays a form for updating a signed-on unit's information. If no unit ID is specified, one may be entered on the form to display current sign on data.
WHERE	Lists Where a Person is Signed On WHERE WHERE <officer#> WHERE <name>	This command displays where a person is on the system. If no parameter is entered, the entire Where List is displayed.
WHO	Lists Who is at a Desk or in a Unit WHO WHO <desk ID>	This command displays who is at a police CAD desk or signed on to a unit. If no parameter is entered, the entire Who List

WHO <unit ID> is displayed.  
<unit ID> WHO

## QUERIES

QBA	Query Calls by Address	This command queries an address and returns a synoptic list of all records (calls, hazards, etc.) linked to that address. A location prompt appears if no address is specified.
	QBA	
	QBA <address>	
QBD	query calls by date	this command displays the query by Date form, where calls may be queried By coverage, call type, officer ID, or Location, within a specified date range.
QLOG	Query Activity Log (Desk, Officer, or Unit)	This command runs the activity log query. If no parameter is entered, the query log activity form is displayed; otherwise a 12-hour period query is run against the specified parameter.
	QLOG	
	QLOG <desk ID>	
	QLOG <officer>	
	QLOG <unit ID>	

## NCIC

NCIC	Access NCIC System	This command allows you to access the NCIC system.
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## MESSAGING/EMAIL/MEMO

DEL	Delete Current Mail/Message	This command deletes desk messages.
DEL		With no parameter, the current message
DEL <message#>		is deleted; otherwise the specified message
DEL ALL		is deleted. Use “ALL” to delete all messages

MAIL	Access Mail System	This command invokes the mail facility.
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SM	Send Message, with Logging	This command sends a message to up to
SM <desk ID>		five specified destinations. A destination
<desk ID><desk ID>,<message>		may be a desk, unit, call number, or message
		handle. The message is logged.

## STATUS SCREEN/MONITOR

MON	Monitor a Call, Unit, Desk , or Message	This command activates/sets the police CAD
MON		to monitor various police CAD
MON <call#>		activities. Use “MON” with no parameters
MON <desk ID>		to monitor your own desk messages or all
MON <unit ID>		activities.

STATUS Set Status Screen to a Particular Coverage Area STATUS STATUS <coverage> STATUS ALL STATUS CALL STATSU STATUS STATUS #<call#>		This command resets the status screen display to a specified coverage area. Use the command without parameters to set your status screen coverage to your desk's coverage. Use the "ALL" parameter to see all coverage areas. Use the "CALL" parameter to sort the units in the dispatched units' window by call number. Use the "STATUS" parameter to display the current status screen coverage setting.
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### **BOLO/FYI/NOTEPAD**

BOLO Add Call to BOLO List BOLO BOLO <call#>		This command adds the current or specified call to the BOLO list.
NP Access Notepad System NP NP<notepad entry name>		This command activates the notepad facility. A notepad entry name or partial entry name may be specified. If no entry name is specified, the entire list is displayed.

## QUICK TIPS

**QBD** – Gives a list of calls by date or unit, showing nature, address, time, and DR#.

**WHOUNIT (2P2)** – Gives status, ID #, and name of person.

**ID** – Gives a list of department employees, ID #, name, and home phone number.

**PL DESK ID** (DSP1, DSP2, etc.), @123abc – Enables dispatcher to run a plate for someone not signed onto the CAD (you may get an error message but you will still get the return).

**AR** – Can be used to log a local check in radio history for a unit even if the unit is not on a call.

**CL & CLA** – Used when a unit is changing location. Does NOT verify the address.

**NCIC RQ** – Brings up the format to run a 10-28/29 with no type code required.

**STACK UNIT** – Stacks a call to a unit.

**!LAST,FIRST,MIDDLE,DOB,SEX** – Run an always check from command line.

**1P9 enter** – Brings up the call the unit is assigned to (no need to use the R first).

**ISALL** – Clears all units off a call.

**RQ** – Reopens a closed call.

**U** – Updates information on a call.

**NP** – Notepad

## CAD NATURES

ABANV – Abandoned Vehicle – one PSA

ABC – ABC Detail – one officer

ACC1 – Accident Injury – one traffic officer, a PSA, and one additional unit

ACC2 – Accident Non Injury – one traffic officer, PSA

ACC3 – Accident Related Investigation – one traffic officer

ACCHR1 – Accident Hit and Run in Progress – one traffic officer and one additional unit

ACCHR2 – Accident Hit and Run Just Occurred – one traffic officer and one additional unit

ACCHR3 – Belated Hit and Run – one traffic officer

ACCUNK – Accident Unknown if Injuries – one traffic officer and a PSA

AGCY – Agency Assist – one to two officers

BUSA – Bus Alarm

PALRM – Panic Alarm – two officers or one officer and a K9

ROALRM – Robbery Alarm – two officers and a sergeant, three officers, or two officers and a K9

VARDA – Varda Alarm – two officers

VALRM – Vehicle Alarm – one officer

CALRM – Commercial Alarm – two officers

ALRM – Alarm – two officers

RALRM – Residential Alarm – two officers

AMBFU – Ambulance Follow-up – one or two officers

ANIM1 – Animal Problem in Progress – one officer

ANIM2 – Barking Dog – one officer

ANIM3 – Animal Problem Investigation – one officer

ARSON3 – Arson Investigation – one officer

ASLTB1 – Assault/Battery in Progress – two officers

ASLTB2 – Assault/Battery Just Occurred – two officers

ASLTB3 – Assault/Battery Investigation – one officer

ADW1 – Assault with a Deadly Weapon in Progress – two to three officers

ADW2 – Assault with a Deadly Weapon Just Occurred – two officers

ADW3 – Assault with Deadly a Weapon Investigation – one officer

ATC – Attempt to Contact – one officer

LIQU1 – B&P Violation in Progress – two officers

LIQU2 – B&P Violation Just Occurred – one officer

LIQU3 – B&P Violation Investigation – one officer

BOMB1 – Bomb Threat in Progress- – two officers and a sergeant

BOMB2 – Bomb Threat Just Occurred – two officers

BOMB3 – Bomb Threat Investigation – one officer

BROAD – Broadcast

CBURG1 – Commercial Burglary in Progress – two officers and a K9

CBURG2 – Commercial Burglary Just Occurred – two officers and a K9

CBURG3 – Commercial Burglary Investigation – one officer

HBURG1 – Hot Prowl Burglary in Progress – two officers and a K9

HBURG2 – Hot Prowl Burglary Just Occurred – two officers and a K9

HBURG3 – Hot Prowl Burglary Investigation – one officer

RBURG1 – Residential Burglary in Progress – two officers and a K9

RBURG2 – Residential Burglary Just Occurred – two officers and a K9

RBURG3 – Residential Burglary Investigation – one officer

VBURG1 – Vehicle Burglary in Progress – two officers

VBURG2 – Vehicle Burglary Just Occurred – two officers

VBURG3 – Vehicle Burglary Investigation – one officer

CAR1 – Carjacking in Progress – two to three officers

CAR2 – Carjacking Just Occurred – two to three officers

CAR3 – Carjacking Investigation – one officer

CHILD1 – Child Abuse in Progress – two officers

CHILD2 – Child Abuse Just Occurred – two officers

CHILD3 – Child Abuse Investigation – one officer

ANNOY1 – Child Annoyance in Progress – two officers

ANNOY2 – Child Annoyance Just Occurred – two officers

ANNOY3 – Child Annoyance Investigation – one officer

CITZH – Citizen Hail – one officer

CIVIL1 – Civil Dispute in Progress – two officers

CIVIL2 – Civil Dispute Just Occurred – two officers

CIVIL3 – Civil Dispute Investigation – one officer

CODE5 – Surveillance

CTVIO1 – Court Order Violation in Progress – two officers

CTVIO2 – Court Order Violation Just Occurred – one to two officers

CTVIO3 – Court Order Violation Investigation – one officer

CTORD – Court Orders

CRPT – Courtesy Report – one officer

DEATH – Death Investigation – one officer and a sergeant

DPROP – Property for Destruction – one officer

DETAIL – Detail

DIST1 – Disturbance in Progress – two officers

DIST2 – Disturbance Just Occurred – one to two officers

DIST3 – Disturbance Investigation – one officer

DOM1 – Domestic in Progress – two officers

DOM2 – Domestic Just Occurred – two officers

DOM3 – Domestic Investigation – one officer

DUI1 – Drunk Driver in Progress/Being Followed – two officers

DUI2 – Drunk Driver in Progress/Not Being Followed – one officer

DUI3 – Drunk Driver Broadcast

DUICKP – DUI checkpoint

DRUNK – Drunk Subject – two officers

ELDERA – Elder Abuse

ELDER1 – Elder Abuse in Progress – two officers

ELDER2 – Elder Abuse Just Occurred – one to two officers

ELDER3 – Elder Abuse Investigation – one officer

EMBEZ – Embezzlement Investigation – one officer

EXTRA – Extra Patrol

DISTF1 – Family Dispute in Progress – two officers

DISTF2 – Family Dispute Just Occurred – two officers

DISTF3 – Family Dispute Investigation – one officer

FIGHT1 – Fight in Progress – two officers

FIGHT2 – Fight Just Occurred – two officers

FIGHT3 – Fight Investigation – one officer

FIRE1 – Fire in Progress – two officers and possibly a PSA

FIRE2 – Fire Just Occurred – one to two officers

FIRE3 – Fire Investigation – one officer

FIREW1 – Fireworks in Progress/Subjects Can Be Seen – one to two officers

FIREW2 – Fireworks Just Occurred/Subjects Left – one officer

FIREW3 – Fireworks/Broadcast Only

FPURS – Foot Pursuit – two officers and a sergeant

FADULT – Found Adult – one officer

FCHILD – Found child – one officer

FRPOP – Found Property – one officer or a PSA

FRAU1 – Fraud in Progress – two officers

FRAU2 – Fraud Just Occurred – one to two officers

FRAU3 – Fraud Investigation – one officer

GANG1 – Gang Activity in Progress – two officers

GANG2 – Gang Activity Just Occurred – one to two officers

GANG3 – Gang Activity Investigation – one officer

HAZC – Hazardous Condition – one officer or a PSA

HAZM – Hazardous Materials – one officer and a sergeant

HOMI – Homicide

DUMP – Illegal Dumping

DUMP1 – Illegal Dumping in Progress – two officers

DUMP2 – Illegal Dumping Just Occurred – two officers

DUMP3 – Illegal Dumping Investigation – one officer

ILLEGP – Illegal Parking – PSA

INDEC1 – Indecent Exposure in Progress – two officers

INDEC2 – Indecent Exposure Just Occurred – one to two officers

INDEC3 – Indecent Exposure Investigation – one officer

K9DEMO – K9 Demonstration

KEEPPC – Keep the Peace- two officers

KID1 – Kidnapping in Progress – two officers and a sergeant

KID2 – Kidnapping Just Occurred – two officers and a sergeant

KID3 – Kidnapping Investigation – one officer

LOIT1 – Loitering Subject in Progress – two officers

LOIT2 – Loitering Subject Just Occurred – one to two officers

LOIT3 – Loitering Subject Investigation- – one officer

LOSTC – Lost Child – as many units as possible/available

LPROP – Lost Property – PSA

CMALM – Commercial Malicious Mischief

CMALM1 – Commercial Malicious Mischief in Progress – two officers

CMALM2 – Commercial Malicious Mischief Just Occurred – two officers

CMALM3 – Commercial Malicious Mischief Investigation – one officer

MALM1 – Malicious Mischief in Progress – two officers

MALM2 – Malicious Mischief Just Occurred – two officers

MALM3 – Malicious Mischief Investigation – one officer

RMALM1 – Residential Malicious Mischief in Progress – two officers

RMALM2 – Residential Malicious Mischief Just Occurred – two officers

RMALM3 – Residential Malicious Mischief Investigation – one officer

VMALM1 – Vehicle Malicious Mischief in Progress – two officers

VMALM2 – Vehicle Malicious Mischief Just Occurred – two officers

VMALM3 – Vehicle Malicious Mischief Investigation – one officer

MENT1 – Mental Subject in Progress – two officers

MENT2 – Mental Subject Just Occurred – one to two officers

MENT3 – Mental Subject Investigation – one to two officers

MISC – Miscellaneous Investigation – one officer

MISS2 – Missing Just Occurred – two officers

MISS3 – Missing Investigation – one officer

RTMISS – Returned Missing – one officer

MUNIC1 – Municipal Code Violation in Progress – two officers

MUNIC2 – Municipal Code Violation Just Occurred – one to two officers

MUNIC3 – Municipal Code Violation Investigation – one officer

NARC1 – Narcotic Activity in Progress – two officers  
NARC2 – Narcotic Activity Just Occurred – one to two officers  
NARC3 – Narcotic Activity Investigation – one officer  
OFFI – Officer Info  
OI – Officer Initiated Activity  
OVERD – Overdose – One to two officers  
PED – Pedestrian Contact  
PERSON – Person Down – one to two officers  
PHONE – Annoying or Threatening Phone Calls – one officer  
PRIV – Private Property Impound  
PROWL1 – Prowler in Progress – two officers or one officer and a K9  
PROWL2 – Prowler Just Occurred – two officers or one officer and a K9  
PROWL3 – Prowler Investigation – one officer  
PUBASS – Public Assistance – one officer or a PSA  
PURS – Pursuit – two officers and a sergeant  
RECO – Recovered Stolen Vehicle – one officer  
REPO – Repossessed Vehicle  
ROBB1 – Robbery in Progress – three officers and a sergeant  
ROBB2 – Robbery Just Occurred – two officers and a sergeant  
ROBB3 – Robbery Investigation – one to two officers  
RUNA1 – Runaway in Progress – one to two officers  
RUNA2 – Runaway Just Occurred – one officer  
RUNA3- – Runaway Investigation – one officer  
RTRUN – Runaway Returned – one officer  
SAFEK – Safekeeping – one officer  
SCHOOL – School Check

SEARCH – Parole or Probation Search

SECCH – Security Check

SEXR – Sex Registrant

SEXC1 – Sexual Crime in Progress – two officers

SEXC2 – Sexual Crime Just Occurred – two officers

SEXC3 – Sexual Crime Investigation – one officer

SHOP1 – Shoplifter in Progress – two officers

SHOP2 – Shoplifter Just Occurred – two officers

SHOP3 – Shoplifter Investigation – one officer

SHOOT1 –Shots in Progress – two officers

SHOOT2 – Shots Just Occurred – two officers

SHOOT3 – Shots Investigation – one officer

SOLIC1 – Solicitor in Progress – one to two officers

SOLIC2 – Solicitor Just Occurred – one to two officers

SOLIC3 – Solicitor Investigation – one officer

STALK1 – Stalking in Progress – two officers

STALK2 – Stalking Just Occurred – one to two officers

STALK3 – Stalking Investigation – one officer

GTA1 – Stolen Vehicle in Progress – two officers and a sergeant

GTA2 – Stolen Vehicle Just Occurred – two officers

GTA3 – Stolen Vehicle Investigation – one officer

STRAND – Stranded Vehicle – PSA

SUICS1 – Suicidal Subject in Progress – two officers and a sergeant

SUICS2 – Suicidal Subject Just Occurred – one to two officers

SUICS3 – Suicidal Subject Investigation – one officer

SUSP1 – Suspicious Incident in Progress – two officers

SUSP2 – Suspicious Incident Just Occurred – one to two officers

SUSP3 – Suspicious Incident Investigation – one officer

VTHEFT1 – Vehicle Theft in Progress – two officers

VTHEFT2 – Vehicle Theft Just Occurred – two officers

VTHEFT3 – Vehicle Theft Investigation – one officer

THEFT1 – Theft in Progress – two officers

THEFT2 – Theft Just Occurred – one to two officers

THEFT3 – Theft Investigation – one officer

THREA1 – Threats Made in Progress – two officers

THREA2 – Threats Made Just Occurred – one to two officers

THREA3 – Threats Made Investigation – one officer

TRAF- – Traffic Stop

TRES1 – Trespassing in Progress – two officers

TRES2 – Trespassing Just Occurred – one to two officers

TRES3 – Trespassing Investigation- – one officer

TRUANT – Truant

UNKPRB – Unknown Problem – two officers

VACC – Vacation Check – Volunteers

WARR – Warrant Service

WEAP1 – Weapon in Progress – two officers and a sergeant

WEAP2 – Weapon Just Occurred – two officers

WEAP3- – Weapon Investigation – one officer

WELF – Welfare Check – two officers

## **The U.S. Legal System: A Short Description**

### **Background**

The U.S. Constitution establishes a federal system of government. The constitution gives specific powers to the federal (national) government. All power not delegated to the federal government remains with the states. Each of the 50 states has its own state constitution, governmental structure, legal codes, and judiciary.

The U.S. Constitution establishes the judicial branch of the federal government and specifies the authority of the federal courts. Federal courts have exclusive jurisdiction only over certain types of cases, such as cases involving federal laws, controversies between states, and cases involving foreign governments. In certain other areas federal courts share jurisdiction with state courts. For example, both federal and state courts may decide cases involving parties who live in different states. State courts have exclusive jurisdiction over the vast majority of cases.

Parties have a right to trial by jury in all criminal and most civil cases. A jury usually consists of a panel of 12 citizens who hear the evidence and apply the law stated by the judge to reach a decision based on the facts as the jury has determined them from the evidence at trial. However, most legal disputes in the United States are resolved before a case reaches a jury. They are resolved by legal motion or settlement, not by trial.

### **Structure of the Federal Court System**

The U.S. Constitution establishes the U.S. Supreme Court and gives Congress the authority to establish the lower federal courts. Congress has established two levels of federal courts below the Supreme Court: the U.S. district courts and the U.S. circuit courts of appeals. U.S. district courts are the courts of first instance in the federal system. There are 94 such district courts throughout the nation. At least one district court is located in each state. District judges sit individually to hear cases. In addition to district judges, bankruptcy judges (who hear only bankruptcy cases) and magistrate judges (who perform many judicial duties under the general supervision of district judges) are located within the district courts. U.S. circuit courts of appeals are on the next level. There are 12 of these regional intermediate appellate courts located in different parts of the country. Panels of three judges hear appeals from the district courts. A party to a case may appeal as a matter of right to the circuit court of appeals (except that the government has no right of appeal in a criminal case if the verdict is “not guilty.”) These regional circuit courts also hear appeals from decisions of federal administrative agencies. One non-regional circuit court (the Federal Circuit) hears appeals in specialized cases such as cases involving patent laws and claims against the federal government.

At the top of the federal court system is the U.S. Supreme Court, made up of nine justices who sit together to hear cases. At its discretion, the U.S. Supreme Court may hear appeals from the federal circuit courts of appeals as well as the highest state courts if the appeal involves the U.S. Constitution or federal law.

## **Structure of State Court Systems**

The structure of state court systems varies from state to state. Each state court system has unique features; however, some generalizations can be made. Most states have courts of limited jurisdiction presided over by a single judge who hears minor civil and criminal cases. States also have general jurisdiction trial courts that are presided over by a single judge. These trial courts are usually called circuit courts or superior courts and hear major civil and criminal cases. Some states have specialized courts that hear only certain kinds of cases such as traffic or family law cases.

All states have a highest court, usually called a state supreme court, that serves as an appellate court. Many states also have an intermediate appellate court called a court of appeals that hears appeals from the trial court. A party in a case generally has one right of appeal.

## **Court Administration**

The judicial branches of the federal and state governments are separate from the legislative and executive branches. To insure judicial independence, the judicial branches of the federal and state governments control the administration of the courts. Court administration includes managing court budgets, prescribing rules of trial and appellate procedure, reviewing judicial discipline matters, offering continuing educational programs for judges, and studying court performance.

In the federal judiciary, the Judicial Conference of the United States, made up of 27 members (the Chief Justice of the United States and 26 judges from each geographic region of the United States) has overall administrative responsibility for the courts and has primary authority to make policy regarding the operation of the judicial branch of the government. The Judicial Conference is assisted by a large number of committees made up of federal judges (and sometimes also state court judges and attorneys) who study different parts of the federal court system and make recommendations. An important responsibility of the Judicial Conference is to recommend changes in the rules of procedure used by all federal courts.

Congress has created three administrative agencies within the judicial branch. The Administrative Office of the U.S. Courts manages the day-to-day operations of the courts, including such matters as payroll, equipment, and supplies. The Federal Judicial Center conducts educational and training programs for judges and court personnel and does research in the fields of court operations and administration. The U.S. Sentencing Commission develops advisory guidelines for federal judges in imposing criminal sentences.

In most state court systems, the state supreme court has overall administrative authority over the court system. It is assisted by an administrative office. The chief justice of the state supreme court usually appoints the director of the state court administrative office.

## **Judges**

Justices of the U.S. Supreme Court and circuit and district judges are appointed by the President of the United States if approved by a majority vote of the U.S. Senate. These justices and judges serve “during good behavior”— in effect, a life term. Presidents usually nominate persons to be judges who are members of their own political party. Persons appointed are usually distinguished lawyers, law professors, or lower federal court or

state court judges. Once these judges are appointed their salaries cannot be reduced. Federal judges may only be removed from office through an impeachment process in which charges are made by the House of Representatives and a trial is conducted by the Senate. In the entire history of the United States, only a few judges have been impeached and those removed were found to have committed serious misconduct. These protections allow federal judges to exercise independent judgment without political or outside interference or influence.

The methods of selecting state judges vary from state to state and are often different within a state, depending on the type of court. The most common selection systems are by commission nomination and by popular election. In the commission nomination system, judges are appointed by the governor (the state's chief executive) who must choose from a list of candidates selected by an independent commission made up of lawyers, legislators, lay citizens, and sometimes judges. In many states judges are selected by popular election. These elections may be partisan or non-partisan. Candidates for judicial appointment or election must meet certain qualifications, such as being a practicing lawyer for a certain number of years. With very few exceptions, state judges serve specified, renewable terms. All states have procedures governing judicial conduct, discipline, and removal. In both the federal and state systems, judicial candidates are almost always lawyers with many years of experience. There is no specific course of training for judges and no examination. Some states require judges to attend continuing education programs to learn about developments in the law. Both the federal and state court systems offer beginning and continuing education programs for judges.

## **Prosecutors**

Prosecutors in the federal system are part of the U.S. Department of Justice in the executive branch. The Attorney General of the United States, who heads the Department of Justice, is appointed by the President with Senate confirmation. The chief prosecutors in the federal court districts are called U.S. attorneys and are also appointed by the President with Senate confirmation. Within the Department of Justice is the Federal Bureau of Investigation, which investigates crimes against the United States.

Each state also has an attorney general in the state executive branch who is usually elected by the citizens of that state. There are also prosecutors in different regions of the state, called state's attorneys or district attorneys. These prosecutors are also usually elected.

## **Lawyers**

The U.S. legal system uses the adversarial process. Lawyers are essential to this process. Lawyers are responsible for presenting their clients' evidence and legal arguments to the court. Based on the lawyers' presentations, a trial judge or jury determines the facts and applies the law to reach a decision before judgment is entered.

Individuals are free to represent themselves in American courts, but lawyers are often necessary to present cases effectively. An individual who cannot afford to hire a lawyer may attempt to obtain one through a local legal aid society. Persons accused of crimes who cannot afford a lawyer are represented by a court-appointed attorney or by federal or state public defender offices.

American lawyers are licensed by the individual states in which they practice law. There is no national authority that licenses lawyers. Most states require applicants to hold a law degree (Juris Doctor) from an accredited law school. An American law degree is a postgraduate degree awarded at the end of a three-year course of study. (Normally individuals complete four years of college/university before attending law school). Also, most states require that applicants for a license to practice law pass a written bar examination and meet certain standards of character. Some states allow lawyers to become bar members based on membership in another state's bar. All states provide for out-of-state lawyers to practice in the state in a particular case under certain conditions. Lawyers can engage in any kind of practice. Although there is no formal distinction among types of legal practice, there is much informal specialization.

## Classification of Crimes in California

California [criminal law](#) classifies violations into three categories: infractions, misdemeanors and felonies. Infractions are offenses that are illegal but are not typically considered serious and do not appear on a person's criminal record. Driving without wearing a seatbelt, for example, is an infraction under California law. Infractions do not result in jail time. Misdemeanors are more serious offenses that can result in up to a year of jail time. A first-time offense of [drunk driving](#), for example, is generally a misdemeanor. Felonies are the most serious criminal offenses and they can carry penalties of over a year in state prison, as well as substantial fines and other punishments. [Selling illegal drugs](#) is an example of a felony offense. Some violations, known as "wobblers," can be charged either as infractions or misdemeanors, or as misdemeanors or felonies, at the prosecuting attorney's discretion.

### Infractions

An infraction, sometimes called a "petty offense," is a minor violation of state law for which the typical penalty is a fine. California law does not punish infractions with jail time or probation, and infractions do not show up on an offender's criminal record.

A typical infraction is a violation of a city code, an administrative ordinance, or a traffic rule. Littering, speeding, seatbelt law violations, and similar offenses are infractions.

Because infractions are technically not crimes, defendants in infraction cases do not have the right to court-appointed defense lawyers, the right to avoid self-incrimination, the right to trial by jury, or other Constitutional protections afforded to defendants in misdemeanor or felony cases.

### Misdemeanors

A misdemeanor is a crime carrying a possible penalty of up to one year in county jail. Many misdemeanors carry maximum penalties of six months in jail and a fine of up to \$1000. Many other misdemeanors, however, have more severe punishments specified by California law.

Misdemeanors include crimes such as a first-time basic [DUI offense](#), [shoplifting](#), [soliciting prostitution](#), certain [domestic violence](#) offenses, and others not considered serious enough to be charged as felonies.

Although misdemeanors are considered less serious than felonies when looking at the basic classification of crimes, they can have serious consequences for those convicted. In addition to up to a year in jail and a fine of up to \$1000, a convicted misdemeanor offender may be sentenced to community service, counseling, restitution for the victim, and probation. Moreover, a misdemeanor offense will appear on a convicted offender's criminal record.

### Felonies

A felony is the most serious type of criminal offense, and is punishable by more than a year in prison. Felony offenses include [rape](#), [murder](#), the [sale of controlled substances](#), and other serious crimes.

In addition to a prison sentence, felony punishments can include probation after incarceration, substantial fines, loss of the right to vote, loss of the right to own firearms, and other consequences.

**Wobblers**

Some offenses may be either infractions or misdemeanors. Petty theft of goods worth less than \$50 is perhaps the most common example of this type of wobbler.

Similarly, other offenses may be charged either as misdemeanors or as felonies, depending upon the circumstances of the particular crime and the criminal history of the defendant. Common examples include some crimes of domestic violence, [assault](#), theft and burglary.

## California Criminal Charges and How Crimes Get Charged

### The Arrest and Police Report

After an arrest is made, a report by the arresting officer is filed with the law enforcement office and the prosecutor's office. The report filed by the arresting officer summarizes the events that led to the arrest. Dates, locations, witness accounts, evidence collected and time of occurrence are all included in the police report. The report will also include a recommendation from the arresting officer of what [California criminal laws](#) he or she believes were broken. The report is a thorough record of all of the circumstances that led to the arrest and will become the foundation of the prosecutor's evaluation of the incident for possible criminal charges.

### California Criminal Charges and Prosecutorial Discretion

Based on the report, the prosecutor can file charges with the court, go to the grand jury to request guidance on what charges should be filed or decided to not pursue the matter. The prosecutor can also decide that lesser charges than those recommended by the officer should be filed. This decision could be based on any number of reasons including the severity of the crime, the criminal record of the person involved and the amount and quality of available evidence. The prosecutor has full and complete discretion over what course of action to take with regard to the filing of charges. Contrary to what television shows would have you believe, the alleged victim has no authority to "press charges". Prosecutors can, and often do, file criminal charges without the cooperation of the alleged victim. If an indictment is filed, a subsequent preliminary hearing may be scheduled to verify that there is sufficient evidence to proceed.

### The Role of the Grand Jury

In the case of severe felonies or crimes that have particular significance to the community, the prosecutor may elect to send the matter to the grand jury for guidance. The grand jury helps to decide whether charges should be filed and what the person should be charged with. Grand juries can contain as many as 23 members. They meet privately to confer on pending criminal matters presented to them by the prosecution. The prosecutors provide the grand jury with a list of potential charges, evidence supporting the case and witness accounts. If the grand jury believes that the evidence is sufficient, it will submit a "true bill". If not, it will reject it by submitting a "no bill". The prosecutor can advance the case regardless of the type of bill that is returned from the grand jury by simply filing criminal charges. In using the grand jury, the prosecutor is able to gauge the potential outcome of a case if it is presented before a "petit" jury during trial.

Prosecutors typically file formal criminal charges against the individual within two days of the arrest in the State of California, although it may take longer in the case of particularly complicated felony matters. It is not uncommon for a person to be charged for one crime and later be charged with additional crimes or a completely different crime. A combination of policy, political aspirations and personal beliefs influence how the prosecution proceeds in criminal cases.

## **COMMON OFFENSES**

Of the thousands of criminal violations codes in existence, these are the more common sections that a Communications employee will encounter. Though you are not expected to memorize all of these codes, it will be helpful if you have a basic understanding of their meaning.

## **PENAL CODES**

148 – Resisting arrest/willfully resisting, delaying or obstructing a peace officer

148.1 – False bomb report

148.3 – Reporting a false emergency

148.5 – False police report

148.9 – Falsely representing self as another person

166.4 – Criminal contempt

187 – Murder

203 – Mayhem

207 – Kidnapping

211 – Robbery

220 – Assault with intent to commit

240 – Assault

241 – Assault on a peace officer

243.4 – Sexual battery

244 – Assault with caustic chemical

245 – Assault with a deadly weapon or instrument

245(b) – Assault with a deadly weapon or instrument on a peace officer

246 – Discharge of a firearm at inhabited dwelling or vehicle

261 – Rape

261.5 – Unlawful sexual intercourse

270 – Failure to provide

273(a)– Willful cruelty toward child

273.5 – Inflection of injury on spouse or cohabite

278 – Child Stealing

278.5 – Violation of custody decree

286(a) – Sodomy

288(a) – Lewd or lascivious acts

290 – Registration of a sex offender

314 – Indecent exposure

415 – Unlawfully fighting or challenge to fight

417 – Exhibiting a firearm

451 – Arson

484 – Petty theft

484(g) – Fraudulent use of credit cards

485 – Misappropriation of lost property

487 – Grand theft

496 – Receiving stolen property

499 – Joyriding

503 – Embezzlement

537 – Defrauding an innkeeper

594 – Vandalism

597 – Cruelty to animals

603 – Trespassing

626.9 – Firearms on public school campus

647(a) – Child Annoying

647(b) – Disorderly conduct  
647(f) – Public Intoxication  
647(g) – Prowling  
647(h) – Voyeur  
653(k) – Possession of a switchblade  
664 – Attempt  
853.7 – Failure to appear  
12020(a) – Manufacture, sale, possession of weapons  
12025 – Possession of a concealed firearm  
12031 – Carrying a loaded firearm

## **BUSINESS AND PROFESSIONS CODES**

4149 – Possession of hypodermic needle/syringe  
4390 – Possession of forged prescription  
25602 – Furnishing alcohol to an obviously intoxicated person  
25608 – Sales of alcohol on public school grounds  
25661 – Use of false identification by minor to purchase alcohol  
25662 – Minor in possession of alcohol

## **VEHICLE CODE VIOLATIONS**

31 – False information to a peace officer  
4000a – Expired registration  
2800.1 – Evading  
10851 – Stolen vehicle \*

\*Any person who drives or takes a vehicle not his own, without the consent of the owner, and with intent either permanently or temporarily to deprive the owner of his or her title to or possession of the vehicle, whether with or without the intent to steal the vehicle, or any person who is a party or an accessory to or an accomplice in the driving or unauthorized taking or stealing, is guilty of a public offense and upon conviction, shall be punished by imprisonment in the county jail for not more than one year or in state prison or by a fine of not more than \$5,000, or both.

10852 – Vehicle tampering

12500(a) – Unlicensed driver

12951(a) – No license in possession

14601(a) – Driving with a suspended license

16028(a) – Proof of financial responsibility

20001 – Hit and run - felony

20002(a) – Hit and run - misdemeanor

22349 – Maximum speed

22350 – Basic speed

22651 – Authority to tow vehicles on public property

23110(a) – Throwing objects at a vehicle causing injury

23152(a) – Driving under the influence

23152(b) – Driving under influence blood alcohol .08 or over

40508(a) – Failure to appear

40508(b) – Failure to pay

## **HEALTH AND SAFETY CODES**

11350 – Possession of a controlled substance

11351 – Possession of a controlled substance for sale

11357(a) – Possession of concentrated cannabis

11357(b) – Possession of less than one ounce of marijuana

11550(a) – Under influence of controlled substance

## **WELFARE AND INSTITUTIONS CODES**

300 – Persons subject to the jurisdiction of juvenile court

300(a) – Dependent child

602 – Juvenile offender

## Simi Valley Municipal Codes

<b>Alcohol Unlawful acts</b>	5.3-01
<b>Animals</b>	
Noisy	4470
Keeping wild animal	4480
<b>Bicycles</b>	
License required	4-3.01
Direction of travel	4-3.20
Bicycle lane	4-3.21
<b>Billiard Rooms</b>	
Hours of operation	5-5.06
Age restriction	5-5.08
<b>Building Moving</b>	
Permit required	8-1.10
<b>Building Official</b>	
Right of entry	8-1.02
<b>Burning: Open</b>	
Permission required	4-6.101
Tumbleweeds exception	4-6.102
<b>Business Tax Certificate</b>	
Posting	3-1.104
<b>Bus Transportation System</b>	
Unnecessary noise	4-4.05
Misconduct	4-4.06
Smoking, eating, drinking	4-4.07
<b>Card Rooms</b>	
Prohibited	5.6.02
<b>Dance/Dance Halls</b>	
Permits required	5-7.02
Teenage dances	5-7.12
Violations – Penalties	5-7.21

<b>Dogs</b>	
Tags required	4441
Vaccinations required	4451
Leashes required	4461
<b>Drug Paraphernalia</b>	
Display of	5-26.03
<b>Emergency Plan</b>	
Violations – Penalties	4-5.10
<b>Encroachments</b>	
Permit required	7-1.205
<b>Entertainers, Waiters, Waitresses</b>	
Unlawful exposure	5-8.02
<b>Garbage, Rubbish, Refuse</b>	
Definition	6-3.02
Accumulations	6-3.03
Dumping	6-3.07
Receptacle placement	6-3.19
<b>Hotel/Motel Registration</b>	
Register required	5-11.02
Inspection to Peace Officer	5-11.06
<b>Itinerant Hawkers, Peddlers, Solicitors, Merchants</b>	
Permits required	5-12.02
Hours of operation	5-12.13
<b>Junk Collectors and Dealers, Second-Hand Dealers</b>	
License required	5-13.02
Reports	5-13.07
Hours of operation	5-13.14
Retention of goods	5-13.16
<b>Loitering</b>	
Hours	5-14.02
<b>Motorcycles and Motor-Driven Vehicles</b>	
Permit required	4-7.03
Conditions of permit	4-7.06

<b>Noise</b>	
Unnecessary noise	5-16.02(b)
Radios	5-16.02(b)
Engines, motors in residence	5-16.02(e)
Noises from animals	5-16.02(0)
Motor vehicle	5-16.02 (h)
<b>Construction of building</b>	5-16.02 (1)
Yelling and shouting	5-16.02 (k)
Other noises	5-16.02 (1)
<b>Parades</b>	
Permits required	5-17.02
	4-9.401
Parking of Commercial Vehicles in Residential Areas Prohibited	
<b>Parking of Vehicles for Sale</b>	
Prohibited	4-9.302
Exceptions	4-9.303
<b>Police Dogs</b>	
Right of entry	6-1.203
<b>Public Parks</b>	
Gathering/meeting permit	10-1.02
Horses/animals/vehicles	10-1.03
<b>Public Welfare</b>	
Alcoholic beverages	5-3.01
<b>Rubbish Collection</b>	
Time for collection	6-3.20
Collectors liable	6-3.31
<b>Smoking</b>	
Prohibited in public places	5-23.02
Where not prohibited	5-23.04
Posting of signs	5-23.05
<b>Swimming Pools</b>	
Fence and wall required	8-5.11
Latching device	8-1.11

<b>Taxicabs</b>	
License required	4-8.02
Service	4-8.16
Rates	4-8.20
Direct route	4-8.21
<b>Temporary Shelters</b>	
Tents and lean-to's	6-5.01
Permission	6-5.02
<b>Traffic Control</b>	
Markings	7055
Weight limits	7115
Curb parking	7200
Parking in alleys	7230
Parking on private property	7235
Parking over 72 hours	7260
Trees, Shrubs and Plants	
Visibility/obstructions	1 7-1.807
<b>Trees and Shrubs: Streets</b>	
Trimming by individuals	7-3.14
Tree removal	7-3.18
<b>Trespassing: Privately Owned Business Premises</b>	
Prohibited	5-25.01
Unsanitary Conditions	
Nuisances	6-6.02
<b>Public rest rooms</b>	6-6.04
Cesspools, water closets	6-6.05
Sewage	6-6.06
<b>Weapons</b>	
Ranges: Permit required	5-22.09

**Traffic Control**

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**Trees, Shrubs and Plants**

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**Public rest rooms**

Cesspools, water closets	6-6.04
Sewage	6-6.05
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Ranges: Permit required	5-22.09

## **PRIMARY DISPATCHER**

In this phase of training you will learn the actual dispatching responsibilities. You will receive calls from the call taker and make the determination of which and how many unit(s) to send. You will be expected to know where each unit is and update the computer when the activity changes. You will need to utilize all of your training to comprehend what you are doing and why. You will build on your knowledge of the radio and fine-tune your “radio ear”. When your listening skills are fully developed, you will be able to focus your attention on the radio to interpret and process information from one or more radio sources, regardless of the distractions in your immediate surroundings. In this phase you will be expected to progress to the level of an independent and viable dispatcher. As before, your Training Officer will act as a resource and teacher. You must also be able to apply what have learned up to this point. At the conclusion of this phase, you will be expected to function as a competent, fully trained dispatcher. If you do not fully grasp a topic, ask for clarification. All assignments and areas of study are to be completed on time. You will continue to receive oral and written tests on the subjects covered.

This phase is designed to provide an overview of the responsibilities and duties of the Primary Dispatcher and the radio equipment needed to complete each task.

The CAD system is an indispensable component of the primary dispatcher. Keep in mind it is a tool that never replaces the good judgment and discretion of the trained dispatcher. Through a series of preset commands the dispatcher can update an officer’s status and activity. The CAD aids in generating an easily understood calls.

## **COMPUTER AIDED DISPATCH TERMINALS**

All dispatch positions have a minimum of four monitors. The dispatch terminal is used to update incidents, check active and pending calls, and monitor the map/GPS system. At a glance, the dispatcher may determine the status of all available units, busy or active units, and pending calls. The display of active units contains the Unit ID, type of call, location, and time the officer has been on the call. The status monitor is an essential aid to effective dispatching.

## **RADIO CONSOLE**

The radio console has the capability of transmitting and receiving on numerous channels. Each frequency has a specific purpose. Assignments are made by the Coordinated Radio Communications Systems and must operate in accordance with its laws and regulations. Each authorized transmitter must be licensed by the Federal Communications Commission.

Each base station transmitter is issued an identifying call sign for the purpose identifying and tracing problems and interference.

## **PRIMARY CHANNEL – CHANNEL ONE**

Channel one is the dedicated radio channel assigned to the Simi Valley Police Department for voice and digital two-way transmissions between mobile units and the base station, and for unit-to-unit transmissions. Channel one is utilized for routine radio traffic to and from mobile units.

## **THE RADIO PHASE**

Be sure you have been briefed by the off-going shift on the status of pending calls, the location of each unit, and any other pertinent information relevant to the performance of your duties.

Practicing proper day-to-day radio procedures will tend to make emergency radio procedures automatic and reduce confusion. All communications, regardless of nature, should be restricted to the minimum practical transmission time. Use of the standardized radio code facilitates brevity and clarity. Be familiar with the radio codes listed in this book.

There is no perfect way to dispatch a call. Each department and each dispatcher has a way to dispatch a call that may be different from another person or department. If you are a new dispatcher, follow exactly the manner taught by your Training Officer. When you are on your own, listen to the speech patterns and phrasing of other dispatchers. If you hear something that

sounds better, try it. If you like it, keep it. If it doesn't feel comfortable, go back to the original way you were taught. If you are not a new dispatcher, only new to Simi, listen to the way calls are being dispatched. Make every effort to combine what you have been doing with the practice here.

You may or may not have a better way, usually only a different way. The primary goal is getting information to the officers in a timely manner. Units are used to hearing information in a certain rhythm. Breaking the rhythm can disrupt the process. Be flexible. No manual of policies can cover all possible circumstances a dispatcher will face on the job. Your response must be within Department guidelines while being logical and reasonable.

When dispatching, speak in a normal tone of voice and at a normal volume. Talking too loudly will distort your voice. If officers are having a difficult time hearing you, try dropping the tone of your voice. A deeper voice transmits better on the radio. Speak distinctly and clearly. Learn to control your breathing so you do not run out of breath in mid-transmission. This will reduce repeat transmissions.

The normal radio transmission rate should be about 40 to 60 words per minute. Never sacrifice accuracy for speed. No call is so important or urgent that you can afford to do it wrong. Take your time and broadcast correctly the first time.

Make your voice as emotionless as possible of the situation, but don't sound bored or disinterested. Emotion tends to distort voice transmissions and may render them unintelligible. Don't let your voice convey anger or impatience. Don't laugh on the radio – a smile can be heard and be just as effective. Remain impersonal on the air. Refrain from using names of the person receiving the message or the term "I" when referring to yourself.

Any lengthy transmission should be broken in intervals to allow others access to the frequency. Saying, "break" after a long transmission lets the receiving unit know there is more information to follow.

Think before you speak. Read all call mask completely and formulate your broadcast into proper codes, phrases and sequences.

There is a short delay built into the system. You can alleviate cutting off portions of your radio transmissions by giving the station number after the number of the patrol unit you are calling, i.e. “3paul2, Station 9” instead of “3paul2”.

Get to know the voices of the officers on your shift. Sometimes it is the only clue you have as to who is broadcasting. It also helps to gauge the amount of stress in the officer’s voice and enables you to recognize units who may have stressful broadcast styles. You can sense the stress in a voice and respond more appropriately. For example, you may not know specifically what an officer is saying, but by the stress level alone you may know that he needs help.

Make sure each of the dispatched units answers or acknowledges the dispatch. This can be tricky when sending two or more units to a call. Don’t assume officers heard you and are responding because you completed the broadcast; have them acknowledge receipt of the call.

Use clear, simple terms and avoid colorful or vague language. For example:

<u>Use</u>	<u>Don’t use</u>
Unable	Can’t
Affirmative	Yes
Negative	No
Assaulting	Beating up
Pending	Brewing

Do not confuse “affirmative” and “10-4”. “10-4” means you heard and understood. You are simply acknowledging the transmission. If you want to say “yes”, say “affirmative” or “affirm.”

Officer safety is our highest priority. It is imperative that you know where your officers are and what they’re doing. You must also maintain a status for officers who may be out of service for lengthy amounts of time. CAD is programmed with prompts that remind you to check the status of officers assigned to calls or on traffic stops after a certain amount of time has passed.

If an officer is on a high-risk call, take notice of units in the area you may use as a back-up and even a third unit. Once a call has been dispatched, you don't dismiss it from your mind. Stay alert for any additional information, a second call at the same location, etc.

Know when to send two units or a two-officer unit to a call. Consider the type of call, time of day or night, level of vehicle traffic, weather, amount of other radio traffic, etc.

Determine which unit to send as a back. You should dispatch the closest available unit. The idea in anticipating these requests is to scan the units, noting who is busy and who is available. When an officer requests back-up or assistance, check your CAD screen, choose the closest available unit, and send that unit. In one transmission send the second unit and give the location where he is requested to respond. Make sure the second unit and other units responding acknowledge the dispatch.

Understand beat integrity and response time. There is an ongoing challenge of keeping an officer in his assigned beat versus getting the call off of your pending screen. In emergency situations (priority calls or requests for back-up) send the closest unit(s), regardless of beat assignment. The officer in whose beat the back-up occurs can respond when available to handle any required reports.

If it is a non-emergency report call, you should generally hold the call for an officer assigned to that beat. You may want one of the call-taker positions to call the reporting party and advise them of a delay.

When radio traffic is heavy, there is a good chance two or more officers will speak on the radio at the same time. It is really helpful to know the officers' voices because the transmissions may become digitized (unreadable) or you may only hear a lot of static. Try to pick out and identify a lower priority call, such as a 10-28. Tell the units they are covering and broadcast "Unit with the 10-28 stand by"; "Other unit go ahead." Or, if you hear one unit ID, tell them units are covering and for the unit you heard to go ahead. Then be sure to get back on the air and have the other unit with traffic for Station 9 to go ahead.

Your main responsibility as a dispatcher is to ensure the safety of the citizens and officers. It is imperative that you are aware of the activity of the officers in the field at all times. You are the lifeline between our officers and any help they may need. Keep your status screen current.

This is the way you can know at a glance the activity and the location of all field officers. You will be responsible for all procedures and policies that relate to Communications Division and the safety of the officers. Your new career is an exciting and challenging profession but one that must be taken seriously.

## **RADIO CALL SIGNS PATROL**

Patrol calls signs will consist of three components: A Watch designator (1,2, or 3), a “P” (one officer unit) or an “A” (two officer unit) designator, and a beat number assignment.

If one or more patrol units are assigned to the same beat, each will have an additional numerical designator at the beginning of the call sign.

Examples:

1. 1P1 (broadcast “One Paul One”) is a one-officer patrol unit assigned to Morning Watch, Beat One.
2. 2A6 (broadcast “Two Adam Six”) is a two-officer patrol unit assigned to Day Watch, Beat Six.

## **OTHER UNITS**

Other units will establish permanent call signs for the officers assigned and will furnish accurate lists of calls signs to both Dispatch and the Watch Commander immediately on making any changes in the call signs. These call signs will consist of one of the following letter designators followed by a number designator.

Designators for Commanders and Sergeants assigned to units outside patrol will start with the appropriate unit designator. Example: the Traffic Commander is Tom 10. The Detective Sergeant is David 20.

Commanders have the Unit designator and the number 10. Sergeants have the unit designator and the number 20, 30, and 40.

An exception to this will be the Narcotics Sergeant whose designator is Nora 90.

Chaplains will use the call sign “Chaplain” followed by a numerical identifier assigned by the Chaplain Coordinator.

Volunteers use the identifier “Victor” and an individual number to designate their call sign, such as V1.

In a major incident requiring many officers (earthquake, major fire, unusual occurrence), supervisors and commanders independent of normal patrol operations will use the call sign “X” (X-ray) and an identification number or last name.

## **BEATS AND REPORTING DISTRICTS**

### **BEATS**

The City of Simi Valley is divided into six major patrol beats, numbered 1 through 6. Patrol units are assigned to specific beats for four-month shifts. Working a beat plan is designed to allow officers to become familiar with the streets, businesses, resources and crime in their assigned areas.

### **REPORTING DISTRICTS**

Within the six patrol beats, the city is again geographically divided into reporting districts (or grids, also called RDs).

Reporting Districts within the 100 series are in Beat 1 on the west side of the city.

Reporting Districts within the 200 series are in Beat 2.

Reporting Districts within the 300 series are in Beat 3.

Reporting Districts within the 400 series are in Beat 4, the northern/eastern area of the city.

Reporting Districts within the 500 series are in Beat 5 in the north/eastern area of the city.

Reporting Districts within the 600 series are in Beat 6 located in the far east end of the city.

Reporting Districts within the 800 series are in the County area (888 will populate as the Reporting District in the CAD call if a County address is entered)

The Reporting Districts are numbered from left to right in the city (with the lower numbers being on the left and the higher numbers on the right), and from top to bottom (with the lower numbers being on top and the higher numbers on the bottom).

Every street in the CAD/GEO (Computer Aided Dispatch/Geography) file lists the appropriate Reporting District. It is the goal of every dispatcher to learn where in the city and where in each beat these Reporting Districts are located.

## **Secondary Dispatcher**

The Secondary Dispatch position is the right-hand person of the Primary Dispatcher. Your duties are many and varied and you will be heavily relied upon to assist and anticipate the needs of the Primary Dispatcher.

When working the Secondary Dispatch position, you will have the same exact visual information on the computer monitor as the Primary Dispatcher. At a moment's notice, the Secondary Dispatcher can take over the responsibilities of the Primary Dispatcher. Secondary has the ability to input calls for service received via the radio or telephone. The Secondary Dispatcher must be able to utilize the CAD system to its fullest potential to be an effective back-up for the Primary Dispatcher.

A good Secondary Dispatcher helps the Primary Dispatcher listen. For one reason or another, a radio transmission may be heard more clearly by one person than another and the Primary Dispatcher should be able to depend upon the Secondary to help listen to the radio traffic.

The Secondary Dispatcher is also responsible for listening for Simi Valley Officers and other agencies on the alternate radio frequencies, including car-to-car, CLEMARS and Channel two. The Secondary Dispatcher will assist the Primary Dispatcher when there is a 10-33 on Channel one by taking over the Channel two responsibilities. This will allow the Primary Dispatcher to concentrate on the emergency at hand and not be distracted by requests on Channel two.

## Radio Call Signs

Adam:	Two-Officer Patrol Unit
Boy:	Police Service Assistants
Charles:	Command Staff
David:	Detective
Edward:	Explorers
Frank:	S.E.S. Personnel
George:	S.P.S. Personnel
Henry:	Emergency Services
Ida:	Intelligence Officer
John:	School Resource Officers
King:	K9 Officers
Lincoln:	Patrol Commanders
Mary:	Motor Officers
Nora:	Narcotics Detectives
Ocean:	Off Road Detail
Patrol:	Patrol Officer
Robert:	Reserve Officers
Sam:	Patrol Field Sergeants
Tom:	Traffic Officers
Victor:	Volunteer Citizen on Patrol Unit
William:	Administrative Services Unit
X-Ray:	Auxiliary and Special Assignments

Zebra: D.U.I Patrol/Bike Patrol/Special Assignments

## **Tones and Codes**

### **Alert Tones**

#### One Tone:

- Attract a specific unit's attention when there has been no response to previous call ups
- Prior to any crime or ATL broadcast

#### Three Tones:

- Prior to emergency crimes in progress calls
- Prior to "officer needs help" broadcasts
- Prior to pursuit broadcasts

### **Code 2**

#### Code 2 response on the following calls:

- Alarms
- Prowlers
- 10-48 collisions
- Serious felony crimes that have just occurred
- Backup requests by field personnel
- Most crimes in progress

### **Code 3**

#### Code 3 response on the following calls:

- 10-49 collisions
- Significant injuries from serious crimes
- Life threatening ambulance follow-up calls (baby not breathing, choking, drowning, any calls where an officer can render life-saving aid before medical personnel would arrive)
- Observed robberies in progress
- Major fights with weapons involved
- When dispatching units to assist in a pursuit
- Officer requesting code 3 backup

## Radio Ten Codes

- 10-1: Receiving poorly
- 10-2: Receiving well
- 10-4: Message received
- 10-5: Relay
- 10-6: Busy; Out of unit (not investigative or enforcement activity)
- 10-7: Out of Service
- 10-8: In Service
- 10-9: Repeat
- 10-10: Available for call
- 10-11: Repeat slowly
- 10-12: Officials or visitors present
- 10-13: Weather and road conditions
- 10-14: Escort or transport (non-arrest)
- 10-15: Prisoner in custody
- 10-19: Return to station
- 10-20: What is your location?
- 10-21: Call by phone
- 10-22: Cancel
- 10-23: Standby
- 10-27: Is requested information available?
- 10-28: Check vehicle registration
- 10-29: Wants and warrants
- 10-30: Violation of rules
- 10-33: Clear frequency for emergency traffic
- 10-35: Confidential information
- 10-36: Advise correct time
- 10-37: Identify yourself
- 10-42: Officer's residence
- 10-43: Any message?
- 10-48: Non-injury accident
- 10-49: Injury accident
- 10-72: Gas up vehicle
- 10-81: Officer at station
- 10-97: Arrived at scene
- 10-98: Finished with assignment
- 11-98: Meet \_\_\_\_\_ at \_\_\_\_\_

## Other Radio Codes

- Code 1: Acknowledge receipt of message
- Code 2: Proceed to call without handling other activity (obey traffic laws; no emergency lights or siren)
- Code 3: Emergency call (use emergency lights & sirens)
- Code 4: No further assistance needed (use only if all responding units and equipment are to be canceled)
- Code 5: Surveillance
- Code 6: Investigation or enforcement activity (out of unit)
- Code 6F: Felony want or warrant
- Code 6 FAD: Felony want or warrant; armed and dangerous
- Code 6M: Misdemeanor want or warrant
- Code 6S: Search terms exist (probation or parole)
- Code 7: Meal Break
- Code 96: No responsible party available
- Code EDWARD: Implement secure voice radio procedure/encrypted
- Code 40: Vacation check
- Code 2000: Call SWAT and CNT
- 999: Officer needs help

**Pitchess Motion attachment C.pdf**

**CITY OF SIMI VALLEY • MEMORANDUM**

**DATE:**

**TO:**

**FROM:** Professional Standards Bureau

**SUBJECT: DISPOSITION OF PRETRIAL DISCOVERY MOTION**

The motion for discovery which sought to discover some or all of the Personnel or Internal Affairs records which the Simi Valley Police Department maintains on your employment was heard concerning:

Case Number: \_\_\_\_\_

Case Name: State of California vs. \_\_\_\_\_

Attorney and/or Person  
Requesting: \_\_\_\_\_

The case was heard in the below listed court at the stated date and time:

Date of Hearing: \_\_\_\_\_ Time of Hearing: \_\_\_\_\_

Court Room: \_\_\_\_\_ Judge: \_\_\_\_\_

As a result of the hearing:

1) No information was released,

2) The following information was released:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Professional Standards Bureau

cc: File

## **Tactical Operation Plan.pdf**

**SIMI VALLEY POLICE DEPARTMENT**  
Tactical Operation Plan



Date/Time of Operation

W/C copy

DR/Case #:

Dispatch copy

Case Officer/Detective:

Other:

Cellular:

**TYPE OF OPERATION - Check ALL that Apply**

Arrest     Search Warrant     Barricaded Suspect     Hostage Incident

SWAT     CNT     Executive Protection     Mutual Aid     Other:

Incident Commander:                      Cellular:

SWAT Commander:                      Cellular:

PIO:                      Cellular:

Command Post Location:

Media Staging Location:

**OPERATION LOCATION**

Address (Street/City\* - if not in Simi Valley see pg. 2):

Business name:

Phone #:

Officer issuing "Knock and notice"

Officer(s) recording "Knock and notice"

**Hospital Information**

Closest Hospital – Name & Address:

Phone:

Route to hospital:

Trauma Center – Y/N:

Closest Trauma Center Name & Address:

Phone:

Route to Trauma Center:

**Outside Jurisdiction Information**

City/County:

Allied Agency Contact (name):

Title: Phone number:

Allied Agency SWAT Notification "Y/N" (if applicable):

Name:

Title: Phone number:

**De-confliction Information**

City/County of Operation:

LA Clear/WSIN Check date/time: by:

**OPERATION SCHEDULE**

Briefing Date: Time: Location:

Operation begins at:

Staging location:

Route to staging location:

Route from staging to Operation location:

**COMMUNICATIONS**

Primary Radio Channel:

Alternate Radio Channel:

Other:

MISSION/OBJECTIVE

--

**Fire/Ambulance Information**

City/County:

Fire Agency Contact (Name/Station):

Title: Phone number:

Ambulance Agency Contact (if applicable):

Name:

Title: Phone number:

**SUSPECT INFORMATION**

Name & DOB:

Race: Sex: Ht: Wt: Hair: Eyes:

Address: Phone #:

Other identifying information: Photo attached:  Yes  No

Believed armed?  Yes  No – Type:

Violent history?  Yes  No - Rap attached:  Yes  No

Arrestable?  Yes  No – Charge(s):

Other information:

Vehicle #1:

Vehicle #2:

Name & DOB:

Race: Sex: Ht: Wt: Hair: Eyes:

Address: Phone #:

Other identifying information: Photo attached:  Yes  No

Believed armed?  Yes  No – Type:

Violent history?  Yes  No - Rap attached:  Yes  No

Arrestable?  Yes  No – Charge(s):

Other information:

Vehicle #1:

Vehicle #2:

Name & DOB:  
Race:                      Sex:                      Ht:                      Wt:                      Hair:                      Eyes:  
Address:                      Phone #:  
Other identifying information:                      Photo attached:  Yes     No  
Believed armed?     Yes                       No – Type:  
Violent history?     Yes                       No -                      Rap attached:  Yes     No  
Arrestable?  Yes                       No – Charge(s):  
Other information:  
Vehicle #1:  
Vehicle #2:

Name & DOB:  
Race:                      Sex:                      Ht:                      Wt:                      Hair:                      Eyes:  
Address:                      Phone #:  
Other identifying information:                      Photo attached:  Yes     No  
Believed armed?     Yes                       No – Type:  
Violent history?     Yes                       No -                      Rap attached:  Yes     No  
Arrestable?  Yes                       No – Charge(s):  
Other information:  
Vehicle #1:  
Vehicle #2:

## Simi Valley Police Department High Risk Entry Checklist

Items 1-5 (Check mark "Yes" to 1 or more of the criteria listed below, SWAT should be contacted)	YES	NO	EXPLAIN
1. Is the location fortified? (i.e. sally ports, Internal fortifications, multiple gates, steel Doors, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	
2. Firearms believed to be at the location and suspect(s) have made threats to use them?	<input type="checkbox"/>	<input type="checkbox"/>	
3. Automatic weapons, explosives or military ordinance at the location?	<input type="checkbox"/>	<input type="checkbox"/>	
4. Suspect(s) have history of felonious assault on Peace Officer involving weapons?	<input type="checkbox"/>	<input type="checkbox"/>	
5. Based upon <b>specific articulable facts</b> , is there a likelihood of violent/armed confrontation?	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Items 6-14 (Check mark "Yes" to 2 or more of the criteria listed below, SWAT should be contacted)</b>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Sophisticated counter surveillance? (CCTV, intrusion devices, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	
7. Are the suspect(s) 3 strikes candidates involving violence?	<input type="checkbox"/>	<input type="checkbox"/>	
8. Do suspect(s) have propensity for violence?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Security screens on doors and/or windows?	<input type="checkbox"/>	<input type="checkbox"/>	
10. Have specific threats of violence been made against Peace Officers?	<input type="checkbox"/>	<input type="checkbox"/>	
11. Suspect is a member of a gang, criminal organization or militant group.	<input type="checkbox"/>	<input type="checkbox"/>	
12. Suspect believed to be mentally unstable and/or suicidal.	<input type="checkbox"/>	<input type="checkbox"/>	
13. Firearms believed to be at the location.	<input type="checkbox"/>	<input type="checkbox"/>	
14. Guard dogs believed to be at the location.	<input type="checkbox"/>	<input type="checkbox"/>	

When preparing an operational plan, this checklist shall be incorporated into the plan and used to evaluate the need for assistance from the Special Weapons Team. Any number of circumstances may dictate that a Special Weapons Team be used. Officers and supervisors are encouraged to contact a Special Weapons Team supervisor whenever questions arise concerning the evaluation of the above listed criteria.

Special Weapons Team contacted?     Yes         No        Date/Time \_\_\_\_\_

\*If not, explain briefly: \_\_\_\_\_

Prepared by: \_\_\_\_\_                      Date: \_\_\_\_\_

Reviewed by: \_\_\_\_\_                      Date: \_\_\_\_\_







ANTICIPATED SEQUENCE OF EVENTS

SPECIAL HAZARDS: (Dogs, pools, fortifications, etc.)

PLAN IF OFFICER IS INJURED

Rally Point:

Rescue Team:

1. Leader
2. Officer
3. Officer
4. Officer
5. Officer
6. Officer

**DIAGRAM ONE**

Use this page to do (or attach) a detailed photo/diagram of the specific location.



INDICATE  
NORTH

Location of Identical Floor plan:

## DIAGRAM TWO

Use this page to do (**or attach**) a general location photo/diagram showing the incident location and all streets and intersections within a two-block radius.



INDICATE  
NORTH

**ADDITIONAL INFORMATION**

(I.e. witnesses, informants, family members, etc.)

**APPROVED:**

Commander/Sergeant: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

**Updated June 2017**

## **Field Supervisor Training Guide.pdf**

**Pitchess Motion attachment B.pdf**

1 ORDER

2  
3 | PEOPLE vs. \_\_\_\_\_ Case # \_\_\_\_\_  
4

5 A showing of materiality having been made pursuant to Evidence Code 1043 and  
6 | relevancy pursuant to Evidence Code 1045, and the court having conducted an "in camera"  
7 | hearing according to law, IT IS HEREBY ORDERED that:

8  
9 Pertaining to \_\_\_\_\_ [ ] No information be released

10 [ ] The Custodian of Records disclose the name, address and telephone number of  
11 | any prior complainants and witnesses and the dates of the incidents in question to  
12 | defendant's attorney; provided that no complaints concerning conduct occurring more than  
13 | five years before the event or transaction which is the subject of the litigation shall be  
14 | disclosed. There are \_\_\_\_\_ discoverable complaints and \_\_\_\_\_ total number of  
15 | witnesses.

16  
17 Defendants and their agents: [ ] a. Not to knowingly copy, duplicate, reproduce[,]  
18 or authorize another to copy, duplicate, or reproduce the information disclosed from (the  
19 | officers') personnel files pursuant to the in camera hearing in this case. [ ] b. Not to  
20 | convey, transfer, publish, distribute, or authorize another to convey, transfer, publish, or  
21 | distribute the information ordered disclosed from (the officer's) personnel files pursuant to  
22 | the in camera hearing in this case. [ ] c. Use of the information ordered disclosed from  
23 | (the officers') personnel files is limited to the defense of this criminal matter and you and  
24 | your attorney, or any other individual shall not utilize it in any other criminal or civil  
25 | proceeding; and [ ] d. Use of the information ordered disclosed from (the officers')

1 | personnel files is limited to you and your attorney shall not indulge it, either in writing or  
2 | orally, to persons not having a need to, or access to (including the media), the disclosed  
3 | material for any purpose whatsoever, including for the purposes of preparing this matter for  
4 | trial.” Alford v. Superior Court.

5 | All requests for discovery not specifically granted are denied.

6

7 | Dated: \_\_\_\_\_

8

9

\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT

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## **Decoy Shoulder Tap Program.pdf**

**FACT SHEET: DECOY SHOULDER TAP****DECOY SHOULDER TAP PROGRAM****Introduction**

When the California Supreme Court ruled in 1994 that minor decoys could be used by law enforcement to check whether stores were selling alcohol to minors (persons under age 21), the violation rate was nearly 50 percent. In some cities, almost one out of every two stores failed to check a minor's age and sold them alcohol. In 1997 the violation rate had dropped to less than 10 percent in those cities that used the Minor Decoy Program on a regular basis. Minors then turned to the "shoulder tap" method of getting alcohol by standing outside of a liquor store or market and asking adults to buy them alcohol. A survey conducted by the Los Angeles Police Department indicated that as much as 46 percent of all minors who attempt to acquire alcohol use this method.

The Decoy Shoulder Tap Program is an enforcement program that ABC and local law enforcement agencies use to detect and deter shoulder tap activity. During the program, a minor decoy, under the direct supervision of law enforcement officers, solicits adults outside ABC licensed stores to buy the minor decoy alcohol.

Any person seen furnishing alcohol to the minor decoy is arrested (either cited or booked) for furnishing alcohol to a minor (a violation of Section 25658(a) Business and Professions Code).

**Goals**

1. To reduce underage consumption of alcohol and over consumption (binge drinking) by deterring adults through education and enforcement from furnishing to minors outside of stores.
2. To expand the involvement of all law enforcement agencies through training/technical assistance and printed material in enforcing underage drinking laws.
3. To increase public awareness through PSA, news media and printed material relating to adults who furnish alcohol to minors.
4. To provide printed materials to all law enforcement agencies for distribution within communities statewide.

**Program Components**

Program components include the following:

- **IDENTIFY LOCATIONS OF ACTIVITY.** Officers collect and review complaints and information provided by citizens, parents, school officials, patrol/campus police officers, community groups, and special event organizers who cater to high school age students. Officers review all data and evidence to help plan the program.
- **GAIN PROGRAM SUPPORT.** In addition to needing support from the community as described above, the program needs strong support by the local prosecutor. Therefore, law enforcement agencies are encouraged to discuss the benefits of the program with their city attorney or county district attorney.
- **COORDINATE THE INVESTIGATION.** The Decoy Shoulder Tap Program initially can be conducted as a joint operation between ABC and the local law enforcement agency. After the initial training by ABC, the program is normally used by the local law enforcement agency.
- **MEDIA INVOLVEMENT.** One of the most effective uses of the media is to publicize enforcement. Therefore, a press release announcing the program and its goals and objectives is issued to the local news media. Since many adults are not aware of the seriousness of the offense, the publicity of those arrested sends a strong message to those who may be inclined to assist a minor in getting alcohol.
- **DECOY SELECTION.** Selection of the minor decoy is critical. Desirable qualifications include being: under 20 years of age (and appearing that age); truthful; willing to work undercover and wear a radio transmitter; comfortable making a face-to-face identification of the suspect after the violation and to have their photograph taken with the suspect; able to prepare a written report; willing to testify in court; and willing to undergo media attention.

## **Evaluation**

The University of California, Berkeley, Institute for the Study of Social Change (ISSC) has evaluated the Decoy Shoulder Tap Project.

## **Contact Information**

Additional information may be obtained by contacting:

Alcoholic Beverage Control  
Decoy Shoulder Tap Program  
3927 Lennane Drive, Suite 100  
Sacramento, California 95834  
Phone (916) 928-9807; Fax (916) 419-2599

## **Flag Record Instructions.pdf**

# Flag Record Instructions

When registering NEW 290 registrants a flag record must be created. Log into Versaterm and do the following:

- Click on the “Records” tab
- Click on “Flag Records”
- Click on “Add New”

The screenshot shows the 'Flag Record' application window with the following fields and tabs:

- Flag Record** (Main Title)
- File Edit Related Utilities Case Management Help** (Menu Bar)
- Save&Exit Cancel Copy Cut Paste Add Delete Help** (Toolbar)
- Add New Get** (Buttons)
- Flag #** (Input field: 0)
- Type** (Dropdown menu)
- Effective date** (Date picker: May-16-2019)
- Originator** (Input field)
- Authority** (Dropdown menu)
- Remarks** (Text area)
- Internal Notification** / **External Notification** (Tabs)
- Auto mail: To** (Input field)
- Private list** (Dropdown menu)
- Condition** (Dropdown menu)
- Alert flag** (Dropdown menu)
- Diary** (Section Header)
- Code** (Dropdown menu)
- Date** (Date picker)
- Expiry advise** (Input field)
- Person diary review: Adult** (Input field)
- Juvenile** (Input field)
- Release** (Section Header)
- Date** (Date picker)
- Until** (Date picker)
- Method** (Dropdown menu)
- Location** (Section Header)
- Apartment** (Input field)
- Municipality** (Dropdown menu)
- County** (Dropdown menu)
- Map** (Button)
- District** (Input field)
- Beat** (Input field)
- Grid** (Input field)
- Retention** (Dropdown menu: 999)
- Entered on** (Date picker: May-16-2019)
- By** (Input field: 1927)
- Updated on** (Date picker: May-16-2019)
- By** (Input field: 1927)
- Related** (Section Header)
- Persons** (Input field: 0)
- Vehicles** (Input field: 0)
- Business** (Input field: 0)
- Follow-ups** (Input field: 0)
- Text** (Input field: 0)
- Events** (Input field: N)
- Attachments** (Input field: 0)
- NCIC/State** (Input field: 0)

Flag type - press F2 for table values | OVR

- F10 for originator
- F10 for authority
- Remarks = Last name, First name, DOB:
- Auto mail to “HGDVC” (Detective VC Group)
- Condition “A” (add)
- Alert flag “Yes”

- Diary code “F” (flag record review)
- Date = Registrants birth month and day, plus the year it needs to be updated. For example, if the registrant’s birthday is February 19 and the current year is 2019, then you would put “Feb-19-2020” as the flag date.
- Expiry advise is “HGDVC” (Detective VC Group)
- Location = registrant’s address, if transient, put “transient” in this spot
- Enter Municipality
- Enter county

## Save & Exit

At this point Versadex will generate a flag record number at the top of the record.

Flag 2008-4 Aug-05-2008 - Registrant - Sex - PRODUCTION RMS - SIMI VALLEY POLICE DEPT

File Edit Related Utilities Case Management Help

Save&Exit Cancel Copy Cut Paste Add Delete Help

Modify Alias/Associates Photo(s) Attachments

### Case Specific Name Details

Role  No  **MNI Ref: REYES, LISA May-30-1968**

Last name

Given name(s)

Sex  Race  DOB  or Approximate age

FBI#: NONE State#: NONE County#: NONE CD File#: 12992

Address

Apt

City  State  Zip

District Beat Grid

Contact Info

Home#   Work#   Cell#

Email

Particulars **Employment** Physical Descriptors

ID numbers

Driver's license#  State of issue  Class

Social Security#  ICE#

Place of birth  Citizenship  Ethnicity  Language  Marital status  Dependency

Caution  Remarks

Entered On  By  Updated On  By  Attachments

Person role in this event - press F2 for table values

OVR

Next, you must fill in the entity information.

- Last Name
- Given Name

Do an MNI (Master Name Index) check to see if they are already in Versadex. If so, choose and make sure that the information on the MNI is the most current. If not, update. If they are not in the MNI then you need to create a new one.

Fill in the following:

- Sex
- Race
- Address
- Contact Info

Under the “Particulars” tab, fill out the self-explanatory sections.

- Caution = “S” (Registered Sex Offender)
- Remarks – CII#, FBI#, and FCN#

Under the “Employment” and “Physical Descriptors” tabs, fill in what you know.

### **Save and Exit**

Once Records transcribes the MNI, you may then attach a picture to the entity.

- Click “Entities”
- Double-click on the subject
- Click on “Photo(s)”
- Click “Add”
- Type = Photo
- Description = Year plus registration
- Capture Date = F10
- Attach Photo = Attach from the headshots folder

### **Save and Exit**

## Property\_and\_Evidence.pdf

---

## Property and Evidence

### 802.1 PURPOSE AND SCOPE

This policy provides for the proper collection, storage, and security of evidence and other property. Additionally, this policy provides for the protection of the chain of evidence and those persons authorized to remove and/or destroy property.

### 802.2 DEFINITIONS

**Property** - Includes all items of evidence, items taken for safekeeping and found property.

**Evidence** - Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes photographs, latent fingerprints, audio recordings and body camera footage.

**Safekeeping** - Includes the following types of property:

- Property obtained by the Department for safekeeping such as a firearm
- Personal property of an arrestee not taken as evidence
- Property taken for safekeeping under authority of a law (e.g., Welfare and Institutions Code § 5150 (mentally ill persons))

**Found property** - Includes property found by an employee or citizen that has no apparent evidentiary value and where the owner cannot be readily identified or contacted.

### 802.3 PROPERTY HANDLING

Any employee who first comes into possession of any property shall retain such property in his/her possession until it is properly labeled and placed in the designated property locker or storage room along with the necessary documentation. Care shall be taken to maintain the chain of custody for all evidence.

Where ownership can be established as to found property with no apparent evidentiary value, such property may be released to the owner without the need for booking. The property release (receipt) form must be completed to document the release of property not booked and the owner shall sign the form acknowledging receipt of the items.

Simi Valley Police Department employees receiving items classified as found property or safekeeping shall issue a Simi Valley Police Department property receipt (form PD 126) as required by law.

#### 802.3.1 PROPERTY BOOKING PROCEDURE

# Simi Valley Police Department

## POLICY MANUAL

### *Property and Evidence*

---

All property must be booked prior to the employee going off-duty unless otherwise approved by a supervisor. Employees booking property shall observe the following guidelines:

- (a) Complete the records management system property form describing each item of property separately, listing all serial numbers, owner's name, finder's name, and other identifying information or markings.
- (b) Mark each item of evidence with the booking employee's last name and ID number and the date booked using the appropriate method so as not to deface or damage the value of the property.
- (c) Complete an evidence/property tag and attach it to each package or envelope in which the property is stored.
- (d) Place the case number on the top of the packaging along with the property number on the lower left and employee ID number on the lower right. [See attachment: General Evidence Package.JPG](#)
- (e) When the property is too large to be placed in a locker, the item may be retained in the Property Room area in the station's garage. Complete the RMS property record indicating the location of the property.

#### 802.3.2 NARCOTICS AND DANGEROUS DRUGS

All narcotics and dangerous drugs shall be booked separately using a separate property record. Paraphernalia as defined by Health and Safety Code § 11364 shall also be booked separately.

Syringes shall be photographed and disposed of using a "sharps" container. The photographs will then be booked and will suffice as evidence for court purposes. Any illegal drug contained in the syringe, if needed for evidence, must be removed and stored into an appropriate container used for booking.

The officer seizing the narcotics and dangerous drugs shall have a supervisor verify the sealing and weight of the package for proper booking documentation. Complete the required property module in the records management system. [See attachment: Narcotics Evidence Package.JPG](#)

#### 802.3.3 EXPLOSIVES

Officers who encounter a suspected explosive device shall promptly notify their immediate supervisor or the Watch Commander. The bomb squad will be called to handle explosive-related incidents and will be responsible for the handling, storage, sampling and disposal of all suspected explosives.

Explosives will not be retained in the police facility. Only fireworks that are considered stable and safe and road flares or similar signaling devices may be booked into property in the secure area in the station's garage. All such items shall be stored in proper containers and in an area designated for the storage of flammable materials. The Property Officer is responsible for transferring all

# Simi Valley Police Department

## POLICY MANUAL

### *Property and Evidence*

---

ammunition and fireworks dispositioned or booked for disposal to the Bomb Squad, on a regular basis, any fireworks or signaling devices that are not retained as evidence.

#### 802.3.4 EXCEPTIONAL HANDLING

Certain property items require a separate process. The following items shall be processed in the described manner:

- (a) Bodily fluids such as blood or semen stains shall be air dried prior to booking.
- (b) License plates found not to be stolen or connected with a known crime, should be released directly to the Property Officer, or placed in the designated container for return to the Department of Motor Vehicles.
- (c) All bicycles and bicycle frames require a property record. Property tags will be securely attached to each bicycle or bicycle frame. The property may be released directly to the Property Officer, or placed in the bicycle storage area until a Property Officer can log the property.
- (d) All cash shall be counted in the presence of a supervisor and the envelope initialed by the booking officer and the supervisor. The Watch Commander shall be contacted for cash in excess of \$1,000 for special handling procedures.

City property, unless connected to a known criminal case, should be released directly to the appropriate City department. No formal booking is required. In cases where no responsible person can be located, the property should be booked for safekeeping in the normal manner.

#### **802.4 PACKAGING OF PROPERTY**

Certain items require special consideration and shall be booked separately as follows:

- (a) Narcotics and dangerous drugs
- (b) Firearms (ensure they are unloaded and booked separately from ammunition)
- (c) Property with more than one known owner
- (d) Paraphernalia as described in Health and Safety Code § 11364
- (e) Fireworks
- (f) Contraband

##### 802.4.1 PACKAGING CONTAINER

Employees shall package all property, except narcotics and dangerous drugs in a suitable container available for its size. Knife boxes should be used to package knives, and syringe tubes should be used to package syringes and needles.

A property tag (or proper labeling) shall be securely attached to the outside of all items or group of items packaged together.

# Simi Valley Police Department

## POLICY MANUAL

### *Property and Evidence*

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#### **802.4.2 PACKAGING NARCOTICS**

The officer seizing narcotics and dangerous drugs shall retain such property in his/her possession until it is properly weighed, packaged, tagged, and placed in a property locker, accompanied by appropriate record management system property documentation. Prior to packaging and if the quantity allows, a presumptive test should be made on all suspected narcotics. If conducted, the results of this test shall be included in the officer's report.

Narcotics and dangerous drugs shall be packaged in an envelope of appropriate size available in the report room. The booking officer shall initial the sealed envelope and the initials covered with cellophane evidence tape. Narcotics and dangerous drugs shall not be packaged with other property.

If necessary a completed property tag shall be attached to the outside of the container.

#### **802.5 RECORDING OF PROPERTY**

The Property Officer receiving custody of evidence or property shall receive items secured in the property locker and complete the records management system evidence continuity and storage control. Property personnel shall ensure that all evidence is properly packaged and marked.

A property number shall be obtained for each item or group of items. This number shall be recorded on the property tag and the property package.

Any changes in the location of property held by the Simi Valley Police Department shall be noted in the storage control section of the RMS property module.

#### **802.6 PROPERTY CONTROL**

Each time the Property Officer receives property or releases property to another person, he/she shall enter this information in the storage control section of the property module of the RMS. Officers desiring property for court shall contact the Property Officer at least one day prior to the court day.

##### **802.6.1 RESPONSIBILITY OF OTHER PERSONNEL**

Every time property is released or received, an appropriate entry in the evidence continuity section of the property module in the RMS to maintain the chain of evidence. No property or evidence is to be released without first receiving authorization from a supervisor, detective, officer or authorized personnel.

Request for analysis for blood and urine shall be completed by the case agent or booking employee. All other items requiring analysis shall be completed by the Property Officer or Property Technician within the approved Ventura County Lab request for analysis web based software system. This request may be filled out any time after booking of property or evidence.

##### **802.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY**

The transporting employee will check the evidence out of property, by electronically signing for all items to be transported. This electronic signature process is done in conjunction with the Property Officer or Property Technician.

# Simi Valley Police Department

## POLICY MANUAL

### *Property and Evidence*

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The Property Officer releasing the evidence must complete the required information within the storage control and evidence continuity section of the RMS. The lab forms will be transported with the property to the examining laboratory. Upon delivering the item involved, the officer will record the delivery time on the printout, and indicate the locker in which the item was placed or the employee to whom it was delivered.

#### 802.6.3 STATUS OF PROPERTY

Each person receiving property will ensure the appropriate entry to document the chain of evidence. Temporary release of property to officers for investigative purposes, or for court, shall be noted evidence continuity section, stating the date, time and to whom released.

The Property Officer shall obtain the electronic signature of the person to whom property is released, and the reason for release. Any employee receiving property shall be responsible for such property until it is properly returned to property or properly released to another authorized person or entity.

The return of the property should be recorded on the evidence continuity section of the records management system, indicating date, time, and the person who returned the property.

#### 802.6.4 AUTHORITY TO RELEASE PROPERTY

The case agent or persons designated responsible for the case shall authorize the disposition or release of all evidence and property coming into the care and custody of the Department.

#### 802.6.5 RELEASE OF PROPERTY

All reasonable attempts shall be made to identify the rightful owner of found property or evidence not needed for an investigation.

Release of property shall be made upon receipt of an authorized release form, listing the name and address of the person to whom the property is to be released. The release authorization shall be approved by the authorizing supervisor, officer or detective and must conform to the items listed on the property report or must specify the specific item(s) to be released. Release of all property shall be documented within the records management systems. Any paper forms, should they be generated will be imaged to the case within the records management system.

With the exception of firearms and other property specifically regulated by statute, found property shall be held for a minimum of 90 days, items held for safekeeping shall be retained for a minimum of 60 days. During such period, property personnel shall attempt to contact the rightful owner by telephone and/or mail when sufficient identifying information is available. Property not held for any other purpose and not claimed within 90 days, or 60 days for safekeeping items, after notification (or receipt, if notification is not feasible) may be auctioned to the highest bidder at a properly published public auction. If such property is not sold at auction or otherwise lawfully claimed, it may thereafter be destroyed (Civil Code § 2080.6). The final disposition of all such property shall be fully documented in related reports.

# Simi Valley Police Department

## POLICY MANUAL

### *Property and Evidence*

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A Property Officer shall release the property upon proper identification being presented by the owner for which an authorized release has been received. A signature of the person receiving the property shall be recorded either electronically or, if a paper document is generated, that paper document shall be imaged and stored within the records management system. After release of all property entered within the storage control section all paper documents will be forwarded to the Records Bureau for filing/imaging with the case. Property and Evidence Unit

Under no circumstances shall any firearm be returned to any individual unless and until such person presents valid identification and written notification from the California Department of Justice that conforms to the provisions of Penal Code § 33865.

The Property and Evidence Unit Supervisor should also make reasonable efforts to determine whether the person is the subject of any court order preventing the person from possessing a firearm and if so, the firearm should not be released to the person while the order is in effect.

The Department is not required to retain any firearm or other deadly weapon longer than 180 days after notice has been provided to the owner that such firearm or other deadly weapon is available for return. At the expiration of such period, the firearm or other deadly weapon may be processed for disposal in accordance with applicable law (Penal Code § 33875).

#### 802.6.6 DISPUTED CLAIMS TO PROPERTY

Occasionally more than one party may claim an interest in property being held by the Department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or other undisputed right to the involved property.

All parties should be advised that their claims are civil and in extreme situations, legal counsel for the Department may wish to file an interpleader to resolve the disputed claim (Code of Civil Procedure § 386(b)).

#### 802.6.7 CONTROL OF NARCOTICS AND DANGEROUS DRUGS

The property room personnel will be responsible for the storage, control and destruction of all narcotics and dangerous drugs coming into the custody of this department, including paraphernalia as described in Health & Safety Code § 11364.

#### 802.6.8 RELEASE OF FIREARM IN DOMESTIC VIOLENCE MATTERS

Within five days of the expiration of a restraining order issued in a domestic violence matter that required the relinquishment of a firearm, the Property Officer/ personnel shall return the weapon to the owner if the requirements of Penal Code § 33850 and Penal Code § 33855 are met unless the firearm is determined to be stolen, evidence in a criminal investigation or the individual is otherwise prohibited from possessing a firearm (Family Code 6389(g); Penal Code § 33855).

#### 802.6.9 RELEASE OF FIREARMS AND WEAPONS IN MENTAL ILLNESS MATTERS

Firearms and other deadly weapons confiscated from an individual detained for an evaluation by a mental health professional or subject to the provisions of Welfare and Institutions Code § 8100 or Welfare and Institutions Code § 8103 shall be released or disposed of as follows:

# Simi Valley Police Department

## POLICY MANUAL

### *Property and Evidence*

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- (a) If a petition for a hearing regarding the return of the weapon has been initiated pursuant to Welfare and Institutions Code § 8102(c), the weapon shall be released or disposed of as provided by an order of the court. If the court orders a firearm returned, the firearm shall not be returned unless and until the person presents valid identification and written notification from the California Department of Justice (DOJ) which conforms to the provisions of Penal Code § 33865.
- (b) If no petition has been initiated pursuant to Welfare and Institutions Code § 8102(c) and the weapon is not retained as evidence, the Department shall make the weapon available for return. No firearm will be returned unless and until the person presents valid identification and written notification from the California DOJ which conforms to the provisions of Penal Code § 33865.
- (c) Unless the person contacts the Department to facilitate the sale or transfer of the firearm to a licensed dealer pursuant to Penal Code § 33870, firearms not returned should be sold, transferred, destroyed or retained as provided in Welfare and Institutions Code § 8102.

#### **802.6.10 RELEASE OF FIREARMS IN GUN VIOLENCE RESTRAINING ORDER MATTERS**

Firearms and ammunition that were taken into temporary custody or surrendered pursuant to a gun violence restraining order shall be returned to the restrained person upon the expiration of the order and in accordance with the requirements of Penal Code § 33850 et seq. (Penal Code § 18120).

If the restrained person who owns the firearms or ammunition does not wish to have the firearm or ammunition returned, he/she is entitled to sell or transfer title to a licensed dealer, provided that the firearms or ammunition are legal to own or possess and the restrained person has right to title of the firearms or ammunition (Penal Code § 18120).

If a person other than the restrained person claims title to the firearms or ammunition surrendered pursuant to Penal Code § 18120 and the Simi Valley Police Department determines him/her to be the lawful owner, the firearms or ammunition shall be returned in accordance with the requirements of Penal Code § 33850 et seq. (Penal Code § 18120).

Firearms and ammunition that are not claimed are subject to the requirements of Penal Code § 34000.

#### **802.7 DISPOSITION OF PROPERTY**

All property not held for evidence in a pending criminal investigation or proceeding, and held for six months or longer where the owner has not been located or fails to claim the property, may be disposed of in compliance with existing laws upon receipt of proper authorization for disposal. The Property Officer/ personnel shall request a disposition or status on all property which has been held in excess of 120 days, and for which no disposition has been received from a supervisor or detective.

# Simi Valley Police Department

## POLICY MANUAL

### *Property and Evidence*

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#### 802.7.1 EXCEPTIONAL DISPOSITIONS

The following types of property shall be destroyed or disposed of in the manner, and at the time prescribed by law, unless a different disposition is ordered by a court of competent jurisdiction:

- Weapons declared by law to be nuisances (Penal Code § 29300; Penal Code § 18010; Penal Code § 32750)
- Animals, birds, and related equipment that have been ordered forfeited by the court (Penal Code § 599a)
- Counterfeiting equipment (Penal Code § 480)
- Gaming devices (Penal Code § 335a)
- Obscene matter ordered to be destroyed by the court (Penal Code § 312)
- Altered vehicles or component parts (Vehicle Code § 10751)
- Narcotics (Health and Safety Code § 11474 et seq.)
- Unclaimed, stolen or embezzled property (Penal Code § 1411)
- Destructive devices (Penal Code § 19000)
- Sexual assault evidence (Penal Code § 680(e))

#### 802.7.2 UNCLAIMED MONEY

If found or seized money is no longer required as evidence and remains unclaimed after three years, the Department shall cause a notice to be published each week for a period of two consecutive weeks in a local newspaper of general circulation (Government Code § 50050). Such notice shall state the amount of money, the fund in which it is held and that the money will become the property of the agency on a designated date not less than 45 days and not more than 60 days after the first publication (Government Code § 50051).

Any individual item with a value of less than \$15.00, or any amount if the depositor/owner's name is unknown, which remains unclaimed for a year or by order of the court, may be transferred to the general fund without the necessity of public notice (Government Code § 50055).

If the money remains unclaimed as of the date designated in the published notice, the money will become the property of this department to fund official law enforcement operations. Money representing restitution collected on behalf of victims shall either be deposited into the Restitution Fund or used for purposes of victim services.

#### 802.7.3 RETENTION OF BIOLOGICAL EVIDENCE

The Property and Evidence Unit Supervisor shall ensure that no biological evidence held by the Department is destroyed without adequate notification to the following persons, when applicable:

- (a) The defendant
- (b) The defendant's attorney
- (c) The appropriate prosecutor and Attorney General

### *Property and Evidence*

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- (d) Any sexual assault victim
- (e) The Detective Bureau Division supervisor

Biological evidence shall be retained for either a minimum period that has been established by law (Penal Code § 1417.9) or that has been established by the Property and Evidence Unit Supervisor, or until the expiration of any imposed sentence that is related to the evidence, whichever time period is greater. Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed after a date specified in the notice unless a motion seeking an order to retain the sample is filed and served on the Department within 180 days of the date of the notification. A record of all certified mail receipts shall be retained in the appropriate file. Any objection to, or motion regarding, the destruction of the biological evidence should be retained in the appropriate file and a copy forwarded to the Detective Bureau Division supervisor.

Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Chief of Police and the head of the applicable prosecutor's office.

Biological evidence or other crime scene evidence from an unsolved sexual assault should not be disposed of prior to expiration of the statute of limitations and shall be retained as required in Penal Code § 680. Even after expiration of an applicable statute of limitations, the Detective Bureau Division supervisor should be consulted and the sexual assault victim shall be notified at least 60 days prior to the disposal (Penal Code § 680). Reasons for not analyzing biological evidence shall be documented in writing (Penal Code § 680.3).

#### **802.8 INSPECTIONS OF THE EVIDENCE ROOM**

- (a) On a monthly basis, the supervisor of the evidence custodian shall make an inspection of the evidence storage facilities and practices to ensure adherence to appropriate policies and procedures.
- (b) Unannounced inspections of evidence storage areas shall be conducted annually as directed by the Chief of Police.
- (c) An annual audit of evidence held by the Department shall be conducted by a Deputy Chief (as appointed by the Chief of Police) not routinely or directly connected with evidence control.
- (d) Whenever a change is made in personnel who have access to the evidence room, an inventory of all evidence/property shall be made by an individual not associated to the property room or function to ensure that records are correct and all evidence property is accounted for.

## **Attachments**

## **General Evidence Package.JPG**

**DR#**

write large with  
black marker

**ITEM#**

with short description

**ID#**

## **Narcotics Evidence Package.JPG**

# NARCOTICS

## NARCOTICS ENVELOPE

CASE# \_\_\_\_\_ ITEM# \_\_\_\_\_



Property Use Only

Taken From:  Suspect  Owner  Victim  Other

### Type of Booking

Search Warrant  Evidence  Safekeeping  Found Property

Analyze for:  CNS Stimulants  CNS Depressants  Opiates  
 Marijuana  PCP  Other

Net Weight: \_\_\_\_\_ Total Combined Weight: \_\_\_\_\_

Contents: \_\_\_\_\_

Officer Sealing/Initialing Envelope: \_\_\_\_\_

Officer Badge No. \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Officer Verifying: \_\_\_\_\_

Officer Badge No. \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Simi Valley Police Department

3901 Alamo Street  
Simi Valley, CA. 93063

EVIDENCE EVIDENCE EVIDENCE EVIDENCE

ABC 123 1-1-09

INITIALS SERIAL NUMBER DATE

**TST Service Request Form.pdf**



**DV Protocol Executed Final Updated 092117.pdf**



**Ventura County  
Domestic Violence  
Law Enforcement  
Protocol**

August 2017

This protocol provides recommended “best practices” for the investigation of domestic violence cases. Officers responding to domestic violence calls often confront volatile and dynamic circumstances that pose risks to their own safety. As always, officer safety and department policies should be a priority for peace officers.



## OFFICE OF THE DISTRICT ATTORNEY

COUNTY OF VENTURA, STATE OF CALIFORNIA

**GREGORY D. TOTTEN**  
District Attorney

August 2017

The Ventura County Law Enforcement Coordinating Committee voted unanimously to endorse the first domestic violence investigative protocol in 1992 to provide guidelines for the investigation of domestic violence cases here in Ventura County. The protocol was prepared in consultation with, and in cooperation with, numerous agencies across the county pursuant to Penal Code section 13701(b).

This sixth revision includes legal updates and best practices related to strangulation, gun violence restraining orders, and the protection of children exposed to domestic violence. These changes reflect current research in the field of domestic violence investigation and prosecution.

It is the intention of this protocol to provide guidance to officers and flexibility for individual departments to develop their own policies and procedures.

This protocol is not intended to address every situation or every potential issue, nor is it intended to diminish the exercise of an individual officer's discretion or the role of departmental policies that are consistent with state law. The protocol is intended to promote victim safety, protect children exposed to domestic violence and ensure abuser accountability.

Thank you for your dedication, courage and commitment.

Very truly yours,

**GREGORY D. TOTTEN**  
District Attorney



GREGORY D. TOTTEN  
District Attorney

SHERIFF GEOFF DEAN  
Ventura County Sheriff

CHIEF KEN CORNEY  
Ventura Police Department

CHIEF SCOTT WHITNEY  
Oxnard Police Department

## VENTURA COUNTY

### LAW ENFORCEMENT COORDINATING COMMITTEE

CHIEF SCOTT WHITNEY  
Oxnard Police Department  
Chair

CHIEF ANDREW SALINAS  
Port Hueneme Police Department

CHIEF DAVID LIVINGSTONE  
Simi Valley Police Department

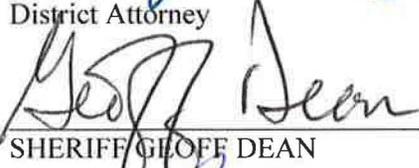
CHIEF STEVE MCLEAN  
Santa Paula Police Department

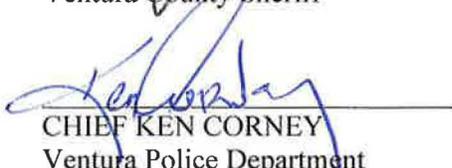
CAPTAIN T.S. ROBERTS  
California Highway Patrol

August 2017

In recognition of the serious problem domestic violence presents to the community and the need for a strong consistent response by law enforcement to stop the cycle of violence, the Ventura County Law Enforcement Coordinating Committee does hereby readopt this protocol for the investigation of domestic violence.

  
GREGORY D. TOTTEN  
District Attorney

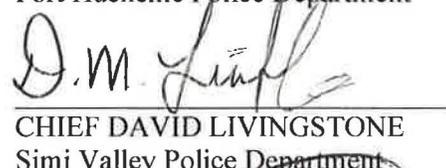
  
SHERIFF GEOFF DEAN  
Ventura County Sheriff

  
CHIEF KEN CORNEY  
Ventura Police Department

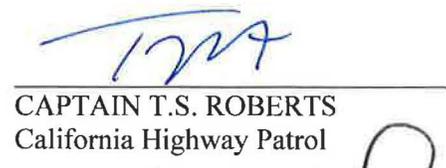
  
CHIEF SCOTT WHITNEY  
Oxnard Police Department

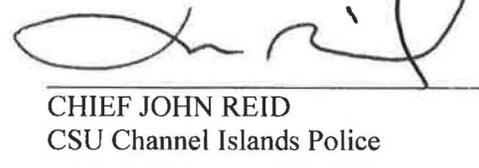
  
CHIEF JOEL JUSTICE  
VCCCD Police

  
CHIEF ANDREW SALINAS  
Port Hueneme Police Department

  
CHIEF DAVID LIVINGSTONE  
Simi Valley Police Department

  
CHIEF STEVE MCLEAN  
Santa Paula Police Department

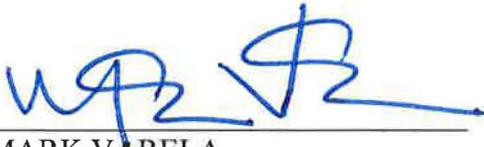
  
CAPTAIN T.S. ROBERTS  
California Highway Patrol

  
CHIEF JOHN REID  
CSU Channel Islands Police

**LAW ENFORCEMENT  
COORDINATING COMMITTEE  
PARTNERS IN COMBATING DOMESTIC VIOLENCE**

August 2017

In recognition of the serious problem domestic violence presents to the community and the need for a strong consistent response to stop the cycle of violence, the following agencies commit to partnering with the Ventura County Law Enforcement Coordinating Committee and hereby support this protocol for the investigation of domestic violence.



MARK VARELA  
Director/Chief Probation Officer  
Ventura County Probation Agency



ERIK STERNAD  
Executive Director  
Interface Children & Family Services



CAROLINE PRIJATEL SUTTON  
Executive Director  
The Coalition for Family Harmony



LORI HAUGH  
Executive Director  
The Partnership for Safe Families & Communities  
of Ventura County  
The Designated Child Abuse Prevention Council

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## Protocol Policy Statement

- The California State Legislature has declared that:
  - (1) “[S]pousal abusers present a clear and present danger to the mental and physical well-being of the citizens of the State of California.” (Pen. Code, § 273.8)
  - (2) “A substantial body of research demonstrates a strong connection between domestic violence and child abuse.” (Pen. Code, § 13732(a))
- All law enforcement agencies shall respond to acts of domestic violence as a crime.
- Victims of domestic violence shall be treated with respect and dignity and shall be given appropriate assistance by law enforcement personnel responding to an incident of domestic violence, regardless of their sexual orientation, gender, gender conformity, age, or immigration status.
- The decision to prosecute a batterer lies within the discretion of the District Attorney’s office. Victims do not “press charges,” “drop charges,” or “prosecute” their batterers.
- Written policies shall be developed, which should encourage the arrest of domestic violence offenders if there is probable cause to believe that an offense has been committed.
- Written policies shall *require* the arrest of an offender, absent exigent circumstances, if there is probable cause that a protective order<sup>1</sup> has been violated.
- When possible and legally reasonable, law enforcement should remove firearms from the scene of domestic violence incidents.
- When reasonably possible, prosecutors should notify the court if domestic violence defendants own or possess registered firearms.
- When reasonably possible, law enforcement should seek a gun violence restraining order if a person is determined to be a present danger to him/herself or

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<sup>1</sup> Includes Emergency Protective Orders, Domestic Violence Restraining Orders, Family Law Restraining Orders, and Criminal Protective Orders.

another person, by controlling, owning, purchasing, possessing, receiving or otherwise having custody of a firearm.

- Children exposed to domestic violence should be considered separately as victims in domestic violence incidents.
- Ongoing training will be provided to enhance law enforcement's response to domestic violence and children exposed to domestic violence.
- Domestic violence is complex. Victims should be empowered to make their own decisions about what they do immediately following a domestic violence incident.

## Section 1 - Important Definitions

**ABUSE:** Intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable apprehension of imminent serious bodily injury to himself, herself, or another. (Pen. Code, §13700(a))

**ASPHYXIA:** A condition arising when the body is deprived of oxygen, causing unconsciousness and ultimately death. In general, asphyxia due to suffocation requires at least partial obstruction of both nostrils and mouth.

**COHABITANT:** Two unrelated adults living together for a substantial period of time resulting in some permanency of relationship. Factors to be considered, include:

- (1) sexual relations between the 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) the continuity of the relationship, and
- (6) the length of the relationship. (Pen. Code, § 13700(b))

**CHOKING:** The *accidental* physical, internal obstruction of the windpipe resulting in a blockage that prevents the normal flow of air/normal breathing (e.g. food). Although victims and witnesses may use the terms “choke” or “choking” when describing an incident, law enforcement should be aware of the important distinction between choking and the medical term “strangulation.” (See below)

**DATING RELATIONSHIP:** Frequent, intimate associations primarily characterized by the expectation of affection or sexual involvement independent of financial considerations. (Pen. Code, § 243(f)(10), Fam. Code, § 6210) Casual, one-time dates or first-time encounters would *not* be considered “dating,” and therefore not domestic violence.

**DOMESTIC VIOLENCE:** Abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. (Pen. Code, § 13700 (b))

**DOMINANT AGGRESSOR:** The person who is the most significant, rather than the first aggressor. (See Pen. Code, §§ 836(c)(3), 13701(b)) (Determining the dominant aggressor is discussed in Section 3.)

**DUAL ARREST:** The arrest of both parties in a domestic violence incident. Written policies shall discourage, but not prohibit, dual arrests of both parties. (Pen. Code, § 13701(b)) (Discussed in Section 3.)

**POSITIONAL ASPHYXIA:** Asphyxia caused by compression of the face, neck, chest and/or abdomen sufficient to make it difficult or impossible to breathe, e.g. sitting on a victim's chest.

**PROTECTIVE/RESTRAINING ORDERS:** Terms that are widely used to cover a broad range of court orders that either prohibit or limit the type of contact that the restrained person may have with the protected person. (See Section 9 for a comprehensive breakdown of court orders. See Addendum F for examples of court orders.)

**STALKING:** Willful, malicious, and repeated following, or harassment with a credible threat made with the intent of placing that person in reasonable fear for his or her safety or the safety of his or her immediate family. (Pen. Code, § 646.9(a)) A credible threat can be implied by conduct. (Domestic violence stalking cases are discussed in Section 7.)

**STRANGULATION:** A form of asphyxia characterized by the *intentional* closure of blood vessels and/or air passages of the neck as a result of external pressure applied to the neck sufficient to cause disruption of blood flow to or from the brain, or disruption of air exchange resulting in a lack of adequate oxygen delivery to the brain. (See addendum B) Strangulation can be accomplished by various methods, including:

- (1) Manual Strangulation: Use of the fingers, hands, forearms or other limb/extremity.
- (2) Ligature Strangulation: Use of some form of cord-like object around the neck *with no* suspension.
- (3) Strangulation by Hanging: Use of some form of cord-like object around the neck *with* suspension.

**SUFFOCATION:** The mechanical obstruction of airflow into the mouth and/or nostrils, as might occur by covering the mouth and nose with a hand, pillow, gag or a plastic bag. Suffocation can be partial or complete. Partial suffocation occurs when the victim can inhale some, but not enough, air.

## Section 2 - 911 Operator/Dispatcher Response

- I. Policies developed by agencies pursuant to this protocol shall include written policies and standards for dispatchers' responses to domestic violence calls. Call takers who receive domestic violence calls shall dispatch officers to the scene. (Pen. Code, § 13701)
- II. When speaking to a victim of domestic violence, dispatcher(s) or 911 operators will not discuss the victim's desire to "press charges," "drop charges," or "prosecute." Any comment or statement which seeks to place the responsibility for enforcement actions with the victim is inappropriate. Dispatchers should remain neutral.
- III. The safety of domestic violence victims shall be the primary concern of 911 operators. 911 operators shall advise the victim to leave the residence, if it can be done safely, whenever the suspect is present or likely to return.
- IV. During the initial call for assistance, the 911 call taker should consider asking the following questions:
  - A. Where is the emergency? What address? What apartment number?
  - B. Has anyone been injured? Is an ambulance needed? What are the injuries?
  - C. With whom am I speaking?
  - D. Is the suspect present?
    - 1) If yes, where, specifically in the residence?
    - 2) If no, direction of travel? Vehicles involved and type of vehicle?
  - E. Who is the suspect?
    - 1) How do you know?
    - 2) Are you in a relationship with that person?
  - F. Is the suspect under the influence of drugs or alcohol? If yes, what substance?
  - G. Are weapons involved? If yes, what kind? Where are they located? Have you been threatened by the weapon today or in the past? How was the weapon used?
  - H. Are you the victim? If no, are you a witness? Is anyone else there?

- I. Are children present? How many? How old are they? Where are they now?
  - J. What has happened?
  - K. Have the police been to the address before? If yes, how many times?
  - L. Has this ever happened before?
  - M. Do you have a restraining order/protective order?
- V. Because incidents of strangulation can result in hidden or delayed injuries and complications, dispatchers should consider asking the caller if they were strangled or “choked” and evaluate the need to call for emergency medical aid. Circumstances indicating a need to call for emergency medical aid may include:
- A. Loss of breath or difficulty breathing
  - B. Loss of consciousness
  - C. Memory loss
  - D. Dizziness, disorientation, nausea, or headache during or after the incident
  - E. Vision loss or vision changes
  - F. Hearing loss or hearing changes
  - G. Voice changes or difficulty speaking
  - H. Coughing or difficulty swallowing or sensation of something in the throat
  - I. Sore throat
  - J. Urination or defecation
  - K. Problems with balance or coordination
  - L. Pain or stiffness to the neck
- VI. Calls reporting threatened, imminent, or ongoing domestic violence and the violation of any domestic violence restraining order or protective order shall be ranked among the highest priority calls.

**Dispatcher Practice Tip:  
Restraining Orders**

**Only a court can change the status of a restraining order. The victim’s wishes, desires, or behaviors cannot. (Pen. Code, § 13710(b)) This means that a restrained party is still in violation of a restraining order, even if the contact was invited by the protected party.**

## Section 3 - First Responder Duties

### I. WHAT TO DO AT THE DOMESTIC VIOLENCE SCENE

#### A. ARRIVAL AT SCENE

1. Ensure departmentally issued body-worn camera and/or audio recorder is activated and record all statements.
2. Determine location and condition of victim(s), including children.
3. Summon ambulance, if injuries claimed or observed.
4. Determine if suspect is still at scene.
5. Determine if any weapon is involved.
6. Separate the victim, suspect, and witnesses, including child witnesses.
7. If children are present, follow the procedures set forth in Section 7 and cross-report to Child Protective Services
8. Prevent communication between the parties. This includes removing victim and witnesses from suspect's line of sight and range of hearing.
9. Re-ask about weapons once the parties are separated.
10. Determine what, if any, crime has occurred.
11. If a sexual assault is reported, follow the procedures set forth in Section 5.

**Legally remove all firearms from domestic violence scenes and from those parties subject to a domestic violence restraining order or gun violence restraining order. (Pen. Code, §§ 18250, 18105)**

#### B. INTERVIEW

Interview victim and witnesses separately. Interview any children who may have witnessed or heard the incident or any prior incidents. Do not ask the victim whether he/she wishes to press charges. The victim should be advised that the decision to prosecute is made by the District Attorney. Whenever possible, family members, particularly children, should not be used as interpreters (see Section 8). Maintain objectivity in reporting and avoid stating personal opinions.

1. VICTIM:

- a. Document the extent of injuries received in detail and the need for medical attention. Photograph the injuries.
- b. Determine and document whether the victim has been “choked”/strangled and, if so, have the victim evaluated by medical personnel. Signs and symptoms of “choking”/strangulation may include:

- (1) redness/bruising/scratches to neck
- (2) raspy voice
- (3) soreness of neck
- (4) incontinence
- (5) petechiae anywhere on the face, in the eye, scalp, behind the ears, on the neck
- (6) bruising underneath victim’s chin
- (7) difficulty swallowing
- (8) difficulty breathing
- (9) coughing/vomiting
- (10) torn clothing
- (11) smeared makeup

**Complete the Strangulation the Documentation Supplemental Form for each incident where a victim complains of being “choked” or “strangled,” or where sufficient facts arise to indicate force was used in any way to inhibit the victim’s ability to breathe. (See Addendum B)**

- c. Document victim’s emotional condition and demeanor.
- d. Document evidence of substance/chemical use by victim.
- e. Document any spontaneous statements by victim. **Spontaneous statements may be used to impeach the victim’s testimony or to provide substantive evidence of the crime, if the victim later refuses to cooperate.**
- f. Document victim’s home, cell and work telephone numbers, work and home addresses, email addresses and emergency contacts. If victim is homeless or without stable permanent address, obtain a number for a close relative or friend. Inquire if victim’s phone number is safe to leave a voicemail.

- g. Document all statements made by suspect to victim during incident.
- h. Re-contact the victim after interviewing the suspect to ask follow-up questions, if appropriate.
- i. Follow internal departmental policies pertaining to victim notification procedures. Ask the victim if she/he wants to be notified when the suspect is release from jail. Provide the Ventura County Sheriff's office number (805-654-3355) for victim notification.
- j. Evaluate risk factors for serious violence and homicide. (See Addendum A)
- k. Document prior history of abuse in detail.

## 2. DUTY TO ADVISE VICTIMS OF THEIR RIGHTS

- a. Provide victim with Marsy's Law card pursuant to departmental policy. (Pen. Code, § 679.026)
- b. Provide referrals to community resources and relevant phone numbers.
- c. Explain options available to the victim including private persons' arrest process, emergency protective orders, temporary restraining orders, and, where appropriate, arrest procedures and ensuing criminal proceedings.

**Under certain circumstances, defendant's prior acts of domestic violence against the victim may be admissible at trial to prove guilt of the current offense. (Evid. Code § 1109)**

## 3. WITNESSES:

- a. Record interviews of all witnesses separately, noting names, addresses, email addresses, phone numbers, and emergency contacts.
- b. List the names and ages of children present.
- c. Interview all children pursuant to this protocol. (See Section 8) Document demeanor and location of child during incident.
- d. Document names and addresses of emergency personnel.

- e. Interview neighbors regarding what they heard and saw during the incident and any prior domestic violence incident(s).

4. NON-ENGLISH SPEAKING WITNESSES:

- a. Where possible, call another officer who speaks the witness's language to obtain his/her statement. If such officer is not available, utilize a departmentally-approved translation service.
- b. Officers should use caution when utilizing a witness as a translator. Such translations may not be accurate or admissible at trial.  
**Children and family should not be used as translators.**
- c. If using a non-certified translator, establish and document the translator's ability/knowledge of the language, including:
  - (1) Years speaking the language
  - (2) Training and experience in the language
  - (3) Obtain contact information including current address, date of birth, phone number, driver's license, and employment information.
- d. Record all statements, including the translations.

5. SUSPECT:

- a. Document suspect's location.
- b. Document suspect's physical condition.
- c. Document suspect's emotional condition.
- d. Document evidence of illicit drug, prescription drug, and/or alcohol use by the suspect. (If appropriate, consider DRE Exam and/or search warrant for blood/fluid samples)
- e. Inquire about mental health history, diagnoses, and medications.
- f. Obtain emergency contact information, including personal cell, home, and work numbers; home and work addresses; and email addresses.

- g. Document, describe, and photograph any injuries, where appropriate, or the lack thereof.
- h. Advise suspect of Miranda rights where legally appropriate.
- i. If suspect waives and agrees to speak with officer, interview suspect.
- j. Record all statements using department-issued recording device.
- k. Assess for risk of suicide. (See Addendum A)

C. EVIDENCE:

1. Determine if firearms or other deadly weapons are present in plain sight or pursuant to a consensual search. (Pen. Code, §18250(a))
2. Describe the crime scene in detail. Note signs indicating a struggle such as overturned furniture, hair that has been pulled out, blood, broken fingernails, holes in walls, damaged telephones, etc.
3. Photograph the crime scene.
4. Photograph all victims' and suspects' injuries.
5. Photograph and book all weapons and other instrumentalities of the crime (i.e. belts, electrical cords, hangers, gas cans, bottles, lighters, broken lamps, etc.).
6. Follow your departmental guidelines for the storage and transfer of images when using digital cameras.
7. Follow your departmental guidelines for appropriate use, storage and transfer of digital information when using body cameras.
8. Collect surveillance video footage from crime scene or surrounding areas or submit a request to preserve it.

D. MEDICAL TREATMENT

1. Transport or have victim and/or suspect transported to hospital, if medical treatment is necessary.
2. Obtain names, addresses and telephone numbers of ambulance or paramedic personnel treating the victim and/or defendant.

3. Photograph victim's and/or suspect's injuries (or lack thereof) before he/she is transported to the hospital, when reasonably practical.
4. Obtain signed medical release, if appropriate and reasonably practical.
5. Obtain treating physician's name, address, and telephone number.
6. Interview treating physician and confirm nature and severity of injuries.
7. Document all victim statements made to medical personnel, if reasonably practical.
8. Request that blood samples taken by the hospital be preserved, if substances are suspected. Obtain a search warrant to legally obtain samples. (Note: Without a request from law enforcement some hospitals or medical centers may dispose of samples after two days.)

## II. BAIL

- A. Prepare a declaration to increase bail above the schedule amount or to deny an O.R. release, if it appears that the suspect may not appear in court, or, if the suspect's release from custody may pose a serious threat to the victim's well-being. (Pen. Code, §§ 1269c, 1270.1 and 1275)
- B. Additional factors:
  1. Access to/use of weapons
  2. Suicidal ideation
  3. Mental instability
  4. Substance abuse
  5. Threats to harm the victim if abuse is reported to law enforcement
  6. Prior acts of violence
  7. Prior criminal history
  8. Risk of flight.

### **COMPLETE A DOMESTIC VIOLENCE CRIME REPORT**

**Law enforcement shall complete a written incident report pursuant to departmental policy. (Pen. Code, §§ 13730, 13730(c)) (Law enforcement should maintain objectivity in reporting and avoid personal opinions regarding comments from victim/suspect.)**

### III. TEEN RELATIONSHIP VIOLENCE

#### A. JURISDICTION

Domestic violence offenses such as Penal Code sections 273.5 and 243(e) apply equally to juvenile offenders. When a juvenile commits any crime within the state, the Juvenile Court has jurisdiction over the minor and the District Attorney's Office is responsible for the prosecution of those cases.

#### B. POLICE RESPONSE

1. Investigation: Law enforcement officers shall document the relationship between the parties.
2. Arrest: While pro-arrest policies apply equally to teen relationship violence cases, it should be noted that when a juvenile is arrested, it is the "Risk Screening Criteria," as set forth by the Ventura County Probation Department, that will determine whether a juvenile will be incarcerated in Juvenile Hall. When a juvenile is incarcerated, there is no bail. The juvenile will stay in Juvenile Hall until he or she is arraigned or otherwise released by Juvenile Hall.
3. Victim Assistance: The victim is entitled to all the services described in this protocol, including an emergency protective order and referral information, regardless of age.
4. Cross-report to Children and Family Services (CFS): Since the juvenile offender is a minor, a cross-report to CFS is still required.

#### C. PROTECTIVE ORDERS FOR TEENS

A minor 12 years old or older may seek a protective order, temporary restraining order, or injunction against an abusive partner without a guardian or counsel. (Code Civ. Proc., § 372) Emergency Protective Orders shall also be requested for teen victims, when applicable.

#### IV. ARREST OF SUSPECT

- A. **FELONY ARRESTS:** If a peace officer has probable cause to believe that a felony has occurred, the officer shall arrest, absent unusual circumstances.
- B. **MISDEMEANOR ARRESTS:**
1. If a misdemeanor offense has been committed in the officer's presence, the officer shall arrest.
  2. If a person commits an assault or battery upon his or her spouse, former spouse, cohabitant, former cohabitant, or someone with whom a current or former dating or engagement relationship exists, or upon the parent of his or her child, a peace officer may arrest the person without a warrant if both of the following circumstances apply (Pen. Code, §836(d)):
    - a. The officer has probable cause to believe that the person to be arrested has committed the assault or battery, whether or not it has in fact been committed; and
    - b. The officer makes the arrest as soon as probable cause arises to believe that the person to be arrested has committed the assault or battery, whether or not it has in fact been committed.
- C. **DOMESTIC VIOLENCE RESTRAINING ORDER/PROTECTIVE ORDER ARREST:** If the officer has probable cause to believe that the person has notice of the order and has committed an act in violation thereof; or if violence or threats of violence have occurred or the suspect has gone to the workplace or residence of the protected party, the officer shall arrest.
- D. **PRIVATE PERSON'S ARREST:** Any time a peace officer responds to a domestic violence call, the peace officer shall make a good faith effort to inform the victim of their right to make a citizen's arrest, unless the peace officer makes an arrest for Penal Code sections 243(e)(1) or 273.5.

**This policy encourages the arrest of domestic violent offenders if there is probable cause to believe that a domestic violence offense has been committed. (Pen. Code, § 13701(b))**

- E. ARREST AND RELEASE: Penal Code section 853.6 sets forth procedures for the arrest and release of a person suspected of a misdemeanor violation of a protective court order involving domestic violence if the officer does not immediately take the suspect before a magistrate. (Cite and release is no longer authorized.)
  
- F. DUAL ARRESTS DISCOURAGED: Penal Code section 13701(b) requires officers to make reasonable efforts to identify and arrest the dominant aggressor. Dual arrests should be the extreme exception and should only be utilized as a last resort when all other investigative efforts fail.
  - 1. The dominant aggressor is the person determined to be the most significant, rather than the first, aggressor.
  
  - 2. In determining whether a person is the dominant aggressor, the officer shall consider the following: (Pen. Code, § 13701(b))
    - a. The intent of the law to protect victims of domestic violence from continuing abuse.
  
    - b. Any threats, real or implied, which instill fear of physical violence by one partner toward another.
  
    - c. Any history of domestic violence between the partners.
  
    - d. Whether either partner acted in self-defense.
  
  - 3. Other factors law enforcement personnel should consider:
    - a. Relative height/weight of the parties.
  
    - b. Criminal history.
  
    - c. Level of violence.
  
    - d. Presence of fear.
  
    - e. Existing court orders.
  
    - f. Corroborating witnesses.
  
    - g. Demeanor of parties.

- h. Use of alcohol/drugs.
  - i. Offensive/defensive injuries.
  - j. Whether the injuries are consistent with explanation.
  - k. Any history of controlling behavior or coercion.
  - l. Which party called 911.
- G. When no arrest is made in a domestic violence investigation, law enforcement shall document the incident, pursuant to Penal Code section 13730(c).

## Section 4 - Follow-Up Investigation

Per departmental policies, all domestic violence reports prepared by officers pursuant to Penal Code sections 13700 et seq., may be referred to investigative personnel for review and follow-up investigation as soon as reasonably possible. Whenever possible, investigative personnel will be specifically designated to handle domestic violence cases.

- I. FOLLOW-UP INVESTIGATIONS SHOULD INCLUDE:
  - A. A review of patrol reports to ensure accuracy and completeness.
  - B. Any necessary follow-up, with victim and witnesses.
    1. Re-interview of victim and witnesses, including children, as appropriate. (See Section 8)
      - a. Do not ask the victim whether he/she wishes to press charges.
      - b. Advise the victim they have a right to have an advocate present.
    2. Interviews of additional corroborating witnesses, including neighbors who may have heard the incident, if applicable.
  - C. A detailed follow-up report containing all new and/or different information. Do not simply “confirm” what is in the patrol officer’s report.
  - D. If the District Attorney’s office files charges against the suspect, additional evidence, if applicable, may be requested, including:
    1. Subsequent photographs of the victim. (Consider, even if the patrol officer took photographs.)
    2. Copies of all medical reports, Medically Mandated Reports and “Suspicious Injury Forms,” if available.
    3. A copy of the 911 recording and printouts.
    4. The names, addresses and telephone numbers of two close friends or relatives of the victim who will know of her/his whereabouts at all times during and after the investigation.

5. In-house domestic violence criminal history check of the suspect and the victim.
6. Copies of prior police reports, prior 911 printouts and recordings, and videos, including body-worn camera footage, if applicable.

E. INTERVIEW SUSPECT

As legally appropriate, advise, pursuant to *Miranda*, if this has not been done by patrol officers. Interview the suspect unless he/she has invoked. If the suspect has been advised, waived and made a statement, you may re-advise and re-interview to ask further questions or clarify statements made.

II. REFERRAL TO DISTRICT ATTORNEY FOR REVIEW.

- A. If the elements of the offense can be established with the testimony of the victim and if the victim is cooperative, the case should be submitted to the Sexual Assault Family Protection Unit (SAFP) for review.
- B. If the elements of the offense can be established without the testimony of the victim and if the victim will not cooperate, the case should be submitted to the Sexual Assault Family Protection Unit (SAFP).
- C. If the victim will not cooperate, and there is insufficient independent corroboration to establish the offense, each department will determine if the case should be submitted for review. Corroboration may include significant injury to the victim. Such reports shall be maintained by the department according to policies developed consistent with Penal Code section 13701(b).
- D. In situations where the victim will not cooperate and there is insufficient corroboration and the investigator determines there is a high risk of lethality based upon patrol reports and follow-up investigation, the case shall be discussed with an attorney from the Sexual Assault Family Protection Unit (SAFP).
- E. Contact the victim to advise of the status of the case, and if applicable, the intended referral to the District Attorney's Office.

## Section 5 - Domestic Violence Sexual Assaults

- I. When a peace officer responds to a call involving domestic violence and learns that a victim has been sexually assaulted, in addition to the guidelines for Section 3 above, the peace officer shall do the following:
  - A. Ensure the victim's safety.
  - B. Evaluate the need for emergency medical care.
  - C. Evaluate the need for additional units and a supervisor.
  - D. Identify suspect and, if possible, determine suspect's location.
  - E. Conduct an initial interview of victim. Evaluate the need for crisis intervention/advocate on scene.
  - F. Determine the need for a medical legal evidentiary exam of victim.
  - G. If the victim consents, notify a Safe Harbor facility. (See Addendum D for contact information) The Safe Harbor facility will automatically contact a sexual assault victim advocate.
  - H. Transport the victim to a Safe Harbor facility.
  - I. Notify sexual assault detective per agency policy.
  - J. Stand by during the Sexual Assault Medical Legal Evidentiary Exam.
  - K. Provide transportation for the victim upon completion of the examination.
  - L. Preserve the crime scene and seize evidence related to sexual assault or request assistance from an evidence technician or crime lab personnel.
  - M. Identify, isolate, and interview potential witnesses.
  - N. Book evidence. (See subsection IV below)
  - O. Determine the advisability of a forensic exam of a suspect (see subsection III below)
  - P. Complete reports and submit them to investigations.

## II. SEXUAL ASSAULT RESPONSE TEAMS

- A. The Sexual Assault Response Team (SART) is comprised of three disciplines: law enforcement, the sexual assault nurse examiner (SANE) and a rape crisis advocate.
- B. Unless the victim is in need of medical assistance, all sexual assault and medical legal evidentiary exams and forensic interviews should be conducted by SART at one of two Safe Harbor facilities. (See Addendum D)

## III. SEXUAL ASSAULT FORENSIC EXAMINATION PROCEDURES FOR SUSPECTS

- A. The decision to conduct a sexual assault examination of the suspect is made by the investigating agency, pursuant to departmental policy, and made on a case by case basis.
- B. If conducted, the sexual assault examination should occur as soon as possible after an assault has been reported, ideally no more than 48-72 hours after.
- C. Any authorized medical examination shall include a buccal swab for DNA comparison/processing. DNA can be collected on individuals up to 120 hours after the assault.
- D. Under no circumstances shall the suspect be taken to Safe Harbor.
  - 1. A SANE nurse is available during normal business hours. Contact the Safe Harbor Coordinator for the on-call SANE nurse and request a “suspect examination.”
  - 2. After regular business hours: Contact the Afterhours Call-out Service and request the on-call nurse to conduct a “suspect examination.”
- E. Suspect examinations can occur in the following locations:
  - 1. Law enforcement agency

**The most common defense in domestic violence sexual assault cases is that of consent. Thorough investigations require probing into this issue by asking questions of witnesses and collecting/documenting evidence that focus on the issue of consent.**

2. Jail
  3. Local hospital
- F. No suspect examination shall be conducted unless the requesting officer has:
1. Consent
  2. A search warrant authorizing the medical examination, or
  3. Exigent circumstances
- G. Once the examination is completed, officers must book all evidence collected.

#### IV. EVIDENCE COLLECTION AND SEIZURE

- A. Officers collecting evidence shall tag items separately and shall ensure a legally sufficient chain of custody. Items to be seized and booked into evidence include:
1. All clothing worn by the suspect at the time of the offense.
  2. Clothing worn by the victim that may be contaminated or contain evidence. Note: If a victim's clothing is to be seized, have the victim take a change of clothing to Safe Harbor.
  3. Evidence that cannot be collected by the responding officer without disturbing the crime scene (e.g., blood spatter evidence) must be protected until the assigned investigator determines if an evidence technician is needed, and if so, can respond and take custody of the evidence.
  4. All other items that could possibly contain evidence (i.e., bedding, condoms and packaging, etc.).
  5. All rape kits obtained by SANE nurses.
  6. The Sexual Assault Nurse Examiner's report.

**All clothing seized shall be placed in separate paper bags. Do not book the clothing in plastic**

7. If the assault occurred in a vehicle, the vehicle should be impounded as evidence with a hold for the appropriate investigative unit.
8. If the victim may have ingested any drug, request that the SANE nurse take a urine sample as soon as possible. Drugs may be detectable within 36 hours after ingestion.

## Section 6 - Victims' Rights

- I. All victims shall be advised of their rights pursuant to Marsy's Law. (Pen. Code, § 679.026)
- II. All victims of domestic violence and sexual assault shall be provided with a "Victim of Domestic Violence" card developed by each agency. This card shall include suggested procedures following an assault and a list of available services. (Pen. Code, §§ 264.2, 13701(H)1)
- III. All victims of sexual assault shall be advised that their name will become a matter of public record unless they request otherwise. (Pen. Code, §§ 293 and 293.5) A sexual assault is defined as a violation of Penal Code sections 220, 236.1, 261 through 267, and 281 through 292.
  - A. An officer shall advise the victim of her/his right to anonymity and encourage the victim to discuss this right with the Deputy District Attorney handling their case.
  - B. If requested by the victim, law enforcement agencies are prohibited from disclosing the victim's name and address to anyone except the prosecutor.
  - C. Officers shall use the victim's true name when completing their crime and arrest reports, property tags, hospital records, etc.
- IV. All victims of sexual assault, including spousal rape, shall be notified orally or in writing of their right to have a sexual assault victim counselor and at least one additional support person chosen by the victim present at any evidentiary, medical, or physical examination or interview by law enforcement, district attorneys, or defense attorneys. This right does not apply to the initial investigation by law enforcement to determine whether a crime has been committed. (Pen. Code, § 679.04)

## Section 7 – Stalking

“Any person who willfully, maliciously, and repeatedly follows or harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family” is guilty of the crime of stalking. (Pen. Code, § 646.9)

- I. Law enforcement should consider charging the crime of stalking when victims report that they have made *life changes* due to a suspect’s actions:
  - A. If victims have changed their phone numbers, changed their routes to and from work, changed locks on the doors, etc., additional inquiry must be made to determine whether this is an isolated incident or repeated conduct.
  - B. Phone calls, recorded messages, text messages, social media postings, handwritten notes and emails, etc., can establish the pattern of behavior which is causing the victim to fear for his or her safety and should be documented and, when feasible, collected and booked into evidence.
  - C. Previous incidents involving the suspect should be documented and, if reported, previous crime reports obtained.
- II. A "credible threat" means a verbal or written threat, or a threat implied by a pattern of conduct, or a combination of both made with the intent to place the person that is the target of the threat in reasonable fear for his or her safety or the safety of his or her family.
- III. A “credible threat” requires that the suspect has the apparent ability to carry out the threat so that the target of the threat is reasonably fearful for his or her safety. It is not necessary to prove that the suspect had the intent to carry out the threat. A suspect can make a credible threat even if he/she is in jail. (Pen. Code, §646.9(g))
  - A. A credible threat can be made electronically or through any electronic communication device.
  - B. “Electronic Communication devices” include, but are not limited to, phones, cell phones, computers, video recorders, fax machines, or pagers. (Pen. Code, § 646.9(h))

**Discuss potential stalking cases with your agency’s domestic violence detective(s) and/or the supervising attorney or a senior deputy district attorney in the Sexual Assault Family Protection Unit. Stalking cases are vertically prosecuted by the Sexual Assault Family Protection Unit.**

## Section 8 - Children Exposed to Domestic Violence

- I. Children are often present at domestic violence calls. Research studies have consistently found a high correlation between children's exposure to domestic violence and:
  - A. depression, anxiety, post-traumatic stress and/or an impacted sense of well-being, safety, and stability
  - B. behavioral, social and emotional problems such as aggression, anger, hostility, and low self-esteem
  - C. cognitive and attitudinal problems such as poor school performance and lack of conflict resolution skills
  - D. increased tolerance for violence in relationships and high levels of adult depression.<sup>2</sup>
  
- II. GUIDELINES FOR OFFICERS
  - A. Recognize that children present during a domestic violence situation may also be direct victims of violence. (Pen. Code, § 273a(a))
  - B. Recognize that even if a child was *not* present during the immediate instance of domestic violence, they may have been exposed to it in the past. A careful interview of the child may reveal corroboration or a pattern of evidence.
  - C. Recognize that if a child was present during domestic violence, even in a different room, that child can be a victim, if he/she was placed in a situation where his/her person or health may be endangered. (Pen. Code, § 273a(b)) Document emotional distress/demeanor: fearful, angry, calm, tearful/crying, nervous, upset, etc..
  - D. Recognize that often children do not "sleep through" the domestic violence, contrary to what a victim may tell you.

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<sup>2</sup> Rossman, 2001; Singer, Angelin, Song, and Lunghofer, 1995; Dube, Anda, Felitti, Edwards, & Williamson, 2002; McEwen, 2000; Perry, 2001; CDC, 1999; Malinosky-Rummell & Hansen, 1993; Daro et al., 2004; Finkelhor 2006; Osofsky, 2004

- E. Interview all children present, where possible. Children as young as four years old are often able to describe the violent episode and can be reliable witnesses when interviewed properly.
- F. Interview the domestic violence victim and child witnesses separately, unless the child is too young. Never interview any witnesses in the presence of the suspect.
- G. If children were in the home at the time of the domestic violence incident or personally witnessed the domestic violence, make sure to list them as witnesses in the body of the crime report. If a child is a victim of any crime, including child endangerment, list the child as a victim in the report and/or write a separate report.
- H. Take photographs of the crime scene, including any evidence of a child's exposure to violence such as crib/child's bed in the room where victim was injured, evidence of a struggle, broken toys or objects thrown around room, other.

**When children are present during a domestic violence incident consider charging Penal Code section 273a(b), child endangerment, as an additional crime.**

### III. INTERVIEWING CHILDREN

Children can be reliable and credible witnesses when properly interviewed. The utmost care and consideration for the children's physical and mental welfare is paramount. When interviewing children, let your training, experience, and department policy guide you.

- A. Start by establishing rapport.
- B. Locate an area where the child will feel safe and comfortable.
- C. Talk to the child at his/her physical level.
- D. Talk to the child at his/her educational/developmental level.
- E. Ask non-threatening and non-intimidating questions.
- F. If possible, remove the child from the victim's line of sight. Never interview the child in the presence of the suspect.
- G. Ask questions about the child's physical and emotional condition. Understand that children can suffer mentally from witnessing acts of domestic violence.

- H. Ask simple, open-ended questions, including:
1. Are you hurt? (If yes, refer to child victim/witness protocol)
  2. What happened? (hitting, yelling, etc.)
  3. Who was there? (mommy, daddy, etc.)
  4. Did anyone get hurt? (get description of injury)
  5. Who got hurt?
  6. Who did the hurting? (mommy, daddy, both, etc.)
  7. What was mommy-daddy hurt with? (description of mechanism, fist, belt, etc.)
  8. When did it happen? (day, night, etc.)
  9. Where did it happen? (location in the house)
  10. Has it happened before? (if yes, document frequency)
- I. Allow the child to describe in his/her own words what happened. Use the vocabulary that is offered by the child and avoid introducing new vocabulary to the child.
- J. Avoid asking leading questions. Do not provide information to the child or ask the child to confirm or deny it (i.e., "Is this what happened?").
- K. Allow the child time to respond, and repeat questions, as necessary.

#### IV. USE OF CHILDREN AS INTERPRETERS DISCOURAGED

Avoid using children as interpreters. This may increase a child's trauma and/or put him/her in a situation of divided loyalty. He/she may fear repercussions from the aggressor in the incident. The translation may be unreliable because it is affected by the child's own emotional state.

## V. DUTY TO CROSS-REPORT TO CHILD AND FAMILY SERVICES (CFS)

When children reside in the home where domestic violence occurs and law enforcement believes that the children are at risk, the officer shall:

- A. Use department guidelines to determine whether or not to place the child in protective custody, if the circumstances meet the definition of child abuse and neglect as defined in Penal Code sections 11165.1 through 11165.5.
- B. If the circumstances do not meet the definition of child abuse and neglect as defined in Penal Code sections 11165.1 through 11165.5, consider making a referral to a local community based organization.
- C. Immediately call CFS at (805) 654-3200 and send a written follow-up report (DOJ SS8572 Suspected Child Abuse Report) to CFS within 36 hours, if the circumstances meet the definition of child abuse and neglect as defined in Penal Code sections 11165.1 through 11165.5.
- D. Evaluate risk factors when making a referral to CFS, including:
  1. The severity of the incident.
  2. Any evidence of previous domestic violence incidents in the household.
  3. The child's involvement in the dispute.
  4. The child's exposure to potential danger during the incident because of the behavior of either party.
  5. The parent or guardian's use of alcohol or drugs.
  6. The parent or guardian's ability to provide immediate care and protection for the child.
  7. The living conditions in the home.

**Children who live in homes where there is domestic violence are at greater risk for physical injury, emotional harm, neglect, and sexual abuse. The officer must determine whether there is a need to remove the victim and children from the home.**

**If the officer believes that leaving the children in their current situation would put them at risk, the officer MUST notify CFS immediately to respond to the incident in accordance with mandated reporting requirements. (Pen. Code, §§ 11165.2 through 11165.6)**

**Children taken into protective custody should only be released to a Child Protective Services worker.**

8. Any other factors which suggest that the child is or may be at risk.

## VI. FORENSIC INTERVIEWS FOR CHILDREN EXPOSED TO CRIME

- A. In a case where domestic violence results in a homicide or attempted homicide, all departments are encouraged to have the children living in the home forensically interviewed by a certified forensic interviewer as soon as possible. The interviewer should use open-ended questions and not press the child for details.

It may be necessary for law enforcement to gather information about the possible abuse or critical incident directly from the child before a forensic interview is scheduled. This interview should seek only enough information to make immediate protective and investigative decisions.

- B. Officers should consider forensically interviewing all children who are witnesses to other violent or serious crimes.

## Section 9 - Court Orders

### I. GENERAL POLICY:

All court orders shall be enforced by law enforcement officers. This includes orders from other counties, states, or territories. (Pen. Code, § 13701(a), Pen. Code, § 836(c)(1))

**If there are multiple restraining orders in place, a no contact order shall have precedence in enforcement over any other restraining or protective order. (Pen. Code, § 136.2(c)(1)(B)(2))**

### II. MANDATORY ARREST POLICY-PROTECTIVE ORDERS

Law enforcement shall arrest an offender, absent exigent circumstances, if there is probable cause to believe that a domestic violence restraining order/protective order has been violated. (Pen. Code, § 13701(b))

Law enforcement shall make an arrest even without a warrant and regardless of whether or not the violation occurred in the officer's presence. (Pen. Code, § 836(c)(1)(b))

**The terms and conditions of a restraining or protective order remain enforceable, notwithstanding the acts of the parties, and may be changed only by order of the court. (Pen. Code, § 13710(b)) This means that "protected persons" are not in violation of protective orders when they acquiesce or invite the restrained person's contact; only the restrained person shall be arrested.**

### III. MUTUAL FAMILY CODE PROTECTIVE ORDERS

In situations where mutual family code protective orders have been issued, law enforcement shall make reasonable efforts to identify and may arrest those persons who are reasonably believed to have been the dominant aggressor. (Pen. Code, § 836(c)(3)) The dominant aggressor is the person determined to be the most significant, rather than the first, aggressor. In identifying the dominant aggressor, pursuant to Penal Code section 836(c)(3), law enforcement shall consider:

- A. the intent of the law to protect victims or domestic violence from continuing abuse,
- B. the threats creating fear of physical injury,
- C. the history of domestic violence between the persons involved, and

- D. whether either person involved acted in self-defense.

#### IV. TYPES OF COURT ORDERS

- A. **RESTRAINING ORDER:** This term is widely used to describe a broad range of court orders that prohibit or limit the type of contact that the restrained person may have with the protected person.
- B. **CIVIL HARASSMENT RESTRAINING ORDER:** Issued by a civil judge and can be used for any named family or household members. (Code Civ. Proc., §527.6)
- C. **CRIMINAL PROTECTIVE ORDER: (CPO)** Issued by a criminal judge to protect the victim and witnesses of a crime. Such persons are referred to as “Protected Persons.” This may occur prior to the trial or as a condition of probation. These orders are usually good for a period of three years. Such orders are routinely issued in cases involving domestic violence. (Pen. Code, § 136.2)
  - 1. **NO CONTACT ORDER:** A restrained person is ordered to stay away from and have no contact with a protected person during criminal proceedings. (Pen. Code, § 136.2)
  - 2. **NO FORCE OR VIOLENCE ORDER:** A restrained person is ordered not to harass, strike, threaten, sexually assault or assault, follow, stalk, molest, destroy or damage personal or real property, disturb the peace, keep under surveillance, or block movements of the protected person. (Pen. Code, § 136.2)
- D. **CIVIL DOMESTIC VIOLENCE RESTRAINING ORDER:** Issued by a Family Court Judge regardless of whether a criminal case is filed. (Fam. Code, §§ 6300-6389) Restraining order assistance may be obtained from the Victim Services Unit of the District Attorney’s Office.
  - 1. **TEMPORARY RESTRAINING ORDER (TRO):** Upon application from a law enforcement officer, a judge may issue a temporary restraining order, if the judge determines the victim is in immediate and present danger of domestic violence. (Fam. Code, § 6250) Temporary restraining orders are in effect at the court’s discretion for a period not to

**Only a judge can modify the terms of a criminal protective order regardless of the wishes of the protected person.**

exceed 25 days, unless otherwise modified. (Code Civ. Proc., § 527.6(f))

2. “PERMANENT” RESTRAINING ORDER/ORDER AFTER HEARING (OAH): At a noticed and scheduled hearing, a Family Court Judge may issue a permanent restraining order. Unless otherwise noted on the face of the form, these orders are valid for three years from the date of issuance. (Fam. Code, § 6345)

E. DEPENDENCY/JUVENILE COURT ORDER: Order issued by the Juvenile Court, which regulates the interaction of parent(s), guardian(s), and children involved in a dependency or juvenile court case. (Fam. Code, § 6218, Welf. & Inst. Code, §§ 213.5, 304, 362.4)

F. EMERGENCY PROTECTIVE ORDER (EPO): Court order that prohibits specified contact with the protected person. This type of restraining order can only be requested by law enforcement and law enforcement can request an ex parte EPO even though no crime has yet been committed. EPOs are valid for five court days or seven calendar days. (Pen. Code, § 646.91, Fam. Code, §§ 6240-6257). See VI below.

**EMERGENCY PROTECTIVE ORDERS SUPERSEDE ALL OTHER COURT ORDERS. Judges are available 24 hours a day at 805-289-8763 (during court hours) or at 805-340-1386 (after court hours, weekends and holidays)**

G. GUN VIOLENCE RESTRAINING ORDER (GVRO): Civil restraining order that prohibits a named person from controlling, owning, purchasing, possessing, receiving, or otherwise having custody of any firearm or ammunition. (Pen. Code, §§ 18100, et seq.) Ex parte GVROs may be sought by law enforcement, the family, or cohabitants. (Pen. Code, § 18150) (See Section 12)

V. NOTIFICATION TO VICTIMS OF THE AVAILABILITY OF EMERGENCY PROTECTIVE ORDERS

A. Law enforcement shall inform victims of the availability of an EPO when they have reasonable grounds to believe:

1. There is an immediate and present danger of domestic violence based on the person's allegation of recent abuse or threat of abuse.
  2. The EPO is necessary to prevent the occurrence or recurrence of domestic violence. *If the person requests such an order, the officer shall request an EPO from the court.* (Fam. Code, §§ 6251, 6250, 6275; Pen. Code, § 646.91)
- B. The duty to advise victims about EPOs exists even though no crime has yet been committed. All victims should be advised that they may or may not qualify for an EPO if certain requirements are not met. (Last sentence added per Sharon)
- C. The immediate and present danger determination shall be made regardless of the respondent's custody status or the protected person's continued residence in the home.

VI. PROCEDURES TO OBTAIN AN EMERGENCY PROTECTIVE ORDER:

- A. Complete the *Application for Emergency Protective order/Emergency Protective order* form lines 1 through 7 on the application (Form EPO-001 (rev. 1-2014) (CLETS)).
- B. During court hours, the officer shall contact a judge at 805-289-8763.
- C. After court hours, weekends, and holidays, the officer shall contact the duty judge at 805-340-1386.
- D. After approval, the judge will advise the officer what to record for lines 9 through 12 of the EPO section. The order may be granted for up to five (5) court days and will expire at 5:00 p.m. on the last specified court day.
- E. Once the EPO has been finalized, the officer shall provide a copy of the application and order to the issuing agency and to the protected party. A final copy of the application should be attached to the crime report for the court.
- F. The officer shall encourage the protected party to carry a copy of the EPO with him/her.

- G. The officer shall refer the individual to the Victim Services Division of the District Attorney's Office for assistance with obtaining further restraining orders.
- H. The officer shall have the order entered into the computer database system for protective and restraining orders maintained by the Department of Justice.
- I. If a Protective Order is obtained, a Crime/DV Incident Report shall be prepared on the incident.

VII. ORDERS MUST BE SERVED ON RESTRAINED PERSON

- A. Law enforcement shall make a reasonable effort to serve the restrained party with the EPO.
- B. Verbal admonishment by a law enforcement officer shall constitute valid service of the order under the following conditions:
  - 1. Verbal admonishment shall be conducted in person.
  - 2. The terms and conditions shall be read to the restrained person.
  - 3. The restrained person shall be advised to go to the local court to obtain a copy of the order containing the full terms and conditions of the order (Fam. Code, § 6383(g)).
- C. If applicable, law enforcement should check with dispatch to determine whether a served order is on file.
- D. If applicable, law enforcement should access information about the terms of the order through CLETS/NCIC. Law enforcement may also check [www.ventura.courts.ca.gov](http://www.ventura.courts.ca.gov) for limited restraining order information on all protective orders entered into CLETS.
- E. If no record of service exists:
  - 1. Advise the restrained person that there is an order in effect.

2. If available, provide a copy of the order to the restrained person. If a copy is not available, have the terms of the order read over the phone and then verbally advise him/her of those terms.
3. Advise the restrained person that s/he is now subject to the terms of the order and can be arrested for any further violation.
4. Document your contact and the service of the order per your departmental policy. Record your name, ID number, and date, time, and location that the suspect received the notice.

**Prepare a crime report for every domestic violence restraining order/protective order violation. Whenever the suspect is not present at the scene, a crime report and warrant declaration shall be submitted to the district attorney.**

- F. If a copy is provided to the restrained person by the victim, law enforcement shall complete and sign a proof of service form.
1. Give the original proof of service form to the victim.
  2. Follow departmental protocols regarding documenting “service” of the Court order(s).

## Section 10 - Law Enforcement Officer or Military Involved in Domestic Violence Procedures

No person, because of his or her occupation, should be exempt from the application of laws concerning domestic violence. When responding to a domestic violence call involving a law enforcement officer or member of the military, the following procedures are recommended:

- I. INVESTIGATIONS INVOLVING LAW ENFORCEMENT OFFICERS FROM OTHER AGENCIES
  - A. All cases shall be investigated in accordance with applicable statutes, departmental policies, this protocol, and the Peace Officer's Bill of Rights.
  - B. The supervisor of the investigative unit shall notify the agency that employs the officer as soon as possible.
  - C. A copy of the completed investigation shall be provided to the investigator's agency supervisor.
  
- II. INVESTIGATIONS INVOLVING OFFICERS WITHIN THE INVESTIGATING AGENCY
  - A. All cases shall be investigated in accordance with applicable statutes, departmental policies, this protocol, and the Peace Officer's Bill of Rights.
  - B. Each agency shall develop and follow specific department policies and procedures regarding officer involved domestic violence consistent with the Peace Officer's Bill of Rights.
  
- III. INVESTIGATIONS INVOLVING MILITARY
  - A. The intent of this policy is to eliminate all informal referrals, diversions, or report-taking omissions in the handling of domestic violence involving military personnel.
  - B. No informal agreements with the shore patrol or a suspect's commanding officer shall take precedence over a suspect's arrest and prosecution by the non-military authorities.

- C. Weapons seized from military personnel shall be treated as evidence in a crime and not as government property.
- D. When contacting military suspects, obtain their social security numbers and their assigned command information.
- E. If the arrested person is a member of the local military, the watch commander has discretion to notify the Naval command duty officer at (805) 207-7277, or the Naval base operator (quarterdeck) at (805) 989-7209.
- F. See Addendum G for additional military contact information and military victim services

## Section 11 - Courtesy Reports

If the responding agency determines that the abuse took place in another jurisdiction, the responding agency shall immediately contact the jurisdictional agency to inquire if they want a “courtesy” report to be prepared. Some agencies may wish to respond and take over the investigation. If a courtesy report is requested:

- I. The “courtesy” report should meet the same standards as any crime report investigated by that jurisdiction.
- II. An effort should be made to recover any relevant evidence and photograph the injuries.
- III. A case number should be assigned pursuant to reporting requirements set forth in Penal Code section 13730.
- IV. The agency where the crime occurred should be notified as soon as possible and a complete copy of the investigative report should be sent to that agency’s record section and/or investigative unit.

## Section 12 - Domestic Violence Gun Seizures

- I. It is a crime punishable by imprisonment in county jail or state prison or fine for a person restrained by a protective order to own or possess a firearm during the term of the order. (Pen. Code, §§ 273.6(g)(1), 29825)
- II. Law enforcement shall ask victims if they know of any unregistered firearms that the suspect has access to.
- III. An officer at the scene of a domestic violence incident involving a threat to human life or a physical assault, or serving a gun violence restraining order or protective order, is authorized to take temporary custody of any firearm or other deadly weapon in plain view or discovered pursuant to a consensual search as necessary for the protection of the peace officer or other persons present. (Pen. Code, § 18250(a))
  - A. Upon taking custody of a firearm or other deadly weapon, the officer shall give the owner or person who possessed a firearm a receipt. The receipt shall describe the firearm or other deadly weapon and list any identification or serial number on the firearm. The receipt shall indicate where and when the firearm or deadly weapon can be recovered. (Pen. Code, §18255)
  - B. If the weapon seized is not retained for use as evidence in the domestic violence incident or is not retained because it was illegally possessed, the weapon must be released to the owner or person in lawful possession 48 hours after the seizure or as soon thereafter as possible, but no later than five business days after the owner or person who was in lawful possession demonstrates compliance with Penal Code section 33850.
  - C. Complete a DV-800 *Proof of Firearms Turned In* form.
- IV. GUN VIOLENCE RESTRAINING ORDERS
  - A. An officer who reasonably believes a person is an immediate and present danger to him/herself or another person by controlling, owning, purchasing, possessing, receiving, or otherwise having custody of a firearm may petition the court for a temporary gun violence restraining order. (Pen. Code, § 18125)

- B. Law enforcement petitioning the court should use the forms established by the Judicial Council. (Pen. Code, § 18105) The petition should describe the number, types, and locations of any firearms and ammunition that the deputy believes to be possessed or controlled by the person. (Pen. Code, § 18107) The petition should also describe why less-restrictive alternatives are ineffective or inadequate for the circumstances. (Pen. Code, §§ 18125, 18150, 18175)
- C. If time and circumstances do not permit the submission of a written petition, law enforcement may make a telephonic request using the procedures for obtaining a telephonic search warrant in Penal Code section 1526 using the appropriate Judicial Council form. (Pen. Code, §§ 18140, 18145)
- D. Firearms and ammunition that were taken into temporary custody or surrendered pursuant to a gun violence restraining order shall be returned to the restrained person upon the expiration of the order in accordance with Penal Code section 18120.

#### V. EX PARTE GUN VIOLENCE RESTRAINING ORDERS

- A. An immediate family member or law enforcement officer may file a petition requiring that the court issue an ex parte gun violence restraining order enjoining the subject from owning, purchasing, possessing, or receiving a firearm or ammunition.
- B. The petition shall state that the subject of the petition poses a significant danger of causing personal injury to himself, herself, or another and the ex parte gun violence restraining order is necessary to prevent personal injury to the subject of the petition or another person because less restrictive alternatives have been tried and found ineffective or are inadequate for the circumstances. (Pen. Code, § 18150, et seq.)

#### VI. SEARCH WARRANTS

- A. A search warrant may be obtained to remove a firearm or other deadly weapon from a domestic violence scene or premise occupied or under the control of a person arrested in connection with a domestic violence incident involving a threat to human life or a physical assault. (Pen. Code, § 1524(a)(9))

- B. A search warrant may be obtained, if a firearm or ammunition or both are in the custody or control of a person who is the subject of a Gun Violence Restraining Order (GVRO). (Pen. Code, § 1524(a)(14))
- VII. Procedures for initiating an 18400-weapon confiscation petition by law enforcement
- A. Law enforcement may petition the court within 60 days of seizure to keep the weapon if there is reasonable cause to believe that the return of the weapon would likely result in endangering the victim or other reporting person.
  - B. Attach a copy of the 18400 notice to the police reports prepared in connection with the domestic violence incident. (Pen. Code, §18405)
  - C. Determine whether the parties involved in the domestic violence incident have been involved in any prior incidents involving violence. Submit any such information with the 18400 packet.
  - D. Deliver the packet to the District Attorney's Office for review as soon as possible after the date of offense.
  - E. Have the packet date and time stamped at the front reception desk at the District Attorney's office.
  - F. Hand carry the packet to the assigned weapons confiscation Deputy District Attorney.
  - G. The District Attorney's Office will run the Automated Firearms computer screens in all domestic violence cases when feasible, and attempt to notify the courts of relevant information regarding those registered firearms.

## Section 13 - Victim Assistance

- I. In all domestic violence incidents, an officer should:
  - A. Exercise reasonable care for the safety of the victims, officers, and parties involved.
  - B. Assist in arranging to transport the victim to an alternative shelter if the victim expresses a concern for safety or the officer determines a need exists.
  - C. Explain options available to the victim, including emergency protective orders, temporary restraining orders, and in cases of arrest, the follow up procedures and ensuing criminal proceedings.
  - D. Provide the victim with the District Attorney's Marsy's Law card, and, if applicable, your department's information for victims of domestic violence.
  - E. Verify and enforce court-issued protective orders as set forth in this protocol.
  - F. If a child is endangered by the domestic violence incident, Child and Family Services (CFS) shall be telephonically notified immediately, or as soon as practicably possible (805-654-3200) In addition, a Suspected Child Abuse Report (SS 8572) shall be transmitted to CFS within 36 hours of the incident.
  - G. Sexual assault victims shall be advised that pursuant to Penal Code section 293, his or her name will become a matter of public record unless he or she requests that it not be made public.
- II. When a party in a domestic violence incident requests law enforcement assistance to remove personal property to another location, officers shall stand by for a reasonable amount of time until the party has safely done so.

## Addendum A – Risk Factor Awareness

Several risk factors have been associated with serious injury and homicide. It is important to recognize that significant risks can be present in a case without the presence of visual evidence such as signs of physical abuse.

**Important Note: Risks can extend beyond the victim to her/his children and other family members, co-workers, new intimate partners, others living in the home, etc.**

- I. Lethality risk factors for domestic violence may include:
- Ready access to firearms, knives, other deadly weapons.
  - Parties lived together within the past year and the victim has recently left or threatened to leave.
  - Suspect is unemployed.
  - Threats or use of firearms or other weapons against victim.
  - Specific threats to harm or kill victim, children, family members or pets.
  - Suspect has not previously been arrested for domestic violence.
  - Suspect is constantly jealous, obsessive/possessive or controlling of victim's daily activities.
  - Suspect is not the biological parent of victim's child or children.
  - Forced sex or sexual acts.
  - Physical violence that has increased in frequency and/or severity in the past year.
  - Perceived betrayal such as victim is in a new relationship or has recently filed for child custody or child support.
  - Current history of restraining order violations with intimate partner or family members.

- Current or history of strangulation, often referred to as “choking.”
- Alcohol abuse, illicit drug use, or prescription drug abuse.
- Mental health challenges such as suicidal thoughts or gestures, and/or past or current suicidal attempts or behaviors.
- Stalking behaviors such as suspect monitoring the victim’s whereabouts, phone or computer use, and/or following the victim.
- Increased physical violence during pregnancy.
- Isolation from friends, family, coworkers, or others.

II. If risk factors are identified, consider the following:

- Request an Emergency Protective Order, unless a restraining order is already in place.
- Request a bail enhancement or no bail, if applicable.
- Ensure that the victim receives the DV hotline numbers and DV Resource Guide (see Addendum E).

III. Assessing victim and/or suspect for suicide:

A. Ask questions such as:

- Have you ever felt so bad that you didn’t want to go on living? Do you feel that way now?
- Have you ever attempted or thought about suicide in the past?
- Are you thinking about killing yourself? Do you have a plan?

B. If suicide risks are present, contact the Crisis Intervention Team at 866-998-2243 for an assessment.

## Addendum B – Strangulation

The California Legislature recognizes strangulation as a serious threat to the health and well-being of the citizens of California. In 2012, California Penal Code section 273.5 was amended to specifically include injuries as a result of strangulation and suffocation as grounds for felony prosecution:

Penal Code section 273.5 (d): “...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.*” [Pen. Code, § 273.5(d)]

Non-fatal strangulation is a significant risk factor for predicting future homicide in family abuse cases including domestic violence, elder abuse, and child abuse. Female survivors of non-fatal strangulation are more than 600% more likely to become a victim of attempted homicide and more than 700% more likely to become a victim of homicide. Often, strangulation leaves no visible signs of injury.

**Completion of the Strangulation Documentation Supplemental Form is recommended in every “choking”/strangulation case, regardless of whether there are visible injuries. This form shall be submitted with the crime report(s) to the District Attorney’s Office for review.**

- I. Visible Injuries: Although visible injuries are not often present, it is imperative to document any that do exist. Visible injuries can include but are not limited to:
  - A. Vertical fingernail scratch marks on the victim may be an indication of self-inflicted defensive wounds. Victim attempts to release the suspect’s grasp around the neck.
  - B. Half-moon shaped abrasions are generally less than one centimeter in size, on the back of the victim’s neck (potentially under the hair) may provide evidence the suspect’s hands were wrapped around the neck.
  - C. Bite marks on the suspect may indicate the victim’s attempts to get the suspect to release his/her grip. The victim may *not* remember biting the suspect. Some bite areas may include the suspect’s bicep(s), forearm(s), shoulder(s), and upper chest.

- D. Head injuries to the victim may happen when the suspect hits the victim's head on the floor or wall during strangulation.
  - E. Swelling (edema) of the victim's neck, lips, and/or tongue. Describe these in the narrative, as they may not photograph well.
  - F. Bruising to the neck, such as a pressure point from the suspect's thumb(s) on the neck or from a ligature. Often this bruising does not appear right away and may appear as redness on the neck.
  - G. Bruising underneath the victim's chin may occur from pressure when a victim pushes down with their chin to break the grip of the offender.
  - H. Petechiae may be present in some cases. These are pin point red or red-purple non-blanching dots that may be seen on the earlobes, eyelids, eyes, lips, cheeks, behind the ears, or elsewhere on the face or neck. Petechiae are caused when the jugular vein is blocked by pressure and capillaries (tiny blood vessels) burst. This same phenomenon can also occur in the brain of strangulation victims and it is extremely important to document its presence.
- II. Non-Visible Injuries (Symptoms): This evidence can be critical to the case, as visible injuries are often not present in cases of actual strangulation. It is important to ask victims about how they felt during and after the incident, as well as during the current interview. Since experiences may change with time, some victims may experience symptoms later.

**Strangulation injuries are frequently not visible. Domestic Violence professionals must investigate further to gather evidence related to strangulation.**

- III. Suspect Characteristics: It is important to ask the victim to describe characteristics about the suspect during the assault. Questions can include:
- A. In what direction did the suspect look during the assault?
  - B. What did the suspect look like while strangling you?
  - C. Did the suspect threaten to hurt or harm you during the assault?
  - D. What did the suspect say before, during, and after the assault?

<b>VICTIM NAME</b> (Last, First, Middle)	DATE OF BIRTH	M <input type="checkbox"/>	F <input type="checkbox"/>	CASE #
<b>SUSPECT NAME</b> (Last, First, Middle)	DATE OF BIRTH	M <input type="checkbox"/>	F <input type="checkbox"/>	

**STRANGULATION EVENT QUESTIONS**

**(Audio/BWV record the victim's response to all of the following)**

- What did suspect use to strangle you?  Left Hand  Right Hand  Two Hands  Forearm  Knee/Foot  
 Other Object(s): \_\_\_\_\_  
 Describe manner/method in detail in narrative.
- Estimate how long strangulation lasted: \_\_\_\_\_ Minute(s) \_\_\_\_\_ Second(s) Multiple Times:  Yes # \_\_\_\_\_  No
- Estimate the amount of force suspect used to strangle:  
 (1 = weak, 10 = very strong):  1  2  3  4  5  6  7  8  9  10
- Describe suspect's emotional demeanor while strangling you: \_\_\_\_\_
- Describe the suspect's face/expression during strangulation: \_\_\_\_\_
- What did suspect say while strangling you? \_\_\_\_\_
- What else did suspect do while strangling you? \_\_\_\_\_
- Were you able to speak during the strangulation?  Yes  No If yes, what did you say? \_\_\_\_\_
- Did you do anything to attempt to physically stop the strangulation?  Yes  No Describe: \_\_\_\_\_
- What made the suspect stop? \_\_\_\_\_
- What did you think during the strangulation? \_\_\_\_\_
- Has suspect strangled you on other occasions?  Yes  No If yes, # of occasions: \_\_\_\_\_
- When/Where: \_\_\_\_\_
- If you are having trouble remembering, what do you remember about what happened?  
 (Describe detail in narrative) \_\_\_\_\_

**SYMPTOMS EXPERIENCED BY VICTIM (CHECK ALL THAT APPLY)**

SYMPTOM	DURING	AFTER	SYMPTOM	DURING	AFTER	SYMPTOM	DURING	AFTER
Vision Changes: Tunnel	<input type="checkbox"/>	<input type="checkbox"/>	Coughing Blood	<input type="checkbox"/>	<input type="checkbox"/>	Hoarse Voice	<input type="checkbox"/>	<input type="checkbox"/>
Vision Changes: Spots	<input type="checkbox"/>	<input type="checkbox"/>	Nausea	<input type="checkbox"/>	<input type="checkbox"/>	Loss of Voice	<input type="checkbox"/>	<input type="checkbox"/>
Hearing Loss/Changes	<input type="checkbox"/>	<input type="checkbox"/>	Vomit/Dry Heaving	<input type="checkbox"/>	<input type="checkbox"/>	Whisper Voice	<input type="checkbox"/>	<input type="checkbox"/>
Loss of Consciousness	<input type="checkbox"/>	<input type="checkbox"/>	Dizziness	<input type="checkbox"/>	<input type="checkbox"/>	Neck Pain/Tender	<input type="checkbox"/>	<input type="checkbox"/>
Unable to Breathe	<input type="checkbox"/>	<input type="checkbox"/>	Headache	<input type="checkbox"/>	<input type="checkbox"/>	Trouble Swallowing	<input type="checkbox"/>	<input type="checkbox"/>
Difficulty Breathe	<input type="checkbox"/>	<input type="checkbox"/>	Feel Faint	<input type="checkbox"/>	<input type="checkbox"/>	Pain Swallowing	<input type="checkbox"/>	<input type="checkbox"/>
Rapid Breathing	<input type="checkbox"/>	<input type="checkbox"/>	Disorientation	<input type="checkbox"/>	<input type="checkbox"/>	Sore Throat	<input type="checkbox"/>	<input type="checkbox"/>
Pain While Breathing	<input type="checkbox"/>	<input type="checkbox"/>	Memory Loss	<input type="checkbox"/>	<input type="checkbox"/>	Urinate	<input type="checkbox"/>	<input type="checkbox"/>
Shallow Breathing	<input type="checkbox"/>	<input type="checkbox"/>	Painful to Speak	<input type="checkbox"/>	<input type="checkbox"/>	Defecate	<input type="checkbox"/>	<input type="checkbox"/>
Coughing	<input type="checkbox"/>	<input type="checkbox"/>	Raspy Voice	<input type="checkbox"/>	<input type="checkbox"/>	Other:	<input type="checkbox"/>	<input type="checkbox"/>

REPORTING OFFICER'S NAME & ID NUMBER:	DATE AND TIME:	APPROVED BY:

<b>OFFICER OBSERVED INJURIES (CHECK ALL THAT APPLY)</b>			
<b>FACE</b>	<b>EYES</b>	<b>NOSE</b>	<b>MOUTH</b>
<input type="checkbox"/> Skin Red/Flushed <input type="checkbox"/> Red Spots (e.g. petechiae) <input type="checkbox"/> Scratches or Abrasions <input type="checkbox"/> Swelling <input type="checkbox"/> Bruising	<input type="checkbox"/> Red Eye <input type="checkbox"/> Left <input type="checkbox"/> Right <input type="checkbox"/> Red Spots in Eye <input type="checkbox"/> Left <input type="checkbox"/> Right <input type="checkbox"/> Red Spots on Eyelid <input type="checkbox"/> Left <input type="checkbox"/> Right <input type="checkbox"/> Blood in Eyeball <input type="checkbox"/> Eyelid(s) drooping	<input type="checkbox"/> Redness <input type="checkbox"/> Red spots (i.e. petechiae) <input type="checkbox"/> Scratches or Abrasions <input type="checkbox"/> Swelling <input type="checkbox"/> Bleeding	<input type="checkbox"/> Swollen Lips <input type="checkbox"/> Swollen Tongue <input type="checkbox"/> Bruise(s) <input type="checkbox"/> Scratches or Abrasions <input type="checkbox"/> Red Spots in Palate or Gums
<b>EARS</b>	<b>UNDER CHIN</b>	<b>NECK</b>	<b>SHOULDERS</b>
<input type="checkbox"/> Redness <input type="checkbox"/> Red spots (i.e. petechiae) <input type="checkbox"/> Bleeding <input type="checkbox"/> Bruising or Discoloration <input type="checkbox"/> Swelling <input type="checkbox"/> Red Spots Behind Ear(s) <input type="checkbox"/> Bruising Behind Ear(s)	<input type="checkbox"/> Redness <input type="checkbox"/> Scratches or Abrasions <input type="checkbox"/> Lacerations <input type="checkbox"/> Bruises <input type="checkbox"/> Linear Marks (e.g. fingernail marks) <input type="checkbox"/> Other:	<input type="checkbox"/> Redness <input type="checkbox"/> Scratches or Abrasions <input type="checkbox"/> Bruises <input type="checkbox"/> Linear Marks (e.g. fingernail marks) <input type="checkbox"/> Ligature Marks <input type="checkbox"/> Red Spots (e.g. petechiae) <input type="checkbox"/> Swelling	<input type="checkbox"/> Redness <input type="checkbox"/> Scratches or Abrasions <input type="checkbox"/> Lacerations <input type="checkbox"/> Bruises <input type="checkbox"/> Other:
<b>HANDS, FINGERS, ARMS</b>	<b>HEAD</b>	<b>CHEST</b>	<b>OTHER</b>
<input type="checkbox"/> Redness <input type="checkbox"/> Bruising <input type="checkbox"/> Swelling <input type="checkbox"/> Scratches or Abrasions <input type="checkbox"/> Broken Fingernails	<input type="checkbox"/> Lumps/Bumps <input type="checkbox"/> Lacerations <input type="checkbox"/> Scratches or Abrasions <input type="checkbox"/> Hair missing <input type="checkbox"/> Red Spots on Scalp (e.g. petechiae)	<input type="checkbox"/> Redness <input type="checkbox"/> Scratches or Abrasions <input type="checkbox"/> Lacerations <input type="checkbox"/> Bruises <input type="checkbox"/> Linear Marks (e.g. fingernail marks)	Describe _____ _____ _____ _____

**OFFICER CHECKLIST**

- Photograph all injuries, scene and physical evidence.
- Audio and/or Body Worn Video recording of all statements from victim, suspect, children and witnesses.
- If strangulation was done using an object, photograph and collect the object.
- Document where all evidence items were found.
- Determine if jewelry was worn by either party during the incident. If so, photograph it and, when feasible, look for pattern injuries.
- If defecation or urination in clothing, collect the clothing as evidence.
- If victim vomited, take photos of the vomit.
- Contact Supervisor and consider contacting duty detective.
- Take photographs of BOTH parties to document injuries and/or lack of injuries. Include hands, arms, face, chest, neck and all other areas the parties claim injury or physical contact occurred.
- Obtain signed Authorization for Medical Records Release from victim (and suspect if applicable).
- Insure the canvas for both eye and ear witnesses is completed and all contact information documented.
- Obtain evidence from hospital, if available, or follow-up to retrieve.

REPORTING OFFICER'S NAME & ID NUMBER:	DATE AND TIME:	APPROVED BY:

## Addendum C – Common Charges

Domestic Violence incidents may result in a violation of one or more of the following sections of the Penal Code:

136.1	Intimidating or dissuading a witness (Felony if by force, threat, or conspiracy)
148	Resisting arrest by interfering with lawful duties of a peace officer
166(a)(4)	Disobedience of any court order
166(c)(1)	Disobedience of restraining order (misdemeanor)
166(c)(4)	Second conviction (felony)
187	Murder
664/187	Attempted murder
207	Kidnapping
236	False Imprisonment
240	Assault
242	Battery
243(d)	Battery with serious bodily injury (felony)
243(e)(1)	Domestic battery (injury not required)
245	Assault with a deadly weapon, firearm, or force likely to cause GBI
246	Shooting at an inhabited dwelling
246.3	Negligent discharge of a firearm
262	Spousal rape
273.5(a)	Corporal injury to spouse/cohabitant
273.6	Domestic violence restraining order violation
273.6(d)	Domestic violence restraining order violation with threat
273a(a)	Child abuse (felony)
273a(b)	Child abuse (physical or emotional- misdemeanor)

368	Elder abuse
417(a)	Brandishing a weapon
418	Forcible entry into the home of another
422	Criminal threats
459	Residential burglary
591	Malicious destruction of electronic device (phone)
594	Vandalism
602.5	Trespassing
603	Forcible entry with damage to property
646.9	Stalking
653m	Annoying phone calls
12022	Possession of a deadly weapon
29800(a)(1)	Possession of a firearm by convicted felon
29825(b)	Possession of a firearm while subject to a restraining order
29805	Possession of a firearm within ten years of specified misdemeanor conviction (includes domestic violence offenses)
27500(b)	Supplying, delivering, selling, giving possession or control of firearm to prohibited person pursuant to Penal Code 12021 or 12021.1

## Addendum D – Safe Harbor Multidisciplinary Centers

### **SAFE HARBOR EAST**

2639 Avenida Simi  
Simi Valley, California 93065

Business Hours Activation Line: 805-579-6912  
After Hours Activation – Answer Net: 800-289-9858  
Program Coordinator Jacquie Richardson Cell (24/7) 805-551-3449  
District Attorney Safe Harbor Victim Advocate 805-494-8257

### **SAFE HARBOR WEST**

2982 Martha Drive  
Ventura, California 93003

Business Hours Activation Line: 805-641-4430  
After Hours Activation - Answer Net: 800-289-9858  
Program Coordinator Susan Becker Cell (24/7) 805-947-8158  
District Attorney Safe Harbor Victim Advocate 805-647-4427

## Addendum E – Domestic Violence Resources

**National Domestic Violence Hotline** ..... 1-800-799-SAFE (7233)

### **Domestic Violence Services, Shelters & Restraining Order Assistance**

District Attorney’s Office Crime Victim Assistance Unit.....805-654-3622

Coalition for Family Harmony (24-Hour Hotline and Shelter) .....800-300-2181

Interface Child and Family Services (24-Hour Hotline and Shelter) ..... 800-636-6738

### **Other Services**

Children’s Intensive Response Team (for suicidal/violent children, teens) ...866-431-2478

Child Protective Services ..... 805-654-3200

211 Ventura County (24-hour hotline referral services)..... **dial 2-1-1 or 800-339-9597**

Ventura County Behavioral Health  
(available 24/7 for people in crisis or seeking help).....866-998-2243

### **Children’s Resources**

Interface Child and Family Services (Youth Crisis Outreach Line).....805-469-5882

CASA (Court Appointed Special Advocates).....805-389-3120

City Impact (Outreach and support for at risk youth).....805-983-3636

121 Help.me (North American Alliance of Child Helplines).....855-201-2121

California Youth Crisis Line (Statewide help line) .....800-843-5200

## **All resources are available in Spanish**

### **Translation Services**

Mixteco Indigena Community Organizing Project (MICOP)  
(Spanish and Mixteco Translation).....805-483-1166

<http://www.counts.ca.gov/3796.htm>

(Provides contact information for Court interpreters in all languages)

## Addendum F – Protective Orders

Different types of protective orders are issued by Ventura County courts and victims may obtain multiple orders. The most restrictive order prevails, with an emergency protective order (EPO) superseding all other orders. (Pen. Code, §136.2(c)(1)(B)(2)) The conduct of the parties cannot modify a restraining order. (Pen. Code, §13710(b)) Only a judge can modify an order.

An order may require “No contact” or may be limited to “No force or violence.” No force or violence restraining orders permit a restrained person to have contact with a protected person, however, they are not allowed to: harass, strike, threaten, assault (sexually or otherwise), follow, stalk, molest, destroy or damage personal or real property, disturb the peace, keep under surveillance, or block movements of the protected party.

Each order is issued with a unique case number. The following is a guide of sample court case numbers for the corresponding type of protective order:

Type of Order	Sample Court Order Case Number
Emergency Protective Order	Agency DR# (ex: 17-00210)
Civil Harassment Restraining Order	CH - <a href="#">56-2017-00452989-CU-HR-VTA</a>
Elder Abuse Restraining Order	EA -26-2017-23896214-CU-PT-VTA
Criminal Protective Order	CPO #71350
Civil Domestic Violence Restraining Order	D191856 (filed in Ventura courthouse) Or SD 191856 (filed in Simi courthouse)
Dependency Restraining Order	D542456
Juvenile Court Order	J123621
Gun Violence Restraining Order	2017-00494147

## Addendum G – Military Contacts and Resources

Domestic violence, sexual assault, and child abuse have a negative impact upon military readiness, effectiveness, good order, and discipline. In order to address these concerns, the U.S. Department of Defense has developed policies and procedures and mandated the creation of various investigative and support services. Accordingly, properly responding to these incidents is a leadership issue.

### **THE NAVY FAMILY ADVOCACY PROGRAM (FAP)**

The Navy Family Advocacy Program (FAP) assists with, and responds to, all allegations of domestic abuse and child abuse. Naval victim advocates assist victims with resources and referrals to help them maintain safety in or out of an abusive relationship. The Navy may intervene with immediate safety needs by issuing a **Military Protective Order** that instructs the service member to stay away from the alleged victim. This is recognized by the Navy only. A civilian protective order is necessary for law enforcement protection.

### **THE NAVAL BASE VENTURA COUNTY SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM (SAPR)**

The Naval Base Ventura County provides 24/7 crisis response to victims of sexual assault, including active duty military, military dependents over the age of 18, and reservists. The SAPR program offers a variety of resources, including 24/7 on-call advocates, a victim's legal counsel, safety assessment and planning, and other forms of assistance. SAPR victim advocates provide immediate crisis response and continued support throughout the entire process. They can accompany victims to all law enforcement, legal, and medical appointments and facilitate connecting victims with various military and civilian supportive resources.

## **CONTACTS FOR NAVAL BASE VENTURA COUNTY**

Naval Base Ventura County serves both Point Mugu and Port Hueneme. The following services are available for active duty military personnel, reservists, and military dependents:

**Counseling and Advocacy Program**  
(Family Advocacy, Domestic Abuse and Child Abuse)  
805-982-5330

**Domestic Abuse Victim Advocates**  
805-982-3788 Office  
805-202-6543 24/7 Duty Cell  
805-509-5319 24/7 Duty Cell

**Sexual Assault Response Coordinator**  
(Sexual assault involving service members or their dependents over 18)  
805-982-6139 Office  
805-207-5309 24/7 Duty Cell

**Sexual Assault Victim Advocacy Support Specialist**  
805-746-1538 24/7 Duty Cell

**Sexual Assault Safe Helpline**  
(Department of Defense, confidential and anonymous)  
877- 995-5247

**Force Protection (Base Police)**  
805-982-4591

**Naval Criminal Investigative Services (NCIS)**  
805-982-4524

**Fleet & Family Support Center**  
1000 23rd Avenue, Bldg 1169  
Port Hueneme, CA 93043  
805-982-5037

**Fleet & Family Support Center**  
Point Mugu North Mugu Road  
Bldg 225 Point Mugu, CA 93043  
805-989-8146

**Pitchess Motion attachment A.pdf**

# CITY OF SIMI VALLEY • MEMORANDUM

**DATE:**

**TO:**

**FROM:** Professional Standards Bureau

**SUBJECT: NOTIFICATION OF PRETRIAL DISCOVERY MOTION**

Pursuant to Evidence Code Section 1043(a), a notice is given that a motion has been filed in the below case and will be heard in the court indicated below. The Discovery Motion seeks to discover some or all of the Personnel or Internal Affairs records, which the Simi Valley Police Department maintains regarding your employment.

Case Number: \_\_\_\_\_ Date of Hearing: \_\_\_\_\_

Case Name: \_\_\_\_\_

Attorney and/or Person Requesting: \_\_\_\_\_

Court: \_\_\_\_\_ Time: \_\_\_\_\_

Location: \_\_\_\_\_

Note: The law does not require that you be present at the hearing. If you choose to attend the hearing, it would be on an off-duty basis with no overtime compensation.

---

Professional Standards Bureau

**Post Enforcement Letters.pdf**

Date:

Dear Sir/Madam:

Between the dates of April 7, 1999 and May 13, 1999, members of the Simi Valley Police Department conducted a check of your business regarding sales of tobacco to minors. This check is part of an ongoing program wherein an underage police employee attempts to purchase tobacco while under the supervision of an undercover police officer. Businesses throughout Simi Valley are periodically checked in this fashion.

I am pleased to report that the attempted purchase by our underage employee was denied by the employee on duty at your place of business. I would like to thank you and your employees for their compliance with this law. The support that you and your employees lend can help us achieve the goal of reducing tobacco use by minors. As I am sure you are aware, tobacco use by minors is a major health concern.

If you have any questions relative to this program, feel free to call Lieutenant Gordon Weeks, our Special Operations Unit Manager, at 583-6252.

Sincerely,

David Livingstone  
Chief of Police

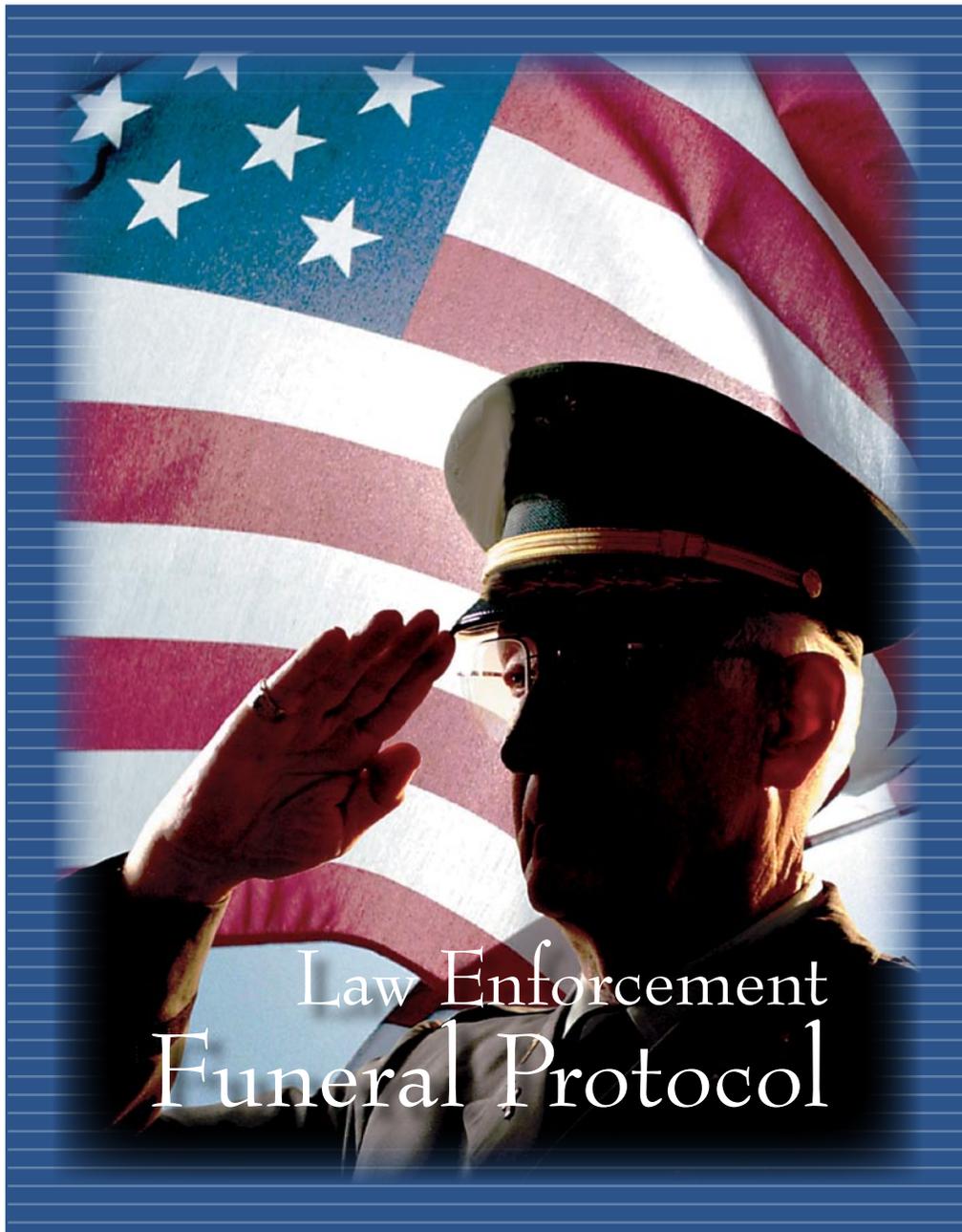
Date

To: \_\_\_\_\_

On \_\_\_\_\_ an employee/agent of your establishment sold tobacco to a minor in violation of 308(A) of the Penal Code. The minor was under the direct supervision of the Simi Valley Police Department Decoy Program.

Citation # \_\_\_\_\_ Officer \_\_\_\_\_ Ph. 583-6950

## **Ventura County Sheriff Funeral Protocol.pdf**



# Law Enforcement Funeral Protocol

For the Sheriff's Department and all interested agencies  
within Ventura County, California  
January 28, 2004

**LAW  
ENFORCEMENT  
FUNERAL  
PROTOCOL**

**For the Sheriff's Department and all interested agencies  
within Ventura County, California**

**January 28, 2004**

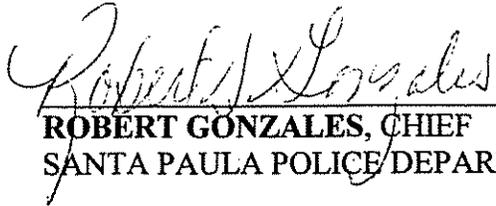
## Ventura County Police Funeral Committee Contact list

<b>Name</b>	<b>Title</b>	<b>Organization</b>	<b>Contact information</b>
Anthony Harper	Captain	Simi Valley P.D.	3901 Alamo Street, Simi Valley, 93063 (805) 583-6902 work aharper@simivalley.org
John Cooley	Volunteer	Simi Valley P.D.	3901 Alamo Street, Simi Valley, 93063 (805) 522-4861 home jcooley@simivalley.org
Bryan Roberts	Lieutenant	Ventura P.D.	1425 Dowell Drive, Ventura, 93003 (805) 339-4489 work broberts@ci.ventura.ca.us
Darrell Erickson	Sergeant	VCSO	800 South Victoria Ave., Ventura, 93009 (805) 654-2413 work (805) 797-6433 cell Darrell.Erickson@mail.co.ventura.ca.us
Bonnie Gatling	Sergeant	VCSO	800 South Victoria Ave., Ventura, 93009 (805) 654-3325 work (805) 947-8142 cell bonnie.gatling@mail.county.ventura.ca.us
Scott Hebert	Sergeant	Oxnard P.D.	251 South "C" Street, Oxnard, 93030 (805) 385-7725 work (805) 732-8966 cell (805) 499-0043 home (805) 339-4013 voicemail (805) 436-3490 pg scotthebert@oxnardpd.org
Bruce Wilson	CSS	City of Simi Valley	3901 Alamo Street, Simi Valley, 93063 (805) 583-6238 work (805) 887-6837 pg (805) 522-6027 home bwilson@simivalley.org

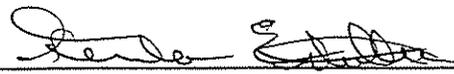
The listed persons are at the service of any caller, at any hour, for guidance or advice pertaining to any aspect of this policy.

**VENTURA COUNTY LAW ENFORCEMENT FUNERAL PROTOCOL**

3-12-04  
DATE

  
\_\_\_\_\_  
**ROBERT GONZALES, CHIEF**  
SANTA PAULA POLICE DEPARTMENT

2-20-04  
DATE

  
\_\_\_\_\_  
**FERNANDO ESTRELLA, CHIEF**  
PORT HUENEME POLICE DEPARTMENT

2/18/04  
DATE

  
\_\_\_\_\_  
**GREGORY D. TOTTON, DISTRICT ATTORNEY**  
COUNTY OF VENTURA

2/17/04  
DATE

  
\_\_\_\_\_  
**BOB BROOKS, SHERIFF**  
OF VENTURA COUNTY AND EX-OFFICIO CHIEF  
OF POLICE, CITIES OF CAMARILLO, FILLMORE,  
MOORPARK, OJAI AND THOUSAND OAKS

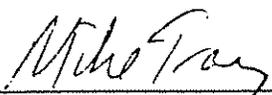
2/18/04  
DATE

  
\_\_\_\_\_  
**MARK E. LAYHEW, CHIEF**  
SIMI VALLEY POLICE DEPARTMENT

2-18-04  
DATE

  
\_\_\_\_\_  
**ART LOPEZ, CHIEF**  
OXNARD POLICE DEPARTMENT

2/18/04  
DATE

  
\_\_\_\_\_  
**MIKE TRACY, CHIEF**  
VENTURA POLICE DEPARTMENT

VENTURA COUNTY LAW ENFORCEMENT FUNERAL PROTOCOL

4/1/04  
DATE

Mark A. Lunn  
MARK A. LUNN, ASSISTANT CHIEF  
CALIFORNIA HIGHWAY PATROL

## **Ventura County Police Funeral Protocol Committee**

### **Policy Statement**

It is the stated purpose of this committee to establish a standard law enforcement funeral resource guide for Ventura County agencies, composed in such a way as to be suitable, and therefore adoptable, by all law enforcement agencies in the County. In all aspects of this endeavor, the concept: "at the discretion of the Agency Head" is understood. Law enforcement executives are as always, at liberty to make whatever decisions are in the best interest of their agencies. It is also assumed that any decedent, subject to the provisions of this protocol, was not involved in criminal conduct at the time of death.

### **The Committee**

The committee is composed of representatives from the Ventura County Sheriff's Department, and the Oxnard, Port Hueneme, Santa Paula, Simi Valley and Ventura Police Departments.

### **The Document**

The recommendations contained in this document are the result of extensive research and collective experience in the conduct of law enforcement related funerals. The rationale behind the recommendations are well-reasoned and unanimously agreed upon by the members of the committee. It is not the purpose of this document to detail the reasoning behind the recommendations – to do so would make the document too lengthy for readability or usefulness. There is considerable expertise involved in the recommendations and they are made in good-faith in the hope that all agencies will see their value, trust their validity and adopt them as presented.

### **Shared Resources**

It is the recommendation of the Committee that all agencies adopt a "Funeral Mutual Aid" stance that will, as a primary duty assignment, make any needed, specialized personnel resources available to the impacted agency, to wit: law enforcement funeral experts, buglers, pipers, horses, helicopters, honor guard, chaplains, etc.

### **Debriefing**

It is recommended that each department's personnel involved in the conduct of funerals meet with the committee of the impacted agency (with a County Protocol Committee member in attendance) and debrief the event for evaluation purposes to determine if any changes to policy or practice are appropriate.

### **Mourning Ribbon / Flag Protocol**

It is recommended that a standard protocol be established for the display of mourning ribbons and flags and that a uniform time period be established for the resumption of normal operations, to wit: ribbons on and flags at half-staff upon "official notification" of a death, and ribbons off, with flags at the norm, midnight after the funeral.

### **Critical Injury / Death and Funeral Notice**

It is recommended that a standard form "Critical Injury / Death and Funeral Notice" be established for release relative to the critical injury or death of an employee.

The "critical injury" aspect of the form is reserved for those injuries that are so grave that there is little or no expectation of recovery.

### **Death of Animals**

A subordinate protocol for the death of animals in law enforcement service is attached as addendum #8 to this policy.

### **Classification of Decedents**

It is recommended that five classifications of law enforcement employees be adopted for the purpose of identification and discharge of the appropriate level of funeral ceremonies.

**SWORN:** those sworn to enforce laws, including Reserve Officers;

**CIVILIAN:** all other employees, including volunteers;

**RETIRED:** those honorably retired on service or disability pensions;

**SEPARATED:** those who have left the employ of an agency and whose welfare and whereabouts are of general interest to the agency or other government employees;

**IMMEDIATE FAMILY MEMBERS:** spouse, children, parents, siblings of all employee classifications.

### **Classification of Events**

It is recommended that five classifications of law enforcement related deaths be adopted:

**Category I** Death of a sworn employee that is the proximate result of a traumatic injury sustained in the line of duty.

**Category II** Death of a sworn employee in any other manner.

## **Notifications**

Upon confirming the facts and circumstances of the critical injury or death of an employee the Watch Commander should cause appropriate agency-specific notifications to be made.

Interest in law enforcement matters is often high, and information will become public that there is a seriously injured or dead law enforcement employee from a certain jurisdiction. Given that the identity of the involved employee will be withheld pending notification of next of kin, it is highly recommended that on-duty personnel be advised to interrupt their duties and contact their own families to notify them that they are not the involved party. Employees should be admonished not to release the names of any parties actually involved in an incident.

## **Recommended Order of Notification**

**1. Agency Head**

**2. Next of Kin**

- The notification to the next of kin should, whenever possible, be made in person, by one of equal or greater rank than the decedent and in the company of a Chaplain.
- The notifier should be well informed regarding the circumstances surrounding the death and should freely impart that information to the decedent's family.
- The notifier, or other suitable person, shall remain with the decedent's family until the arrival of a suitable assisting person so as not to leave the family unattended during this critical period.
- The notifier should obtain the name of the employee preferred by the family to act in their behalf as Family Liaison Officer.
- The employee identified as the Family Liaison Officer should act in that capacity at the behest of the Incident Commander, in consultation with a member of the County Funeral Committee, and should carry that designation as a primary duty assignment until completion of the post-funeral reception.

**3. The "Officer's Association" Executive.**

**4. On-duty personnel.**

**5. Chaplain.**

**6. Psychologist.**

**7. Government executives and elected officials.**

Once all appropriate notifications have been made, the "Critical Injury / Death and Funeral Notice" should be completed. This form is an official, public notification of the death of a law enforcement employee. It should be completed as soon as practical, and as completely as possible. It is the document from which all information will be taken for press releases, teletype and fax notifications, etc. Having all recipients receive the same information at the same time and from the same official source is crucial to an efficient evolution of events. If there are aspects of the initial release that are unanswered, (usually viewing and funeral arrangements) they can be addressed as "pending" and an updated notice sent out when the family makes its wishes known.

## **Funeral Protocols**

### **1. Category I**

A Category I death is a public event that denotes full, military-style, ceremonial honors. This category is reserved for sworn employees (including reserve officers) killed in the line of duty. No effort should be spared in the conduct of a Category I funeral that is consistent with tradition, good taste and the wishes of the immediate next of kin.

Note: The agency head is the final arbiter of what ceremonial elements will be included in a Category I funeral.

In the event the impacted agency does not have all the specialized resources needed for the conduct of a Category I funeral, ( bugler, piper, helicopter, Master of Ceremonies, etc) members of the County Law Enforcement Funeral Committee can be contacted for assistance and advice.

Family members should be advised that a funeral with 'full honors' will take considerable time to properly conduct. It usually consists of a religious ceremony in accordance with the family's faith group, and a graveside ceremony that will require an extended wait for all elements, dignitaries and attendees to be in place before it can begin. It involves the movement of thousands of persons and hundreds of vehicles from the house of worship to the graveside. In almost all cases the family will be in place at the graveside before the last vehicle in the motorcade has left the house of worship. It is not uncommon for there to be a two-hour delay from the time the family arrives at the graveside and the last attendees are in place.

Note: Planners should arrange for portable toilets and a catering truck to be in place at the cemetery to meet the needs of attendees. Acquisition of an RV, for the family's comfort during the waiting period, should also be considered.

## **Honors, Defined**

There are two levels of **Honors** for the purposes of this order.

**Honors** Honors is comprised of an Honor Guard conducting a Rifle Salute, ceremonial Flag Folding and TAPS.

**Full Honors** Full Honors is comprised of the **Honors** elements plus aircraft flyovers and equestrian elements.

Note: Bagpipers and the release of birds are non-official funeral elements and in all cases are included at the behest of the decedent's family.

Note: The only Honors element appropriate for a non-sworn funeral is the *static presence* of an Honor Guard. In all cases a pre-folded flag may be placed on the casket and presented to the family.

### **2. Category II Sworn / Non-Traumatic Death**

Category II funerals are reserved for sworn personnel whose death is not the result of a traumatic, duty-related event. A Category II funeral may be a public event depending on its circumstances. It denotes a reduced level of military-style honors to be determined by the Agency Head in consultation with the County Law Enforcement Funeral Committee.

### **3. Category III Death of a Civilian Employee**

A Category III funeral is a non-public event with limited Department involvement.

### **4. Category IV Death of a Retired or Separated Employee**

A Category IV death is an informational matter addressed through publication of a Death and Funeral Notice.

### **5. Category V Death of an Employee's Family Member**

A Category V death is an informational matter addressed through publication of an internal Death and Funeral Notice when requested by the involved family.

## **Recommendations for Planning and Conduct of Category I Funerals**

### **(Full Honors)**

- Employ the Incident Command System to manage the event.
- Designate an Incident Commander (preferably one of high rank, with decision-making authority, in the decedent's chain of command).
- The Incident Commander should announce a planning meeting and activate the following positions:
  - Command Liaison Officer
  - Public Information Officer
  - Operations Section Chief
  - Planning and Intelligence Section Chief
  - Logistics Section Chief
  - Traffic Group Leader
  - Ceremonies Group Leader
  - Officer's Association Liaison

### **Position Descriptions and Responsibilities**

#### **Command Liaison Officer**

The Command Liaison Officer is assigned directly to the Incident Commander and is the initial point of contact for all outside agencies, dignitaries and VIPs. The Command Liaison Officer should:

- Facilitate the attendance of such persons;
- Advise such persons to make direct contact with the Command Liaison Officer upon arrival at the jurisdiction;
- Document the attendance of such persons and the size of their delegations;
- Ensure that the level of participation and visibility of such delegations is commensurate with the office represented;
- With prior clearance from the Family Liaison Officer, allow VIPs to personally express their condolences to the decedent's family on the day of the funeral;
- Maintain a journal of all activities;
- Submit all records of the attendance of such persons and delegations to the Planning and Intelligence Section prior to the incident debriefing.  
(Such records are critical to inter-agency relations. Follow-up letters of thanks are expected).

## **Public Information Officer**

The Public Information Officer is assigned to the Incident Commander and is the point of contact for all media outlets and should:

- Confer with the Family Liaison Officer regarding completion of the Critical Injury / Death and Funeral Notice;
- Prepare a press release regarding the death of the employee and the subsequent ceremonial arrangements. (Critical Injury / Death and Funeral Notice is sufficient for this purpose);
- Compose a brief biographical history of the deceased employee;
- Maintain a journal of all activities;
- Submit all documents to the Planning and Intelligence Section prior to the debriefing.

## **Family Liaison Officer**

The Family Liaison Officer is the person chosen by the decedent's next of kin as the primary point of contact for the family on all matters relating to the death and funeral of the employee. This is the most critical role in the Incident Command structure. It requires one of strong character who has a close bond with the family. Ideally, all contact with the family should be through this person. It is calming for the family to interact with one of their choosing rather than a flood of callers. The Family Liaison Officer should:

- Be with the decedent's family as much as possible during the funeral period;
- Maintain routine contact with the Incident Commander;
- Ensure that the family's wishes relating to the funeral are communicated to the Incident Commander on all matters;
- Be a conduit for all incoming or outgoing family communication;
- Attend all planning meetings;
- Maintain a journal of all activities;
- Communicate the family's wishes on all matters directly to the mortuary, through the Funeral Director;
- If circumstances permit, arrange a visit, before the funeral, between the family and the command staff of the Department;
- Submit the journal and any related documents to the Planning and Intelligence Section prior to the incident debriefing;
- Attend the incident debriefing.

## **Operations Section Chief**

It is the duty of the Operations Section Chief to oversee the various facets of the funeral preparation and execution in behalf of the Incident Commander. As such, the Operations Section Chief should:

- Schedule and maintain contact with all activated segments of the Incident Command structure;
- Attend all planning meetings;
- Appoint a Mortuary Liaison to discharge the duties listed on the Mortuary Liaison Checklist; (addendum #2)
- Appoint a House of Worship Liaison to discharge the duties listed on the House of Worship Checklist; (addendum #3)
- Appoint a Cemetery Liaison to discharge the duties listed on the Cemetery Liaison Checklist; (addendum #4)
- Exercise functional supervision over the progression of all funeral related events;
- Ensure that bomb sweeps are conducted at all venues prior to the arrival of personnel;
- Change and re-direct the Incident Action Plan as necessary;
- Maintain a journal of all activities;
- Submit all documentation to the Planning and Intelligence Section prior to the incident debriefing;
- Attend the incident debriefing.

### **Planning and Intelligence Section Chief**

It is the duty of the Planning and Intelligence Section Chief to oversee the conduct of all planning meetings, maintain all records and documentation and coordinate the participation of elements from within and without the Department that will be contributing technical expertise to the proceedings. The Planning and Intelligence Section Chief should:

- Announce and conduct an initial planning meeting;
- In conjunction with the Operations Section, identify an Operational Period;
- Compose a written Action Plan that allows sufficient time for all organizational components to complete assigned duties;
- Conduct a site survey at the house of worship and produce a security plan;
- Conduct a site survey at the cemetery and produce a security plan;
- Establish and maintain contact with:
  - The religious leader identified by the Family Liaison Officer;
  - The Funeral Director;
  - The Benefits Counselor;
  - The Department Psychologist;
  - A Piper;
  - A Bugler;
  - A photographer for both venues the day of the funeral;
  - An audio expert for the church and graveside ceremonies;
  - Maintain a journal of all activities;
  - Maintain copies of all written plans, diagrams, maps, etc.;
  - Handle all correspondence;

- Monitor the weather;
- Collect and archive all journals, notes and documents;
- Conduct the incident debriefing;
- Prepare an After-Action report.

### **Traffic Group Supervisor**

Under the direction of the Operations Section it is the responsibility of the Traffic Group to plan and coordinate all traffic related elements the day of the funeral.

The Traffic Group Supervisor should:

- Attend all planning meetings;
- Diagram the parking facilities at the mortuary and the cemetery;
- Contact (through the Command Liaison Officer) the California Highway Patrol and other jurisdictions that may be impacted during the funeral procession;
- Formulate a motorcade and parking plan for all venues;
- Maintain a journal of all activities;
- Submit all plans and related documentation to the Planning and Intelligence Section prior to the second planning meeting;
- Notify the Logistics Section of all items necessary to accomplish the Traffic Group mission (cones, delineators, flares, barricades, etc.);
- Submit all journals and other documentation to the Planning and Intelligence Section prior to the incident debriefing;.
- Return all unused or re-useable items to the Logistics Section;
- Attend the incident debriefing.

### **Ceremonies Group Supervisor**

Under the direction of the Operations Section it is the responsibility of the Ceremonies Group to research, plan and execute all funeral related ceremonies. The Ceremonies Group Supervisor should:

- Establish a Church Ceremonies Team and designate a Team Leader;
- Establish a Cemetery Ceremonies Team and designate a Team Leader;
- Ensure that the position of Master of Ceremonies is staffed by one well versed in military drill and ceremonies who possesses a commanding voice;
- Meet the Funeral Director, the Cemetery Curator , the Family Liaison Officer and the religious leader at the cemetery well in advance of the interment and choreograph the graveside ceremonies;
- Conduct dress rehearsals with all involved parties at both venues. Ensure that the following issues are addressed:
  - The ceremony is planned in accordance with the wishes of the next of kin;
  - The location of the grave is satisfactory to the next of kin;

- The listed elements are plotted on a cemetery diagram (addendum #5):
- Rifle Squad;
- Uniform formation;
- Family delegation, (with a canopy and sufficient chairs in place);
- The arrival route of the hearse, and its eventual parking space;
- Piper and Bugler;
- Honor Guard.

After addressing the necessary issues, mark the locations of the components of the ceremonial groups with wire flags, spray chalk or other suitable substance and conduct a walk-through of the graveside ceremony. (When mapping out the ceremonial elements, [especially the uniform formation] remember that it is easier to constrict a plan that is too large than to expand one that is too small).

- Contact all members of each component of the ceremonial groups and direct them to report to their respective duty stations well in advance on the day of the funeral in order to dress rehearse their roles;
- Confer with the Parking Team Leader to ensure that all vehicles belonging to the members of the ceremonial groups are positioned for rapid departure from the house of worship, to the cemetery, well in advance of the funeral motorcade;
- Position arriving personnel in accordance with the parking plan;
- Oversee the conduct of the graveside ceremonies.

### **Logistics Section Chief**

The Logistics Section Chief is responsible for site security at all venues, provision of all necessary supplies, procurement of certain key personnel and apparatus, operating a transportation detail to assist arriving and departing personnel, and assisting the family with the post-funeral reception. The Logistics Section Chief should:

- Arrange for the deployment of a tow truck at both venues the day of the funeral;
- Arrange for the deployment of a rescue ambulance at both venues the day of the funeral;
- Arrange for the deployment of portable toilets at a suitable location in the cemetery;
- Arrange for the deployment of a catering truck at a suitable location, in the cemetery proper, on the day of the funeral;
- Arrange and supervise a transportation detail to assist persons attending from distant locales;
- Obtain a casket flag and white gloves;
- Obtain a sufficient supply of cones, barricades, flares, delineators and other equipment to supply the Traffic Group;
- With the concurrence of the Family Liaison Officer, offer to assist the family with the post-funeral reception;
- Ensure that all equipment and supplies are returned or accounted for prior to the incident debriefing;

- Maintain a journal of all activities;
- Submit all documentation to the Planning and Intelligence Section prior to the incident debriefing;
- Attend the incident debriefing.

#### **Officer's Association Liaison (or other identified Specialist)**

- Assist the decedent's family with matters related to the death such as benefits, insurance policies, personal documentation, costs, etc.
- Attend all planning meetings;
- Assist with funeral planning and arrangements.

#### **Graveside Ceremonies for Category I Funeral**

##### **Full Honors**

A Category I funeral consists of some or all of the following ceremonial elements:

- Master of Ceremonies
- Pallbearers
- Honor Guard
- Rifle Squad
- Ceremonial Flag Folding
- Piper
- Bugler
- Flyover Squadron
- Riderless Horse

##### **Choreography**

A Category I funeral is choreographed as follows:

- Ensure that the family's wishes are met;
- Ensure that the family can see and hear all elements of all ceremonies;
- Ensure that the Master of Ceremonies has drill and ceremonies expertise and a commanding voice. (The position of Master of Ceremonies is not a function of rank but of competence, assertiveness and expertise. The Funeral Committee may have a referral for a Master of Ceremonies);
- Ensure there is a clear path for all ceremonial elements, paying particular attention to the pallbearers;
- Ensure the elements of the formation can hear the proceedings at the graveside. (This issue is best addressed by procurement of a sound system by the Logistics Section).

## **Flag and Coffin Protocol (addendum #6)**

- When the United States flag is draped on a coffin, the field of stars is positioned at the head and over the left shoulder of the deceased, as pictured in the addenda.
- When a flag-draped coffin is on display, the head is to the viewer's left. The striped area of the flag faces the viewer and is considered the "front" view.
- When a coffin is moved, whether flag-draped or not, it is oriented feet first.
- When outside, if a flag-draped coffin is moved from one place to another, uniformed personnel are expected to salute when it passes.
- Nothing is to be placed on a flag-draped coffin at any time.
- During the ceremony the United States flag is folded by the Honor Guard (see addenda). Once folded it may be passed from person to person or carried from place to place. If so, it is carried left hand on the bottom, right hand on the top. Before it changes hands the receiving person, if in uniform, salutes the presenter.

## **Special Element Roles**

The graveside ceremony consists of several ceremonial elements. The Rifle Squad, Pallbearers, Honor Guard, Bugler, Piper, etc., at times act independently of the main formation in the discharge of their duties. The following are guidelines for such special element roles:

- The Master of Ceremonies is the leader of all uniformed elements;
- The commands of the Master of Ceremonies are given in a voice audible to all present. (Depending on the circumstances of the officer's death, sworn funerals can draw several thousand uniformed attendees. The entire formation will be receiving commands of execution from the Master of Ceremonies. A powerful voice and a strong command presence are essential to the success of the ceremonies);
- The commands to the special elements by their individual Officers in Charge are audible only to the concerned elements;
- When the Master of Ceremonies intends for the special elements to operate independently of his commands, the command: "SPECIAL ELEMENTS, STAND FAST!" will be given prior to the command given the main formation. On all other occasions the special elements are to function as part of the main formation.

## **Positioning of Elements**

- The Master of Ceremonies should be at the graveside well in advance of the motorcade, and should, in an expeditious manner, position arriving officers into the ranks and files of the main formation;
- The Master of Ceremonies should also position the Honor Guard, Piper, Bugler, Rifle Squad and other special elements;

- Upon arrival of the hearse the pallbearers should stand at Parade Rest, facing one another in two ranks, at the rear of the hearse, until directed by the Master of Ceremonies to remove the casket.

## **Recommended Order of Ceremonies**

### **Category I – Full Honors**

After the Master of Ceremonies has positioned all elements and the main formation is complete the Order of Ceremonies (with the MC giving the commands) is as follows:

The command:

"DETAIL ATTENTION!" is given. This signals the Mortuary Director and the pallbearers to remove the casket from the hearse;

"PRESENT ARMS" is directed to the entire formation;

"Present Arms" is held while the pallbearers move the casket to the bier. (The casket is oriented feet first when moved and when positioned for the service. If the casket needs to be turned or re-oriented it is done with a pivoting movement immediately prior to being set at rest).

"DETAIL - ORDER ARMS!" is given after the pallbearers have placed the casket on the bier, adjusted the flag to its proper position and come to attention.

"DETAIL, PARADE REST!"

The OIC of the pallbearer detail directs a facing movement followed by a marching order that positions the detail to the side (but in close proximity) to the bier, for the duration of the religious rites. Upon completion of the religious rites the Honor Guard positions itself on either side of the casket for the folding of the flag.

"DETAIL ATTENTION!" queues the piper to begin a musical selection and the Honor Guard to begin folding the flag in accordance with the addendum to this document.

The folded flag is presented to the Agency Head who renders a hand salute, receives the flag from the presenter, turns and presents it to the primary next of kin. It is not uncommon for Category I ceremonies to be attended by the Governor or a representative of that office. In almost all cases, uniformed officers from the California Highway Patrol will be in attendance to present a State of California flag, and condolences from the governor, to the primary next of kin. This occurs immediately after the presentation of the United States flag by the Agency Head.

After the flag presentations and condolences are complete, the command:

"DETAIL, PRESENT ARMS!" is given to all personnel. Immediately thereafter:

"PREPARE FOR THE VOLLEY!" is given as a warning that the rifle volley is about to occur and queues the rifle squad to conduct the rifle salute.

After the rifle squad completes the volley and comes to "Present Arms" the bugler begins "TAPS". (If there is a flyover it should be coordinated to pass overhead as "TAPS" is ending).

Upon completion of "TAPS" and the flyover:

"DETAIL, ORDER ARMS!" is given.

This queues the pallbearers to align with the end of the casket farthest from the next of kin, remove their gloves and file past the casket, placing their gloves thereon as they do so.

After having done so the pallbearers form a rank at attention and "DETAIL , DISMISSED!" is given, ending the ceremony.

#### **Ceremonies, Category II (Death of an employee in any other manner)**

Category II funeral honors are confined to a Rifle Salute, ceremonial Flag Folding and TAPS.

#### **Ceremonies, Category III (Death of a Civilian Employee)**

The protocol for a Category III funeral should be restricted to a motor escort, a static Honor Guard and an attendance policy identified by the Agency Head.

#### **Ceremonies, Category IV (Death of a Retired or Separated Employee)**

The protocol for a Category IV funeral should be restricted to the participation of a static Honor Guard and an attendance policy identified by the Agency Head.

#### **Ceremonies, Category V (Death of an Immediate Family Member of an Employee)**

The protocol for a Category V funeral should be limited to an attendance policy identified by the Agency Head.

**It is recommended that agencies adopt an "Employee Emergency Notification Form" to be completed by employees and updated during their calendared review process. The form will contain notification wishes and special instructions by the decedent in the event of his death. The Emergency Notification Form preferred by the California Peace Officer's Association is included with this policy. (addendum #7)**

Notice of Critical Injury

We regret to announce the Critical Injury of:

Rank \_\_\_\_\_ Name \_\_\_\_\_ Serial# \_\_\_\_\_

Assigned to: \_\_\_\_\_ Agency \_\_\_\_\_

Circumstances: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ is being treated at: \_\_\_\_\_

\_\_\_\_\_

Condition: \_\_\_\_\_. Visiting \_\_\_ is \_\_\_ is not permitted.

Direct inquiries to \_\_\_\_\_ at \_\_\_\_\_

This notice is designed as a combination press release / agency notification. It is recommended that it be transmitted via CLETS or other appropriate law enforcement communication media to any uninvolved agencies that might have an interest in the occurrence, its circumstances, or the condition of the injured employee. Use the space below to cover any issues not addressed above. In the event the employee does not survive the event refer to the DEATH AND FUNERAL NOTICE on the reverse of this form.

DEATH AND FUNERAL NOTICE

We regret to announce the death of:

Rank \_\_\_\_\_ Name \_\_\_\_\_ Serial# \_\_\_\_\_  
Last Assigned to: \_\_\_\_\_ Place of Birth \_\_\_\_\_  
Date of Birth \_\_\_\_\_ Place of Death \_\_\_\_\_  
Date of Death \_\_\_\_\_ Appointment Date \_\_\_\_\_ Retirement Date \_\_\_\_\_  
Surviving Kin \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Decedent Classification \_\_\_\_\_ Status \_\_\_\_\_ Event Classification \_\_\_\_\_

Viewing: Day: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Facility: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_

Service: Day: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Facility: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_

Interment: Immediately Following:  
Facility: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_

Family Contact: Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Command Liaison Officer: \_\_\_\_\_

Reporting Party: \_\_\_\_\_ Call Back# \_\_\_\_\_

Watch Commander Notified: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Information Taken by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

## MORTUARY LIAISON CHECKLIST

- [ ] In conjunction with the family, identify the mortuary of preference. (Pierce Bros. donates all services for officers killed in the line of duty, including casket, vault, plot, headstone and the adjoining plot for the spouse if requested).
- [ ] Record the exact name, address, telephone number and person to be contacted at the mortuary. The contact person should be one with decision making authority who should, as the primary point of contact, be available for all-hours contact for the duration of the event.
- [ ] Schedule a meeting at the mortuary with the immediate next of kin, **Family Liaison Officer, Mortuary Liaison Officer, POA Liaison and the Funeral Director**, to obtain first hand information regarding available services. The wishes of the next of kin regarding preparation of the body, i.e. open casket, religious symbols or personal keepsakes to be enclosed with the body at burial, etc., will be addressed at this meeting. (If the family wants items removed from the body as keepsakes, it is permitted upon completion of the appropriate documents).
- [ ] With the concurrence of the next of kin, establish a viewing or prayer service schedule and inform the OIC of the **Honor Guard** of the date place and time.
- [ ] Coordinate with the **Funeral Director** for provision of limousines for the family on the day of the funeral.
- [ ] Verify that the mortuary will coordinate memorial folders, thank you cards, photographs, floral arrangements and the memorial book.
- [ ] The mortuary expects the family to provide:
  - [ ] Social Security Number;
  - [ ] DD214 for honorably discharged veterans;
  - [ ] clothing for burial;
  - [ ] a list of pallbearers;
  - [ ] a photograph of the decedent;
  - [ ] their identified preference for a cemetery plot.

## HOUSE OF WORSHIP CHECKLIST

- [ ] Determine (through the **Family Liaison Officer**) the religious affiliation of the Officer and family.
- [ ] Determine (through the **Family Liaison Officer**) the exact name, address and telephone number for the house of worship preferred by the family.
- [ ] Contact the leader of the congregation and determine the seating capacity of the facility.
- [ ] Obtain a floor plan of the facility and a diagram of the available parking.
- [ ] Meet with the leader of the congregation and compose a detailed list of the items or issues the Department is expected to handle, and a detailed outline of how the service is expected to evolve.
- [ ] Solicit the recommendations of the leader of the congregation for family and VIP seating.
- [ ] Set a tentative date and time for the service. Do not make a commitment. (Autopsies or other facets of the investigation may delay release of remains).
- [ ] Prepare to brief the **Incident Command Staff** at the scheduled planning meeting.
- [ ] Advise the leader of the congregation that a **Master of Ceremonies** must be provided to choreograph all aspects of the worship services.
- [ ] Arrange a dress rehearsal for all who participate in the worship services. (Ushers, Pall Bearers, Honor Guard, etc.).
- [ ] Consult with the **Parking Team Leader** about the parking layout at the house of worship.

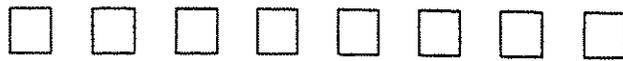
**CEMETERY LIAISON CHECKLIST**

- [ ] The **Cemetery Liaison Officer** is in charge at the cemetery. Cemetery personnel will advise when asked but the protocol is that the **Cemetery Liaison Officer** dictates what is needed and the cemetery provides it.
- [ ] Verify with cemetery personnel that no other burials are scheduled during the period that the police ceremonies are to occur.
- [ ] Obtain a map of the facility.
- [ ] Consult with the **Cemetery Manager** regarding his recommendations for a traffic plan for a long procession.
- [ ] In conjunction with the **Formation Leader**, formulate a plan for a large formation of uniform and plain clothes police personnel.
- [ ] Maintain contact with the **Documentation Unit** of the **Planning Section**, which is responsible for monitoring the weather. Remain current on the status of the weather. The cemetery will arrange for shelters if needed.

CATEGORY 1 FORMATION GUIDELINES

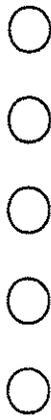
PIPER ○

BUGLER ○



FAMILY

HONOR GUARD



MASTER OF CEREMONIES



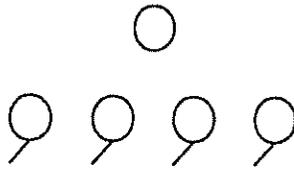
CLERGY

CASKET

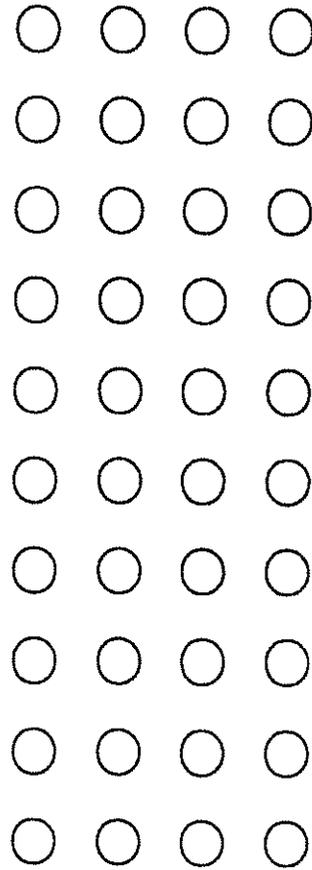
PALL



BEARERS



RIFLE SQUAD



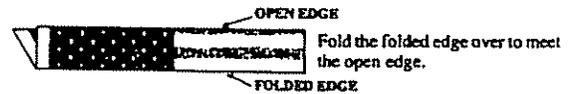
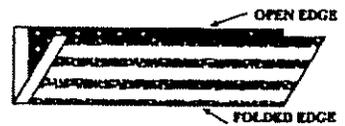
UNIFORM FORMATION



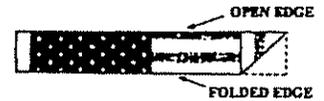
**CORRECT METHOD OF FOLDING THE UNITED STATES FLAG**



Fold the lower striped section of the flag over the blue field.



Start a triangular fold by bringing the striped corner of the folded edge to the open edge.



Fold the outer point inward parallel with the open edge to form a second triangle.



Continue folding until the entire length of the flag is folded into a triangle with only the blue field and margin showing.



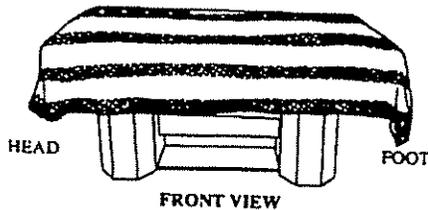
Tuck the remaining margin into the pocket formed by the folds at the blue field edge of the flag.



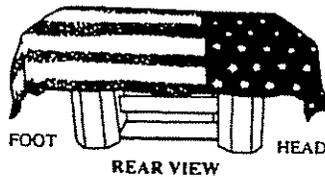
The properly folded flag should resemble a cocked hat.



**CORRECT METHOD OF DISPLAYING THE FLAG WITH THE CASKET**



Center the flag on the casket so that the blue shield is at the head and over the left shoulder of the deceased.



POLICE DEPARTMENT  
EMERGENCY NOTIFICATION FORM

This packet is to assist you and your family in the event of an emergency. The packet serves to render assistance to Department personnel entrusted with the responsibility of handling a life threatening injury or line-of-duty death. It documents your wishes and requests. You are *strongly* encouraged to review and complete this packet with family members.

*THIS PACKET IS COMPLETELY VOLUNTARY AND CONFIDENTIAL*

*IF YOU FEEL UNCOMFORTABLE FILLING IT OUT - DON'T. YOU ARE UNDER NO OBLIGATION TO DO SO.*

If you choose to fill it out, answer only those questions you wish and you may add any additional information you think necessary.

Who you wish to entrust the packet to is your decision. This agency will hold the document in a sealed envelope, which will be put in your personnel file. Be assured that the contents will only be reviewed by Department personnel in the event of life-threatening injury or line-of-duty death.

*This is the personal request packet of* \_\_\_\_\_

*The packet was last updated on* \_\_\_\_\_

### **Memorial Ceremony for Animals in Police Service**

In response to the affinity that employees, handlers, owners and members of the public have for animals in police service a policy for memorial ceremonies of such animals is implemented.

**A clear line of demarcation must be maintained between horses and dogs in police service and the human beings they serve. To that end it is not recommended that Taps, flag folding, aircraft fly-overs or rifle salutes be conducted for service animals. Military style formations, rendering of hand salutes and the playing of bagpipes are appropriate options.**

#### Category of Ceremony

The only time it would be appropriate to hold a memorial ceremony for a deceased animal is if the animal died while in active service.

#### Recommendations

It is recommended that ceremonies for animals consist of either a memorial service at the agency of ownership, or other designated location, or a combined memorial and interment ceremony at the location of interment. Participation by an agency chaplain and honor guard should be voluntary. The dress code for attendees should be determined by the agency head.

It is appropriate to assemble at a designated place, (whether it be at the animal's agency of service or at a memorial park), to memorialize an animal's career. It is also appropriate for a chaplain, handler or other person attending on a volunteer basis, to read passages or poems for the comfort of those in attendance, and for musical tributes to be played during and at the close of such services.

It is appropriate for the cremains of an animal to be presented to an agency or handler at such a service and for the cremains and a plaque, picture or other tribute memorializing the animal's service to be displayed at the affected agency.

As with all other policies elements of this protocol are the purview of the agency head.



Name of Child: \_\_\_\_\_

Birth date: \_\_\_\_\_ Grade: \_\_\_\_\_

School/Day Care Facility: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

Principal: \_\_\_\_\_ Phone: \_\_\_\_\_

Teacher/Counselor: \_\_\_\_\_

Name of Child: \_\_\_\_\_

Birth date: \_\_\_\_\_ Grade: \_\_\_\_\_

School/Day Care Facility: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

Principal: \_\_\_\_\_ Phone: \_\_\_\_\_

Teacher/Counselor: \_\_\_\_\_

Name of Child: \_\_\_\_\_

Birth date: \_\_\_\_\_ Grade: \_\_\_\_\_

School/Day Care Facility: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

Principal: \_\_\_\_\_ Phone: \_\_\_\_\_

Teacher/Counselor: \_\_\_\_\_

Name of Child: \_\_\_\_\_

Birth date: \_\_\_\_\_ Grade: \_\_\_\_\_

School/Day Care Facility: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

Principal: \_\_\_\_\_ Phone: \_\_\_\_\_

Teacher/Counselor: \_\_\_\_\_

If you are divorced, please provide information about your ex-spouse(s).

Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_

Phone: (H) \_\_\_\_\_ (W): \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_

Phone: (H) \_\_\_\_\_ (W): \_\_\_\_\_

Do you want a police representative to contact your ex-spouse(s)? Yes \_\_\_\_\_ No \_\_\_\_\_

**IN CASE OF EMERGENCY**  
**THE FOLLOWING INDIVIDUALS MUST BE CONTACTED**

*Please list the name, address and telephone numbers of key relatives and friends (parents, in-laws, siblings, etc). Also, if you are aware of these individuals having a serious medical condition that may be adversely affected upon receiving a notification please indicate on the form.*

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Pager/Cell Phone: \_\_\_\_\_

Additional Information: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Pager/Cell Phone: \_\_\_\_\_

Additional Information: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Pager/Cell Phone: \_\_\_\_\_

Additional Information: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Pager/Cell Phone: \_\_\_\_\_

Additional Information: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Pager/Cell Phone: \_\_\_\_\_

Additional Information: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Pager/Cell Phone: \_\_\_\_\_

Additional Information: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Pager/Cell Phone: \_\_\_\_\_

Additional Information: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Pager/Cell Phone: \_\_\_\_\_

Additional Information: \_\_\_\_\_

Please use additional pages if necessary.

### NOTIFICATIONS

WHO DO YOU REQUEST FROM THE DEPARTMENT TO MAKE A NOTIFICATION TO FAMILY MEMBERS?

Name: \_\_\_\_\_ Name: \_\_\_\_\_

Name: \_\_\_\_\_ Name: \_\_\_\_\_

WHO DO YOU REQUEST TO SERVE AS DEPARTMENT LIAISON OFFICER FOR YOUR FAMILY?

Name: \_\_\_\_\_ Name: \_\_\_\_\_

### IMPORTANT BUSINESS/PERSONAL INFORMATION

Do you wish to have a law enforcement funeral? Yes \_\_\_\_\_ No \_\_\_\_\_

Church preference: \_\_\_\_\_ Religious Affiliation: \_\_\_\_\_

Clergyman: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Funeral Home to be used: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Pre-paid burial plan: Yes \_\_\_\_\_ No \_\_\_\_\_

Contact: \_\_\_\_\_

Church Service Requested: Yes \_\_\_\_\_ No \_\_\_\_\_ Private: Yes \_\_\_\_\_ No \_\_\_\_\_

Funeral Home Service: Yes \_\_\_\_\_ No \_\_\_\_\_ Private: Yes \_\_\_\_\_ No \_\_\_\_\_

I prefer: Interment \_\_\_\_\_ Entombment \_\_\_\_\_ Cremation \_\_\_\_\_

My choice of cemetery is: \_\_\_\_\_

I have purchased a plot: Yes \_\_\_\_\_ No \_\_\_\_\_ Location of Deed: \_\_\_\_\_

Obituary: Yes \_\_\_\_\_ No \_\_\_\_\_

Please list the following in my obituary:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Are you a veteran of the United States Armed Forces: Yes \_\_\_\_\_ No \_\_\_\_\_

Which Service: \_\_\_\_\_ Military ID number: \_\_\_\_\_

If you are entitled to a military funeral as determined by the Department of Veteran Affairs, do you wish to have one? Yes \_\_\_\_\_ No \_\_\_\_\_

I am entitled to Veterans Benefits: Yes \_\_\_\_\_ No \_\_\_\_\_

I am entitled to Military Honors: Yes \_\_\_\_\_ No \_\_\_\_\_

I would like a "Lodge" service: Yes \_\_\_\_\_ No \_\_\_\_\_

By: \_\_\_\_\_

Flowers: Yes \_\_\_\_\_ No \_\_\_\_\_ Disposal of flowers: \_\_\_\_\_

Donations in lieu of flowers to: \_\_\_\_\_

Musical selections: \_\_\_\_\_

Special requests for service (speakers, readers, etc.): \_\_\_\_\_

\_\_\_\_\_

If the United States flag is placed on the casket, to whom should it be presented following the services?

---

Do you wish that your badge be presented to a family member (if so, who?): \_\_\_\_\_

---

Please list memberships in law enforcement, religious, or community organizations that may provide assistance to your family.

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

OTHER:

IS THERE SOMEONE IN PARTICULAR THAT YOU GIVE YOUR PERMISSION TO GO THROUGH YOUR LOCKER, DESK, OR WORK AREAS? DISPOSITION OF YOUR PROPERTY?

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Additional requests/comments: \_\_\_\_\_

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Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**SUBPOENA Instructions.pdf**

**ABC Minor Decoy Program.pdf**

**FACT SHEET: DECOY PROGRAM****Minor Decoy Program****Introduction**

The mission of the Department of Alcoholic Beverage Control (ABC) is to administer the provisions of the Alcoholic Beverage Control Act in a manner that fosters and protects the health, safety, welfare, and economic well being of the people of the State.

According to the 9<sup>th</sup> Biennial California Student Survey 2001-02, alcohol remains the most popular substance used by students. The most visible consequences of underage drinking are car crashes. Teen drivers are responsible for a highly disproportionate number of collisions, injuries and deaths. In relation to the number of licensed drivers, young people under age 21 who have been drinking are involved in fatal crashes at twice the rate of adult drivers, according to the National Highway Traffic Safety Administration.

Alcohol is also a factor in many *homicides, suicides and other unintentional injuries* which, along with *car crashes*, are the *four leading causes of death of 15- to 20-year olds*. Studies show that heavy childhood and teen drinking can lead to mild brain damage and increases the likelihood of having alcohol problems throughout adult life. The annual social cost of underage drinking is estimated at \$53 billion.

Alcohol use by minors is influenced by a variety of factors, including availability of alcohol. Research has shown a link between *alcohol availability* and consumption.

Minor decoy programs have been used by local law enforcement in California since about 1987. They have been evaluated and found to be effective.<sup>1</sup> These operations, conducted by law enforcement and/or community groups, can markedly increase the percentage of licensees who comply with the minimum-purchase-age law. In the last five years alone, local law enforcement officers

have visited roughly 4,000-6,000 establishments per year in decoy operations.

Many licensees do not like the idea of decoy programs and refer to them as "sting operations." Despite this, decoy programs are legal and many agencies use them as an ongoing program. On April 7, 1994, the California Supreme Court issued a unanimous decision upholding the use of underage decoys by law enforcement officials.

By statute, minor decoys used by local law enforcement are immune from prosecution, and police agencies must notify licensees of program results. Rule 141, California Code of Regulation, sets forth further decoy program requirements.

**Goals**

The goals of the Minor Decoy Program are to reduce the number of licensees who sell alcohol to minors and reduce youth access to alcohol.

**Program Components**

Program components are in Rule 141, California Code of Regulations. The Department of Alcoholic Beverage Control will not file accusations without clear compliance with all requirements of Rule 141. That rule reads as follows:

**California Code of Regulations  
Title 4, Division 1  
Section 141. Minor Decoy Requirements**

(a) A law enforcement agency may only use a person under the age of 21 years to attempt to purchase alcoholic beverages to apprehend licensees, or employees or agents of licensees who sell alcoholic beverages to minors (persons under the age of 21) and to reduce sales of alcoholic beverages in a fashion that promotes fairness.

(b) The following minimum standards shall apply to actions filed pursuant to Business and Professions Code Section 25658 in which it is alleged that a minor decoy has purchased an alcoholic beverage:

<sup>1</sup> Increased enforcement—specifically compliance checks on retail alcohol outlets—typically cuts rates of sales to minors by at least half (Grube, 1997; Lewis et al., 1996; Preusser et al., 1994; Wagenaar et al., 2000)

(1) At the time of the operation, the decoy shall be less than 20 years of age;

(2) The decoy shall display the appearance which could generally be expected of a person under 21 years of age, under the actual circumstances presented to the seller of alcoholic beverages at the time of the alleged offense.

(3) A decoy shall either carry his or her own identification showing the decoy's correct date of birth or shall carry no identification; a decoy who carries identification shall present it upon request to any seller of alcoholic beverages;

(4) A decoy shall answer truthfully any questions about his or her age;

(5) Following any completed sale, but not later than the time a citation, if any, is issued, the peace officer directing the decoy shall make a reasonable attempt to enter the licensed premises and have the minor decoy who purchased alcoholic beverages make a face-to-face identification of the alleged seller of the alcoholic beverages.

(c) Failure to comply with this rule shall be a defense to any action brought pursuant to Business and Professions Code Section 25658.

minors is illegal. The goal is not to arrest as many people as possible, but to deter licensees from breaking the law in the first place.

In addition to criminal action against the seller, the licensee faces action by ABC. This could result in a fine, suspension, or revocation of the ABC license, depending on the circumstances.

## Contact Information

For more information contact your nearest ABC office:

Bakersfield . . . . .	(661) 395-2731
Eureka . . . . .	(707) 445-7229
Fresno . . . . .	(559) 225-6334
Lakewood . . . . .	(562) 982-1337
Los Angeles/Metro . . . . .	(213) 833-6043
Monrovia . . . . .	(626) 256-3241
Oakland . . . . .	(510) 622-4970
Palm Desert . . . . .	(760) 324-2027
Redding . . . . .	(530) 224-4830
Riverside . . . . .	(951) 782-4400
Sacramento . . . . .	(916) 419-1319
Salinas . . . . .	(831) 755-1990
San Diego . . . . .	(619) 525-4064
San Francisco . . . . .	(415) 356-6500
San Jose . . . . .	(408) 277-1200
San Luis Obispo . . . . .	(805) 543-7183
San Marcos . . . . .	(760) 471-4237
Santa Ana . . . . .	(714) 558-4101
Santa Rosa . . . . .	(707) 576-2165
Stockton . . . . .	(209) 948-7739
Van Nuys . . . . .	(818) 901-5017
Ventura . . . . .	(805) 289-0100

## Results and Impact

Results are measured quantitatively by comparing the number of licensees visited versus the number who sold to the decoy.

### Statewide Minor Decoy Activity Compliance Report 2002/03 through 2006/07

Fiscal Year	Visits by Local Law Enforcement	Violations (Sales to Decoys)	Violation Rate (%) who sold	Compliance Rate (% who did not sell)
02-03	4,262	860	20.18%	79.82%
03-04	4,301	886	20.60%	79.40%
04-05	6,267	1130	18.03%	81.97%
05-06	8,427	1338	15.88%	84.12%
06-07	6,194	984	15.89%	84.11%

Further quantitative measures include the number of citations issued. If a licensee or employee sells alcohol to the decoy, the seller may receive a citation. If convicted, the person may receive a fine of \$250 and/or 24-32 hours of community service.

Arrests focus the public's attention on the problem and send a warning that selling alcohol to

## No Record Letter.pdf

<DATE>

To Whom It May Concern:

This is to certify that **LAST, FIRST MIDDLE, DOB: XX-XX-XX, has** no record with the Simi Valley Police Department.

This information is based upon a check of our department records only and not of any other jurisdiction. Submission of fingerprint cards to the California Department of Justice is required for a complete California background inquiry.

This is not a personal identification, nor is it a recommendation for the above named individual.

Sincerely,

Name  
Records Manager

/technician initials

## **Records Training Guide.pdf**

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# SIMI VALLEY POLICE DEPARTMENT

## RECORDS TRAINING GUIDE

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**This manual is intended as a “guide line” to ensure that major aspects of the Bureau functions are presented to new trainee personnel. It is not all inclusive and other items may be added during the training process. It is understood that proficiency in many areas will not be achieved immediately and that there is an approximate one-year training curve. It is also recognized that each individual may require more or less time than indicated.**

**Trainee** \_\_\_\_\_ **Start Date** \_\_\_\_\_ **Trainer** \_\_\_\_\_  
**Training Release Date** \_\_\_\_\_ **Probationary Period** \_\_\_\_\_

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Date/Initial each item	Date Material Introduced	Trainee Initial	Trainer Initial
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### ORIENTATION

- |   |       |       |       |
|---|-------|-------|-------|
| <input type="checkbox"/> Tour of building and facilities  | _____ | _____ | _____ |
| <input type="checkbox"/> Parking/Gate password  | _____ | _____ | _____ |
| <input type="checkbox"/> Scheduling/work hours/time off   | _____ | _____ | _____ |
| <input type="checkbox"/> Customer Service- Policy   | _____ | _____ | _____ |
| <input type="checkbox"/> Organizational structure   | _____ | _____ | _____ |
| <input type="checkbox"/> Chain of Command   | _____ | _____ | _____ |
| <input type="checkbox"/> Office protocol/Rules of conduct   | _____ | _____ | _____ |
| <input type="checkbox"/> Appropriate attire   | _____ | _____ | _____ |
| <input type="checkbox"/> Department policy manual (G.O.)  | _____ | _____ | _____ |
| <input type="checkbox"/> Review of Sexual Harassment policy   | _____ | _____ | _____ |
| <input type="checkbox"/> Misuse of Clerts Policy  | _____ | _____ | _____ |
| <input type="checkbox"/> Desk Assignments   | _____ | _____ | _____ |
| <input type="checkbox"/> Reporting On Duty Injuries   | _____ | _____ | _____ |
| <input type="checkbox"/> Unit Orders  | _____ | _____ | _____ |
| <input type="checkbox"/> Cash Register  | _____ | _____ | _____ |
| <input type="checkbox"/> Familiarization of Shared drives (Access to Procedures Documentation and City Forms) | _____ | _____ | _____ |
| Receipt of:   |       |       |       |
| Locker/Keys   | _____ | _____ | _____ |
| HR Orientation  | _____ | _____ | _____ |
| Picture for ID  | _____ | _____ | _____ |

Date/Initial each item	Date Material Introduced	Trainee Initial	Trainer Initial
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### OFFICE EQUIPMENT

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<input type="checkbox"/> Telephone system	_____	_____	_____
<input type="checkbox"/> Mail Processing	_____	_____	_____
<input type="checkbox"/> Copier	_____	_____	_____
<input type="checkbox"/> Fax	_____	_____	_____
<input type="checkbox"/> Shredder	_____	_____	_____
<input type="checkbox"/> Computers:			
<input type="checkbox"/> CLETS terminal	_____	_____	_____
<input type="checkbox"/> CAD system familiarization	_____	_____	_____
<input type="checkbox"/> RMS system	_____	_____	_____
<input type="checkbox"/> City Website	_____	_____	_____
<input type="checkbox"/> Data Imaging (Laserfiche)	_____	_____	_____
<input type="checkbox"/> Scanners	_____	_____	_____
<input type="checkbox"/> Stand alone PC's	_____	_____	_____
<input type="checkbox"/> E-Mail/V-Mail	_____	_____	_____
<input type="checkbox"/> Internet/Intranet	_____	_____	_____
<input type="checkbox"/> Typewriters	_____	_____	_____
<input type="checkbox"/> Printers	_____	_____	_____
<input type="checkbox"/> Alarm systems (Fire and Jail)	_____	_____	_____
<input type="checkbox"/> Cash register	_____	_____	_____
<input type="checkbox"/> Microfiche	_____	_____	_____

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### Security of Information

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<input type="checkbox"/> Passwords Assignments	_____	_____	_____
<input type="checkbox"/> CLETS certification (Full Access Test)	_____	_____	_____
<input type="checkbox"/> CORI Legislation	_____	_____	_____
<input type="checkbox"/> Public Records Act	_____	_____	_____
<input type="checkbox"/> Local Records review	_____	_____	_____
<input type="checkbox"/> Request for DOJ rap sheet	_____	_____	_____
<input type="checkbox"/> TNG orders <b>Juvenile PRA</b>	_____	_____	_____
<input type="checkbox"/> In-house system access	_____	_____	_____

Date/Initial each item	Date Material Introduced	Trainee Initial	Trainer Initial
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**Filing Systems:**

- |  |       |       |       |
|--|-------|-------|-------|
| <input type="checkbox"/> Report Filing System    | _____ | _____ | _____ |
| <input type="checkbox"/> Versadex Imaging System | _____ | _____ | _____ |
| <input type="checkbox"/> Laserfiche              | _____ | _____ | _____ |
| <input type="checkbox"/> Microfilm               | _____ | _____ | _____ |
| <input type="checkbox"/> Card File (Old Reports) | _____ | _____ | _____ |
| <input type="checkbox"/> Bicycle Licenses        | _____ | _____ | _____ |

**REPORT SYSTEM**

- |  |       |       |       |
|--|-------|-------|-------|
| <input type="checkbox"/> RMS (familiarization/browsing)                | _____ | _____ | _____ |
| <input type="checkbox"/> Log in reports/pieces to reports (CP Remarks) | _____ | _____ | _____ |
| <input type="checkbox"/> WC and Records Pick up (Locations)            | _____ | _____ | _____ |
| <input type="checkbox"/> Automated Daily Logs                          | _____ | _____ | _____ |
| <input type="checkbox"/> Report Familiarization (Types of Reports)     | _____ | _____ | _____ |
| <input type="checkbox"/> Transcription Familiarization                 | _____ | _____ | _____ |

**Vehicle Related**

- |  |       |       |       |
|--|-------|-------|-------|
| <input type="checkbox"/> Accident Reports                      | _____ | _____ | _____ |
| <input type="checkbox"/> Releases including 14602.6            | _____ | _____ | _____ |
| <input type="checkbox"/> 14602.6 Storage/Notifications         | _____ | _____ | _____ |
| <input type="checkbox"/> Stored Vehicle Notifications          | _____ | _____ | _____ |
| <input type="checkbox"/> CLETS Entries/Cancel                  | _____ | _____ | _____ |
| <input type="checkbox"/> Required Notice to Owner              | _____ | _____ | _____ |
| <input type="checkbox"/> Processing                            | _____ | _____ | _____ |
| <input type="checkbox"/> File location until released/30 day's | _____ | _____ | _____ |

**Citations Knowledge of:**

- |  |       |       |       |
|--|-------|-------|-------|
| <input type="checkbox"/> Receipt (stamp) | _____ | _____ | _____ |
| <input type="checkbox"/> Preparation     | _____ | _____ | _____ |
| <input type="checkbox"/> Routing         | _____ | _____ | _____ |
| <input type="checkbox"/> Scanning        | _____ | _____ | _____ |
| <input type="checkbox"/> Filing          | _____ | _____ | _____ |

Date/Initial each item	Date Material Introduced	Trainee Initial	Trainer Initial
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**Citations continued:**

**Types:**

<input type="checkbox"/> Traffic	_____	_____	_____
<input type="checkbox"/> Parking	_____	_____	_____
<input type="checkbox"/> Municipal/County Ordinance Violations	_____	_____	_____
<input type="checkbox"/> 14601 Complaints	_____	_____	_____
<input type="checkbox"/> Warrants	_____	_____	_____

**Arrest Reports (including Packaging and Distribution)**

**Juvenile Arrests:**

<input type="checkbox"/> In custody	_____	_____	_____
<input type="checkbox"/> Cite Releases	_____	_____	_____

**Adult Arrests:**

<input type="checkbox"/> Felony Packages	_____	_____	_____
<input type="checkbox"/> Misdemeanor Packages	_____	_____	_____
<input type="checkbox"/> Direct Files	_____	_____	_____
<input type="checkbox"/> Warrant Arrests	_____	_____	_____
<input type="checkbox"/> Cite Releases	_____	_____	_____
<input type="checkbox"/> 849b's	_____	_____	_____
<input type="checkbox"/> Rap Sheet requests	_____	_____	_____

**Releasing/Sending Reports to outside Agencies:**

<input type="checkbox"/> Traffic Collision reports	_____	_____	_____
<input type="checkbox"/> CHP 180 reports	_____	_____	_____
<input type="checkbox"/> Vandalism at a School	_____	_____	_____
<input type="checkbox"/> Accidents involving Metrolink	_____	_____	_____
<input type="checkbox"/> Suicide Report (5150's)	_____	_____	_____
<input type="checkbox"/> Fire Department	_____	_____	_____
<input type="checkbox"/> County Coroner	_____	_____	_____
<input type="checkbox"/> Animal Control	_____	_____	_____
<input type="checkbox"/> Other Agencies	_____	_____	_____
<input type="checkbox"/> Fax Requests	_____	_____	_____
<input type="checkbox"/> Insurance Co Requests	_____	_____	_____
<input type="checkbox"/> Parole/Probation	_____	_____	_____

Date/Initial each item	Date Material Introduced	Trainee Initial	Trainer Initial
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## **SECONDARY PROCESSES**

### **Data Entry:**

- |   |       |       |       |
|---|-------|-------|-------|
| <input type="checkbox"/> Courtesy Reports/TRC Entry           | _____ | _____ | _____ |
| <input type="checkbox"/> Traffic Collisions and Exchange Info | _____ | _____ | _____ |
| <input type="checkbox"/> Citations/Warnings                   | _____ | _____ | _____ |
| <input type="checkbox"/> Graffiti Reports                     | _____ | _____ | _____ |
| <input type="checkbox"/> Pawns                                | _____ | _____ | _____ |

### **Cash Register Operation**

- |   |       |       |       |
|---|-------|-------|-------|
| <input type="checkbox"/> Accounts                                 | _____ | _____ | _____ |
| <input type="checkbox"/> Voids                                    | _____ | _____ | _____ |
| <input type="checkbox"/> Day End Close Outs                       | _____ | _____ | _____ |
| <input type="checkbox"/> Verifying Monies to cash register report | _____ | _____ | _____ |
| <input type="checkbox"/> Preparing Deposit                        | _____ | _____ | _____ |

### **Restraining Orders**

- |  |       |       |       |
|--|-------|-------|-------|
| <input type="checkbox"/> Temporary Restraining Orders (TRO)      | _____ | _____ | _____ |
| <input type="checkbox"/> Order After Hearing (OAH)               | _____ | _____ | _____ |
| <input type="checkbox"/> Emergency Protective Orders (EPO)       | _____ | _____ | _____ |
| <input type="checkbox"/> Child Custody                           | _____ | _____ | _____ |
| <input type="checkbox"/> Civil Harassment                        | _____ | _____ | _____ |
| <input type="checkbox"/> Proof of Service                        | _____ | _____ | _____ |
| <input type="checkbox"/> RMS Data Entry for Restraining Orders   | _____ | _____ | _____ |
| <input type="checkbox"/> CLETS Data Entry for Restraining Orders | _____ | _____ | _____ |
| <input type="checkbox"/> CCPOR Entry                             | _____ | _____ | _____ |

### **Subpoenas**

- |   |       |       |       |
|---|-------|-------|-------|
| <input type="checkbox"/> Criminal and Civil | _____ | _____ | _____ |
| <input type="checkbox"/> Court Orders       | _____ | _____ | _____ |
| <input type="checkbox"/> Fees               | _____ | _____ | _____ |
| <input type="checkbox"/> Proof of service   | _____ | _____ | _____ |

Date/Initial each item	Date Material	Trainee	Trainer
------------------------	---------------	---------	---------

Introduced      Initial      Initial

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**Background Checks**

- |  |       |       |       |
|--|-------|-------|-------|
| <input type="checkbox"/> Applicant         | _____ | _____ | _____ |
| <input type="checkbox"/> Firearms          | _____ | _____ | _____ |
| <input type="checkbox"/> Ride Alongs       | _____ | _____ | _____ |
| <input type="checkbox"/> Mail Requests     | _____ | _____ | _____ |
| <input type="checkbox"/> Adult vs Juvenile | _____ | _____ | _____ |

**Miscellaneous:**

- |   |       |       |       |
|---|-------|-------|-------|
| <input type="checkbox"/> Medical Billing          | _____ | _____ | _____ |
| <input type="checkbox"/> UCR/MACR familiarization | _____ | _____ | _____ |

---

**California Law Enforcement Telecommunications System (CLETS)**

- |   |       |       |       |       |
|---|-------|-------|-------|-------|
| <input type="checkbox"/> Security                                 | _____ | _____ | _____ | _____ |
| <input type="checkbox"/> Required Training                        | _____ | _____ | _____ | _____ |
| <input type="checkbox"/> Bi-Annual Re-certification               | _____ | _____ | _____ | _____ |
| <input type="checkbox"/> Automated Boat System                    | _____ | _____ | _____ | _____ |
| <input type="checkbox"/> Automated Firearm System - AFS           | _____ | _____ | _____ | _____ |
| <input type="checkbox"/> Automated Property System – APS          | _____ | _____ | _____ | _____ |
| <input type="checkbox"/> Stolen Vehicle System - SVS              | _____ | _____ | _____ | _____ |
| <input type="checkbox"/> Wanted Person                            | _____ | _____ | _____ | _____ |
| <input type="checkbox"/> Missing/Unidentified Persons - MUPS      | _____ | _____ | _____ | _____ |
| <input type="checkbox"/> FBI                                      | _____ | _____ | _____ | _____ |
| <input type="checkbox"/> CII                                      | _____ | _____ | _____ | _____ |
| <input type="checkbox"/> Supervised Release File - SRF            | _____ | _____ | _____ | _____ |
| <input type="checkbox"/> NCIC                                     | _____ | _____ | _____ | _____ |
| <input type="checkbox"/> Violent Crime Info. Network - VCIN       | _____ | _____ | _____ | _____ |
| <input type="checkbox"/> Entry Audits (by 2 <sup>nd</sup> person) | _____ | _____ | _____ | _____ |

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# CALIFORNIA PUBLIC RECORDS ACT

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## FREEDOM OF INFORMATION ACT VS. CALIFORNIA PUBLIC RECORDS ACT

Federal laws allow the individual state laws to over ride federal laws in regards to public records. The important thing to remember is the FOIA refers to federal documents and has no impact on California Public Records. In California, all requests for public documents should be made under the California Public Records Act, which is housed, generally, in G.C. 6250 - 6255; most commonly known as 6254 but also known as the PRA. The following are just the basics, things you deal with everyday - there is a LOT of other information to know under this code.

### **The Basics:**

Requires that specific information be released:

Name of Victims & Witnesses  
Date, time, location of crime  
Brief Synopsis of incident

Calls for Service

Arrestee Name, Charges, location of arrest, brief synopsis of arrest.

### **Exceptions to 6254(f)**

- Do Not release any report/investigation that is not complete.
- Do Not release any information that would jeopardize the investigation.
- Generally, supplemental reports are considered investigatory, but verify before release, because there are exceptions.
- Child Abuse (generally 288 PC, but there are others) cases are not available in their entirety to the parents of the victim. Requires a juvenile court order to release the report. Exception would be that you may redact names from the report. Always ask first before taking action on this type report.
- Sex Crime Victims have the right to assert their privacy under 293 PC. Officers investigating such crimes are required to ask this question, but it doesn't always happen. As a rule, we assert their right to privacy for them under the California Constitution, Article 1, Section 1 (every citizens inherent right to privacy in California). Ask before taking action on such a report. When preparing the daily log you must also redact any indication of a Sex Crime from the log.

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## FRONT COUNTER

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**Greeting** - Hello, how may I help you? Be courteous at all times.

**Waiver** - Make sure the person is a party to the incident they are requesting.

**Query in house to see if Report in.**

Generally 72 hours

Suggest they call ahead

**Request for Crime Report**

Who can get Crime Report?

Collect current fee

Victim of Crime. Suspect not entitled to report.

Sometimes RP depending on how report written (incident reports)

**Request for Arrest Reports**

Fresh Arrest? Refer to D.A. Office

Adjudicated? Make sure DA or Court closure in file, ok to release redacted copy to arrested person. Collect fee. Do not release victim information to arrestee.

**Request for Collision**

By the Way:

Collect fee.

State Law does not require Law Enforcement at scene of non injury TC. Law only requires exchange of information by drivers.

Who can get TC?

Drivers, Owners of Vehicles, Owners of Damaged Property, Insurance carriers, attorneys of involved parties, persons holding authorization from involved parties. Refer to 20012 VC - Confidentiality of collision reports.

Misdemeanor Hit & Run

Collect fee. H&R is a collision, but is viewed as a crime. However, when deciding on releasing it, refer to 20012 VC.

Property Damage Only

Also called a PDO. These are NCR forms patrol may elect to use for the purpose of exchanging driver information.

No conclusions are made by the officer on scene as to who was at fault. A copy of the report is given to the drivers at the scene. If another copy is requested of us collect the current fee.

**Request for Vehicle Release**

You must request the following information:

- Owner of Vehicle must be present. OR Owner may send (fax is acceptable) a written authorization for a specific person to pick up the vehicle. If the authorization is not

notarized they must send a legible copy of their drivers license - we must be able to verify the signature on the CDL and on the authorization.

- Person picking up vehicle must have a Valid Drivers License
  - Collect the current release fee. Remember, this is an administrative fee for the city and the owner is still required to pay the tow company.
  - Query CDL to verify status
  - Person picking up vehicle not valid? Need 2<sup>nd</sup> person w/valid CDL
  - Query DMV to verify vehicle registration status
- Registration not current?
- Owner must go to DMV to register vehicle
  - Bring all paperwork back here
  - If they are unable to complete registration with DMV they must ask for a temporary (red sticker) or a One Day Moving Permit.

You may not charge Legal Owners or Re-possessors the Administrative fee.

### **Request for Calls for Service**

Calls for Service is considered public record. Anyone may request a list of all calls for service to a particular address. Cost: check the current fee schedule.

You may provide a CAD call print out if there is only one call to the address. However, you must redact any 3<sup>rd</sup> party information such as the RP.

### **Request for Arrest History information**

- An individual is only entitled to their own arrest history information. There is no charge to do this, but they must fill out a waiver. They may however, make notes for themselves.

- If the individual is applying for a job somewhere (other than law enforcement) suggest that they request their California State Criminal History directly from DOJ. We have forms available for that purpose.

- They are NOT entitled to view anyone else's record - it's illegal to do so and it's illegal for you to release such information.

- One exception to this rule would be for Law Enforcement Background purposes. Even for this you must have a waiver signed by the individual of record. There is no charge to law enforcement.

**State Required Repossession Fee** - Collect \$15.00, cash only, Give receipt.

### **Request for Visa Clearance Letter**

- Must have California ID
- Must reside in Simi Valley
- Must tell them the clearance letter covers only Simi Valley, not the entire state of California. They should request clearance from DOJ if they need the whole state.
- Prepare Letter: its on the (G) Shared drive. Give to the Records Manager for signature or stamp with Records Manager signature stamp if not here.
- If the subject has an arrest, ask how to proceed before preparing a letter.
- Collect the current fee.

### **Request for Copy of Citation**

- Must be the individual on the citation
- Collect the current fee
- May have copy of front and back

### **Background Checks**

You should be familiar with part of this already. You underwent a background check to be hired here! Background checks are to ascertain if a subject seeking employment has any arrest history with this agency.

You may receive requests for background checks from military recruiters, Defense Investigative Services, FBI, other Law Enforcement Agencies. Investigators may appear in person at the counter, or you may receive these requests by Fax or by Mail. In any case, you **MUST** have a waiver signed by the person of inquiry attached to their request. They must always present a written request along with the waiver if they appear in person. **DO NOT** perform a background check without the proper request and waiver. If they are law enforcement **ALWAYS** ask to see ID. Be comfortable that it is valid ID being showed to you. If you have questions, ask another technician or the supervisor on duty.

There is no charge for this service.

### **Block Party Permits (Example at front counter)**

- Applications for Block Party's are in the forms shelves near the front counter
- Applicant must give a minimum of two weeks notice
- Read the applications so you are familiar with the contents and requirements
- Completed forms are returned to Records. Collect the fees and forward the application to the Traffic Commander.

---

## **PHONES, ETIQUETTE & MISC**

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### **Answering Incoming Phones**

Be courteous and patient at all times.

Answer the phone within three rings

The proper greeting for in house calls: Records, this is Sam, how may I help you?  
Acceptable derivatives: Records, Sam, how may I help you? or Records, Sam

Proper greetings for outside calls: Simi Valley Police Department, this is Sam, how may I help you?

Proper greeting when answering switchboard (calls): Simi Valley Police Operator

### **Records Bureau Etiquette**

Be kind, courteous and patient at all times with your co-workers. If you don't know the answer to something - ask anyone. No question is ever trivial.

### **Hints for locating old reports:**

#### **Looking for old reports, but the person isn't in the in-house computer?**

Check the 3x5 cards

Do you have the I or J # ? Check the I &/or J folder. Is the I or J folder already purged?  
- The old I & J numbers list is in Laserfiche. If you don't know how to access it, ask. It could be helpful. If you have a name, it might point you to the DR#

If you have the report number you can bypass the old I&J lists and go directly to the microfilm log book to see if we retained the report on microfilm.

### **Acceptance of Gifts and Gratuities**

Per City Policy #A-004: As public employees, we must be above reproach. The policy states:

1. Gifts of nominal value may be accepted. Examples of such items are: promotional

items such as calendars, scratch pads, pens, etc.

2. If a gift of more than nominal value is offered, it must be refused, returned, or donated to a charitable organization (e.g. Senior Center, Boys & Girls Club, Etc.) and the donor should be made aware that the City prohibits the acceptance of gifts by employees.

If you have a question regarding a gift, ask your supervisor.

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**LAWS REGARDING CORI (Criminal Offender Record Information)**  
**INFORMATION/COMPUTER ACCESSED INFORMATION**

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502 PC	Unauthorized access to computers, computer systems and computer data
11076 PC	Dissemination to authorized agencies 11077 PC - Attorney General duties
11078 PC	Listing of agencies to whom information is released or communicated
11079 PC	Investigations, cooperation by agencies
11080 PC	Right of Access of information authorized by other provisions of law
11080.5 PC	Federal parolees residing or domiciled in city or county, request for information by Chief of Police or Sheriff.
11081 PC	No access on information unless otherwise authorized by law
11105 PC	State Summary Criminal History Information
11105.1 PC	State Summary Criminal History Information; persons entitled to receive
11142 PC	Authorized person furnishing record or information to unauthorized person: Misdemeanor
11143 PC	Unauthorized person receiving record or information: Misdemeanor
13300 PC	Furnishing to authorized persons
13301 PC	ARecord≅ - a person authorized by law to receive a record
13302 PC	Furnishing to unauthorized person by employee of local agency
13303 PC	Furnishing to unauthorized person by authorized person
13304 PC	Receipt, purchase or possession by unauthorized person
13326 PC	Request of employee to obtain record or notification of existence of record; prohibition; violations; penalty
6200 GC	Theft, destruction, falsification, or removal by officer custodian
6201 GC	Theft, destruction, falsification, or removal by person other than officer custodian
20008-20012 VC	Release of information from accident reports

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## PHONETIC ALPHABET

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A - ADAM  
B - BOY  
C - CHARLES  
D - DAVID  
E - EDWARD  
F - FRANK  
G - GEORGE  
H - HENRY  
I - IDA  
J - JOHN  
K - KING  
L - LINCOLN  
M - MARY  
N - NORA  
O - OCEAN  
P - PAUL  
Q - QUEEN  
R - ROBERT  
S - SAM  
T - TOM  
U - UNION  
V - VICTOR  
X - X-RAY  
Y - YOUNG  
Z - ZEBRA

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## **GLOSSARY OF TERMS**

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### **COMMONLY USED CODE BOOKS:**

PC	PENAL CODE
VC	VEHICLE CODE
GC	GOVERNMENT CODE
EC	EVIDENCE CODE
WIC	WELFARE AND INSTITUTIONS CODE
H&S	HEALTH & SAFETY CODE
B&P	BUSINESS & PROFESSIONS CODE
SVMC OR MUNI CODE	SIMI VALLEY MUNICIPAL CODE

### **CLETS RELATED ABBREVIATIONS**

CLETS	CALIFORNIA LAW ENFORCEMENT TELECOMMUNICATIONS SYSTEM
NCIC	NATIONAL CRIME INFORMATION CENTER
ABS	AUTOMATED BOAT SYSTEM
AFS	AUTOMATED FIREARMS SYSTEM
APS	AUTOMATED PROPERTY SYSTEM
CHS	CRIMINAL HISTORY SYSTEM
FBI	FEDERAL BUREAU OF INVESTIGATIONS
FCN	FILE CONTROL NUMBER
LEDS	LAW ENFORCEMENT DATA SYSTEM (OREGON)
MUPS	MISSING UNIDENTIFIED PERSONS SYSTEM
ORI	ORIGINATING AGENCY IDENTIFIER
ROS	RESTRAINING ORDER SYSTEM
SRF	SUPERVISED RELEASE FILE

## **CLETS RELATED ABBREVIATIONS CONTINUED**

SVS	STOLEN VEHICLE SYSTEM
VCIN	VIOLENT CRIME INFORMATION SYSTEM
WPS	WANTED PERSON SYSTEM

## **COMMONLY USED COUNTY CODES FOR CLETS ACCESS**

ADMIN	ADMINISTRATIVE MESSAGES
DRV	DRIVER HISTORY
USDRV	OUT OF STATE DRIVER HISTORY
USREG	OUT OF STATE REGISTRATION
REG	VEHICLE REGISTRATION HISTORY
VEH	VEHICLE INQUIRY & REGISTRATION
VEH1	VEHICLE ENTRY - STOLEN/PLATES/IMPOUND/STORAGE
VEH2	CANCEL VEHICLE ENTRY
QM	QUERY MISSING
CIIHIST	CRIMINAL HISTORY INFORMATION
FBIHIST	FBI CRIMINAL HISTORY INFORMATION
PROP / PROP1	PROPERTY INQUIRY / ENTRY
GUN / GUN1	GUN INQUIRY / ENTRY
ROS / ROS1	RESTRAINING ORDER INQUIRY / ENTRY

**Press Release - Tobacco.pdf**

**DATE**

FOR IMMEDIATE RELEASE

CONTACT: Cmdr. Alan Thompson  
(805) 583-6919

Between the dates of \_\_\_\_\_ and \_\_\_\_\_, officers from the Simi Valley Police Department's Special Enforcement Section conducted an undercover investigation into the sales of tobacco to minors. As a result of the investigation, arrests were made for furnishing cigarettes to minors. The arrestees, all employees of local businesses, were released after being issued a misdemeanor citation. \_\_\_ undercover police decoys, ages 15 and 16 years old, attempted to purchase tobacco at \_\_\_\_\_ locations throughout the City. Sales were made to the minors at \_\_\_\_\_ locations.

The names of the establishments where the sales occurred will be forwarded to the City Attorney's Office for civil action. Each of the businesses face a possible fine.

The investigation was part of a continuing Police Department program to curb the sales of tobacco to minors.

- more -

The businesses where the individuals were cited are:

Millie's American Café	2597 Sycamore Drive
Chuy's Mesquite Broiler	5840 E. Los Angeles Avenue
Siam Cuisine	1960 Sequoia Avenue, #7 & #8
Cupid's Hot Dogs	2585 Cochran Street, #G
Damon's Dining Event	2410 Sycamore Drive
Sub Contractor	1420 E. Los Angeles Avenue, #A

# # #

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David M. Livingstone  
Chief of Police

**Notice Letter.pdf**

**ATTENTION VEHICLE OWNER:**

The vehicle identified on this document, registered/owned in your name, was stored pursuant to the provisions of the California Vehicle Code (VC) by the agency shown below.

Under the provisions of Section 22852 VC, you have the right to a hearing to determine the legality of this storage. If you choose to contest the legality of this storage, you must request the hearing in writing, in person, or by telephone at the office identified as the Storing Agency on this document. The vehicle storage hearing is an informal process to determine whether or not a vehicle was stored legally. Your request for a hearing must be received within ten (10) days from the date of this notice. If you request a hearing, it will be conducted within 48 hours of the request, excluding weekends and holidays. Your failure to request or attend a scheduled hearing shall satisfy the Post-Storage Validity requirements of Section 22852 VC.

If the hearing determines the storage to be unlawful, the storing agency will be responsible for the towing and storage charges. If you have any questions, or if this vehicle is no longer owned by you, please contact the Storing Agency shown below.

Simi Valley Police Department  
3901 Alamo St  
Simi Valley, Ca. 93063

(805 583-6950)

When contacting the police department to obtain a release for your vehicle you will need the following:

1. Proof of ownership
2. A valid driver's license or
3. A validly licensed driver
4. Vehicle should be properly and currently registered with DMV.
5. If your vehicle was stored for expired registration over six months, you **MUST** register your vehicle with DMV before contacting the police department.  
If your vehicle requires a smog check, ask DMV for a one day moving permit or a temporary sticker.
6. **\$73.00** administrative fees are due: payable by cash or credit card only. **This does not include storage fees, which are paid separately to the tow company.**

If you cannot respond in person to obtain the release and wish to send a representative they will need the following:

1. A letter from you identifying to whom you wish your vehicle released. Sign the letter and enclose a legible copy of your driver's license. In lieu of a copy of your driver's license, you may have your letter notarized.
2. Your representative must have a valid driver's license.  
\*All other requirements stated above also apply.

## **VEHICLES TOWED PURSUANT TO 14602.6 V.C.**

California law permits towing and storage of vehicles for 30 days when the driver of the vehicle is unlicensed or driving with a suspended driver's license. If your vehicle is towed for this reason:

1. If you are the owner and driver of the vehicle at the time of storage and you are unlicensed or your driver's license is suspended, the vehicle **is not available for release for 30 days.**
2. If you are the owner of the vehicle, but not driving the vehicle at the time of storage, you may be entitled to secure a release for the vehicle. All release requirements listed in first section must be met.

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CALIFORNIA POST



## PERSONAL HISTORY STATEMENT

1. YOUR FULL NAME  
LAST

1. YOUR FULL NAME  
FIRST

2. OTHER NAMES, INCLUDING NICKNAMES, YOU HAVE USED OR BEEN KNOWN BY

3. ADDRESS WHERE YOU RESIDE  
NUMBER / STREET

CITY

4. MAILING ADDRESS, IF DIFFERENT FROM ABOVE

5. CONTACT NUMBERS  
HOME ( )

6. EMAIL ADDRESS  
HOME

7. If you were born outside of the United States  
If no, are you a resident alien who is eligi

8. BIRTH PLACE (CITY / COUNTY / STATE / COU

11. DRIVER'S LICENSE  
NO.

# Background Investigation Manual

Guidelines for the Investigator

POST2006S&E-0379.V3

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# **Background Investigation Manual**

**Guidelines for the Investigator**

**January 2013**

CALIFORNIA COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

**POST Background Investigation Manual:  
Guidelines for the Investigator**

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California Commission on Peace Officer Standards and Training

Published 1991

Revised 1992, 1994, 1995, 2006, 2007, 2009, 2012, 2013

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POST2006S&E-0379.V3

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**The mission**

of the California Commission on Peace Officer Standards and Training (POST) is to continually enhance the professionalism of California law enforcement in serving its communities.



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## PREFACE

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**Government Code §1031** requires a pre-employment background investigation for peace officers; this requirement is further defined in Commission Regulation [1953](#). Similarly, Penal Code §13510 authorizes POST to establish minimum standards for public safety dispatchers; those standards – including a background investigation – are defined in Commission Regulations [1956-1960](#).

The POST *Background Investigation Manual: Guidelines for the Investigator* is intended to provide guidance to assist in satisfying these requirements and in otherwise ensuring that the background investigations of California peace officer and public safety dispatcher candidates are thorough, lawful and effective. The manual was developed in conjunction with and in support of Commission regulations, personal history statements, and evaluation criteria, all of which are described herein.

Although these guidelines are detailed and comprehensive, this manual is intended as a resource rather than a replacement for adequate training and other needed forms of agency support for background investigators. This latest revision was prompted by a number of significant changes that took effect in 2009, including changes to POST Regulations concerning selection standards for peace officer and public safety dispatcher candidates, as well as changes to California law regarding peace officer selection.

Comments and suggestions concerning these guidelines should be directed to your [Regional Consultant](#).

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# Chapter 1

## INTRODUCTION

The pre-employment background investigation satisfies two goals: 1) assuring compliance with all applicable minimum standards for appointment and 2) screening out candidates who, based on their past history or other relevant information, are found unsuitable for the positions in question. The express purpose of this manual is to assist background investigators — especially but not exclusively new investigators — in conducting investigations that satisfy both of these goals.

Backgrounds are among the most important investigations that a law enforcement agency will ever conduct. The manner in which a background investigation is conducted can make the difference between hiring an individual who will truly protect and serve versus someone who may cause harm to oneself, the agency, and society.

Background investigations are also among the most challenging investigations to conduct. They must be comprehensive if they are to lead to informed hiring decisions. Past misconduct and other signs of unsuitability must be uncovered so that dangerous or otherwise unfit candidates are screened out. At the same time, inquiries into past performance must stay within the tight parameters of fair employment practices. Furthermore, the areas investigated — and the evaluation of the resulting information — must be treated consistently across all candidates.

Background investigators must therefore be knowledgeable about all applicable local, state, and federal fair employment laws. They must be conversant in the legal requirements for appointment to the positions in question. They must heed all agency policies, practices, and operational limitations. They must base their inquiries and evaluations on candidate behaviors that have a direct relationship to the requirements and demands of the position, and they must do so with consistency and without bias. They must be able to articulate the information gathered from a wide variety of sources and how it is used in determining candidate suitability.

This manual is intended to assist background investigators in accomplishing this challenging task. The procedures and guidance presented here explain what information to gather, and how that information should be considered in determining candidate suitability.

## FOCUS OF THE MANUAL

### 1. “Screen-out” vs. “Select-in” Orientation

POST has the responsibility for developing standards and assuring compliance with those standards for peace officers and public safety dispatchers. POST regulations mandate what must be done in order to satisfy the *minimum* standards for appointment. Therefore these guidelines are written from a “screen-out” rather than a “select-in” perspective; that is, they are designed to assist in identifying and weeding out the unfit, rather than distinguishing excellent candidates from those who just meet minimum qualifications. Agencies have the right to increase these standards as well as require additional standards.

### 2. Target Readership: Background Investigators

This manual was written expressly for background investigators. Although it may prove useful to others besides investigators, it is not intended as a comprehensive resource document for administrators, legal counsel, or others who are not directly involved in the conduct of background investigations.

*Note: In California, third party background investigators (i.e., private contractors) must be Licensed Private Investigators<sup>1</sup> or attorneys. The actions of contract investigators are highly regulated by the Investigative Consumer Reporting Agencies Act (ICRA), [Civil Code §1786](#). Because of the complexity of this area of law, the special procedures and requirements for non-agency investigators are not the focus of this manual. Contract investigators are strongly advised to seek out competent and professional training on ICRA.*

### 3. Target Jobs: Peace Officer and Public Safety Dispatcher

California law requires the completion of pre-employment background investigations for peace officers<sup>2</sup> and public safety dispatchers where the employing agency participates in the POST Public Safety Dispatcher Program.<sup>3</sup> As POST has been charged with the responsibility for developing selection standards for peace officers and public safety dispatchers, the focus of this manual is therefore limited to the conduct of background investigations on these two classifications. Local agency policy or regulation may require the completion of a pre-employment background on a host of other classifications of employment (e.g., secretarial support staff, records personnel, community service officers). Although some principles discussed here may be relevant regardless of classification, caution must be exercised when applying this guidance to classes of employment outside the mandate given POST. Agencies are urged to work in close consultation with their legal counsel guidance to classes of employment outside the mandate given POST. Agencies are urged to work in close consultation with their legal counsel.

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<sup>1</sup> Business & Professions Code [§7520](#)

<sup>2</sup> Government Code [§1031\(d\)](#)

<sup>3</sup> [Commission Regulation 1959](#)

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#### **4. Not a Substitute for Training**

This manual is not intended to serve as a substitute for competent, professional training. Although there is no background investigator training requirement, the proper training of employees is an employer's legal responsibility; furthermore, effective training of background investigators can greatly improve the quality of an agency's candidates. Background investigator professional associations — such as the [California Background Investigators Association](#) (CBIA) and the [California Association of Law Enforcement Background Investigators](#) (CALEBI) — also offer training as well as networking and related benefit.

#### **5. Not Legal Advice**

Although the manual contains discussions of the many pertinent employment laws and their impact on the conduct of the investigation, the information presented here should not be treated as legal research, legal opinion, or legal advice. Background investigators are strongly encouraged to consult, work closely with, and abide by the advice of their agency's legal counsel.

### **THE ROLE OF POST**

POST serves a variety of functions with respect to the background investigation process. These functions include establishing selection standards, certifying training, providing technical assistance, and conducting compliance inspections.

#### **1. Selection Standards**

In response to specific mandates from the State Legislature, POST has been charged with the responsibility to develop selection standards for peace officers and public safety dispatchers. California regulatory agencies, such as POST, establish regulations in accordance with the Administrative Procedures Act. Once properly adopted, these regulations appear in the [California Code of Regulations](#) (Title 11, Division 9; formerly the California Administrative Code) and the [POST Administrative Manual](#). As authorized by the State Legislature, these regulations carry the force of law and often seek to clarify or expand upon specific legislative enactments (laws), for example in the Penal or Government Codes.

Commission Regulations [1950-1955](#) contain the selection standards for peace officers. Commission Regulation 1953 includes the requirements for the conduct of the peace officer background investigation. The peace officer medical and psychological evaluation requirements are outlined in Regulations 1954 and 1955.

Commission Regulations [1956-1960](#) contain the selection standards for public safety dispatchers. Commission Regulations 1959 and 1960 include the requirements for the conduct of the public safety dispatcher background investigation, and the medical evaluation, respectively.

These standards are discussed in detail in [Chapter 3](#), “Legal Qualifications and Statutory Framework.” They are also located in the POST Administrative Manual (PAM).

## 2. Training Course Certification

POST certifies four courses specific to background investigations:

- 1) *Background Core Training* – A basic level of instruction designed for persons newly assigned to background investigation (32–40 hours).
- 2) *Background Investigation Update* – A more advanced level of instruction designed for experienced investigators who have already undergone core training and require update training (variable length).
- 3) *Administration of the Background Process* – A highly compressed training course designed for the supervisors and managers who oversee the background process, rather than for background investigators (8 hours).
- 4) *Training Seminars/Conferences* – Courses that are periodically certified or presented by POST to deal with unique circumstances or groups (variable length).

Other [POST-certified courses](#), such as “Interview and Interrogation” or “Public Records and Open Sources for Investigators” may also prove helpful to background investigators.

## 3. Technical Assistance

POST professional support to the background investigation process includes:

- [Publications](#) – In addition to this manual, POST produces manuals on interviewing peace officer candidates, conducting medical screening, psychological screening, and a background investigation course curriculum document. Some of these manuals are not specifically written for the background investigator; however, they can provide technical guidance to others involved in the hiring process.
- [Forms and Other Screening Documents](#) – Such as the Personal History Statements (POST 2-251–Peace Officer and 2-255–Public Safety Dispatcher<sup>4</sup>), Medical History Statements (POST 2-252–Peace Officer and 2-264–Public Safety Dispatcher), and Medical Examination Reports (POST 2-253–Peace Officer and 2-265–Public Safety Dispatcher).
- *Consultative Services* (through its own professional staff) – Investigators should feel free to contact their [POST Regional Consultants](#).
- *Referrals* (including best practices already in use by other agencies and/or individuals).

## 4. Compliance Inspections

The Legislature has charged POST with the responsibility to conduct compliance inspections to verify that persons appointed as peace officers were selected in accordance with the selection standards. POST Regional Consultants make regular visits to the agencies in their jurisdictions to inspect the background investigations completed on those who have been hired since the last audit. If deficiencies are detected, they work with the agency by suggesting methods for correction and establishing a timetable for correction. A follow-up visit may be scheduled to assure that the deficiencies are

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<sup>4</sup> Also refer to [Appendix D](#).

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corrected. Consequences may be invoked if agencies resist or fail to correct problems within a reasonable period of time. [Chapter 6](#), “POST Compliance Inspections,” discusses the compliance inspection process.

## POST VS. AGENCY CANDIDATE SCREENING CRITERIA

The selection standards imposed by state statutes and POST regulations are *minimum standards*. Agencies are free to establish more rigorous selection criteria, as long as they are job-related and legally defensible. For example, agencies may choose to require peace officers to be at least 21 years of age, even though state law permits their appointment at age 18. It is also not uncommon for agencies to require peace officer candidates to have earned some college credits, although none is specified under the law.<sup>5</sup>

Verifying most of the statutory and regulatory minimum qualification standards, such as age, citizenship, and absence of felony convictions, is relatively clear-cut. However, California Government Code [§1031\(d\)](#) also requires all peace officer candidates to be screened for “good moral character.” What prior conduct constitutes good moral character (or, more importantly, the absence thereof)?

The POST background dimensions, presented in the next chapter, are intended to assist agencies and investigators in answering this question by identifying and detailing the attributes underlying moral character and other qualities essential to the jobs of peace officer and public safety dispatcher. Nevertheless, it is ultimately up to each agency to establish its own clearly articulated legally defensible standards of conduct.

## ORGANIZATION OF THE MANUAL

The remainder of this manual is divided into five sections. The next chapter, “Peace Officer and Public Safety Dispatcher Background Dimensions,” provides a common set of peace officer and dispatcher attributes that must be considered during the conduct of the background investigation. Chapter 3, “Legal Qualifications and Statutory Framework,” details the statutory and regulatory requirements surrounding background investigations. The next two chapters approach the background investigation from different perspectives: Chapter 4, “The Background Investigation Process,” describes the chronology of the investigation; while Chapter 5, “Areas of Investigation and POST Personal History Statements,” presents a topic-by-topic explanation of the process, using the Personal History Statement as its framework. Lastly, Chapter 6, “POST Compliance Inspections,” is intended to clarify (as well as demystify) the procedure, expectations, and common problems detected during the annual POST audit.

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<sup>5</sup> In the case of public safety dispatchers there is no educational minimum specified in state law for employment.

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## Chapter 2

# PEACE OFFICER AND PUBLIC SAFETY DISPATCHER BACKGROUND INVESTIGATION DIMENSIONS

Job-relatedness is the cornerstone of every lawful, effective candidate screening procedure. The demonstrated necessity of every pre-employment inquiry for evaluating the skills, abilities, and attributes required for effective job performance is critical to ensuring that those selected are qualified, and serves as a strong defense against allegations of unfairness or discrimination.

Job-relatedness, or “validity,” is characteristic of selection procedures that are derived from an analysis of the job and its requirements and demands. POST has conducted repeated statewide job analyses on both peace officers and public safety dispatchers. In conjunction with the creation of this manual, job analytic data on these two positions were reanalyzed in order to derive a new set of essential attributes of peace officers and public safety dispatchers. Many sources of information were reviewed and reanalyzed, as described in **Appendix A**, [“Development of POST Background Investigation Dimensions.”](#)

Based on these analyses, one common set of background dimensions was created for peace officers and public safety dispatchers. These ten dimensions are listed in **Table 2.1**. Commission Regulations [1953\(b\)](#) and [1959\(b\)](#) stipulate that the ten background dimensions shall be considered in the conduct of every peace officer/public safety dispatcher investigation. The dimensions are organized into five major categories (Moral Character, Handling Stress and Adversity, Work Habits, Interactions with Others, and Intellectually-Based Abilities).

Although these background investigation dimensions were selected based on their specific amenability to assessment during the background investigation, a number of them are also evaluated elsewhere in the selection process. For example, “Integrity” is assessed at several other pre-employment stages, such as during the hiring interview and psychological screening. This redundancy is intentional, as it serves to highlight the interdependence of these selection criteria as well as enhance the measurement accuracy of important peace officer and public safety dispatcher character attributes.

Each dimension includes a behaviorally based definition and description, along with a set of indicators for use by background investigators in evaluating candidates against these attributes. Note, however, that specific thresholds of acceptability (e.g., number of allowable moving violations) are not included. The establishment of tolerance levels is an agency’s prerogative, and may well vary between peace officers and public safety dispatchers.

Although it is not necessary for each background report to include a separate evaluation of the candidate on each of the ten dimensions, they should serve as points of focus for the background investigation itself, as well as for issues to be considered when preparing the final report.

Agencies are strongly encouraged to establish standards associated with such issues as criminal convictions, thefts, illegal drug use and other criminal conduct, and driving history. If these issues have not been addressed, background investigators are faced with the need to continuously consult the chain of command every time they encounter negative information. This slows the process and may expose the department to liability in the event that inconsistent and/or inappropriate standards are applied.

Investigators must also exercise caution not to impose their own personal beliefs and/or prejudices as the benchmark against which to measure character, especially if the agency has not defined its own standards. To be defensible, agency standards must be job-related and consistent with business necessity; moreover, overly demanding selection requirements further reduce an already-shrinking applicant pool.

No amount of standard-setting, however, will eliminate the need to make case-by-case judgments based on specific facts presented by each candidate's background. Rarely is one fact a sufficient basis for disqualifying an individual; rather, it is generally necessary to investigate the circumstances surrounding each fact in order to make an educated assessment of the candidate's suitability, taking into consideration such factors as:

- The patterns of past behavior and specific combinations of fact and circumstances,
- The consequences if past undesirable behavior occurs again or becomes generally known,
- The likelihood of recurrence of the undesirable behavior,
- The relevance of the past behavior to the job demands and requirements,
- The length of time between the particular undesirable act and the application for employment, with consideration given to the intervening behavior of the candidate, and
- The legal rights of the candidate.

The use of these dimensions in organizing and supporting the investigators' observations and findings is discussed in [Step 9](#), Report and Background Packet Preparation in **Chapter 4**, "The Background Investigation."

**Table 2.1**  
**SUMMARY OF POST BACKGROUND INVESTIGATION DIMENSIONS**  
**FOR PEACE OFFICERS AND PUBLIC SAFETY DISPATCHERS**

MORAL CHARACTER	<ol style="list-style-type: none"> <li>1. <b>Integrity</b> <ul style="list-style-type: none"> <li>• Honesty</li> <li>• Impartiality</li> <li>• Trustworthiness</li> <li>• Protection of Confidential Information</li> <li>• Moral/Ethical Behavior</li> </ul> </li> <li>2. <b>Impulse Control/Attention to Safety</b> <ul style="list-style-type: none"> <li>• Safe Driving Practices</li> <li>• Attention to Safety</li> <li>• Impulse/Anger Control</li> </ul> </li> <li>3. <b>Substance Abuse and Other Risk-Taking Behavior</b></li> </ol>
HANDLING STRESS AND ADVERSITY	<ol style="list-style-type: none"> <li>4. <b>Stress Tolerance</b> <ul style="list-style-type: none"> <li>• Positive Attitude and Even Temper</li> <li>• Stress Tolerance and Recovery</li> <li>• Accepting Responsibility for Mistakes</li> </ul> </li> <li>5. <b>Confronting and Overcoming Problems, Obstacles, and Adversity</b></li> </ol>
WORK HABITS	<ol style="list-style-type: none"> <li>6. <b>Conscientiousness</b> <ul style="list-style-type: none"> <li>• Dependability/Reliability</li> <li>• Personal Accountability and Responsibility</li> <li>• Safeguarding and Maintaining Property, Equipment, and Belongings</li> <li>• Orderliness, Thoroughness, and Attention to Detail</li> <li>• Initiative and Drive</li> <li>• General Conscientiousness</li> </ul> </li> </ol>
INTERACTIONS WITH OTHERS	<ol style="list-style-type: none"> <li>7. <b>Interpersonal Skills</b> <ul style="list-style-type: none"> <li>• Social Sensitivity</li> <li>• Social Interest and Concern</li> <li>• Tolerance</li> <li>• Social Self-Confidence/Persuasiveness</li> <li>• Teamwork</li> </ul> </li> </ol>
INTELLECTUALLY-BASED ABILITIES	<ol style="list-style-type: none"> <li>8. <b>Decision-Making and Judgment</b> <ul style="list-style-type: none"> <li>• Situation/Problem Analysis</li> <li>• Adherence to Policies and Regulations</li> <li>• Response Appropriateness</li> <li>• Response Assessment</li> </ul> </li> <li>9. <b>Learning Ability</b></li> <li>10. <b>Communication Skills</b> <ul style="list-style-type: none"> <li>• Oral Communication</li> <li>• Written Communication</li> </ul> </li> </ol>

## MORAL CHARACTER

**1. Integrity.** This involves maintaining high standards of personal conduct. It consists of attributes such as honesty, impartiality, trustworthiness, and abiding by laws, regulations, and procedures. It includes:

- ✓ Not **abusing the system** nor using one's **position for personal gain**; not yielding to temptations of bribes, favors, gratuities, or payoffs
- ✓ Not bending rules or otherwise trying to beat the system
- ✓ Not sharing or releasing **confidential information**
- ✓ Not engaging in **illegal or immoral activities** – either on or off the job
- ✓ **Honest and impartial** in dealings with others both in and outside the agency
- ✓ Not condoning or ignoring unethical/illegal conduct in others
- ✓ **Truthful and honest** sworn testimony, affidavits, and in all dealings with others

### INDICATORS:

- Dishonesty in the hiring process, including:
  - deliberately misstating or misrepresenting identifying information or qualifications, whether orally or in writing
  - misleading any person involved in the pre-employment screening process by misstating, misrepresenting, or failing to completely answer questions
  - inaccuracies or deliberate omissions in applications, Personal History Statements, or any other documentation required as part of the pre-employment process used to help determine the candidate's suitability for employment
  - any other act of deceit or deception
- Lying about past mistakes or oversights
- Fraudulently reporting or other abuses/misuses of employer leave policies (e.g., sick leave, vacation, bereavement leave)
- Abuses privileges and benefits of the job (e.g., overtime, use of supplies, equipment, internet access)
- Involved in the sale or distribution of illegal drugs
- Engages in inappropriate sexual activity (e.g., prostitutes, sex with minors, etc.)
- Evidence of perjury, signing of false affidavits in any criminal or civil proceeding, falsification of official reports including statements, narratives, property documents, evidentiary documents, giving incomplete or misleading information to supervisors
- Cheating, plagiarism, or other forms of academic dishonesty
- Attempting to induce others to give false information
- Association with those who commit crimes or otherwise demonstrate unethical/immoral behavior

- Commits illegal or immoral activities that would be offensive to contemporary community standards of propriety
- Commits crimes against employers — arson, burglary, stealing (goods, money, or services) — which would amount to a felony
- Conviction(s) of any criminal offense classified as a misdemeanor under California Law, especially as an adult
- Having an outstanding warrant of arrest at time of application for job or throughout the hiring process
- Admission of having committed any act amounting to a felony under California Law, as an adult
- Admission of any criminal act, whether misdemeanor or felony, committed against children, including, but not limited to: molesting or annoying children, child abduction, child abuse, lewd and lascivious acts with a child, indecent exposure (except acts of consensual unlawful intercourse accomplished between two minors, unless more than four years difference in age existed at the time of the acts)
- Actions resulting in civil lawsuits against the candidate or his/her employer
- Committing acts that, had they been detected, would have resulted in prosecution and conviction and would have automatically disqualified the candidate.

***While Employed in a Position of Public Trust:***

- Conviction of any offense classified as a misdemeanor under California Law while employed as a peace officer (including military police)
- Admission of administrative conviction of any act while employed as a peace officer, including military police, involving lying, falsification of any official report or document, or theft
- Admission of administrative conviction or criminal conviction for failure to properly report witnessed criminal conduct committed by another law enforcement officer
- Accepting or soliciting any bribe or gratuity while in a position of public trust
- Embezzlement of money, goods or services while in a position of trust

- 2. Impulse Control/Attention to Safety.** Avoiding impulsive and/or unnecessarily risky behavior to ensure the safety of oneself and others. It includes thinking before acting, taking proper precautions, keeping one's impetuous, knee-jerk reactions in check, and behaving in conscious regard for the larger situation at hand.

**INDICATORS:**

***Safe Driving Practices***

- Receipt of multiple moving violations (especially for potential life-threatening acts such as reckless driving, speed contest, etc.)
- Driver in multiple chargeable collisions. Numerous moving and non-moving violations, at-fault accidents
- Instances of road rage, driving recklessly and/or at excessive speeds

***Attention to Safety***

- Fails to take proper precautions to minimize risks associated with hazardous activities
- Takes unnecessary, foolish risks
- Disregards risk to self or others

***Impulse/Anger Control***

- Overreacts when challenged or criticized
- Unnecessarily confrontational in interactions with others
- Reacts childishly or with anger to criticism or disappointment
- Disciplined by any employer as an adult for fighting in the workplace
- Admission of any act of domestic violence as an adult
- Use of verbal or physical abuse or violence toward others
- Violent assault upon another, including spousal battery, sexual battery, or other acts of violence
- Admission of administrative conviction or criminal convictions for any act amounting to assault under color of authority or any other violation of federal or state civil rights laws
- Instances of reprimands, counseling, terminations, suspensions for poor behavioral control at work

- 3. Substance Abuse and Other Risk-Taking Behavior.** This involves engaging in behavior that is inappropriate, self-damaging, and with potential adverse impact on the agency, and includes alcohol and drug abuse, domestic violence, sale of drugs and gambling.

**INDICATORS:**

- Illegal use or possession of a controlled substance while employed in any law enforcement capacity, including military police
- Drug test of the candidate, during the course of the hiring process, where illegal controlled substances are detected
- Illegal or unauthorized use of prescription medications
- Illegal use or possession of a controlled substance while a student enrolled in college-accredited courses related to the criminal justice field
- Manufacturing, cultivating, transporting, brokering, or selling any controlled substances
- Record of alcohol or drug-related incidents, including driving under the influence or such charge reduced to reckless driving, violation of open container laws or transporting open containers
- History of other problems associated with drug and/or alcohol use
- Perpetrator of domestic violence incidents

- 
- Missed work due to alcohol use
  - Alcohol use while on the job (where prohibited)
  - Arriving at work intoxicated/smelling of alcohol or hung-over
  - Gambling to the point of causing harm to oneself

## HANDLING STRESS AND ADVERSITY

4. **Stress Tolerance.** Maintaining composure, particularly during time-critical emergency events and other stressful situations, weathering negative events and circumstances and maintaining an even temperament and positive attitude. Accepting criticism without becoming overly defensive or allowing it to hamper behavior or job performance.

### INDICATORS:

#### *Attitude and Temperament*

- Worries excessively; enters into new situations with considerable apprehension
- Overly suspicious and distrusting in dealing with others
- Argumentative, antagonistic towards others, bully
- Commonly behaves with hostility and anger
- Behavior-impairing mood swings
- Badmouths employers and others
- Unnecessarily confrontational and aggressive
- Disrupts/undermines authority (fails to successfully carry out directives; shows signs of contempt by eye rolling, excessive exhaling, etc.)

#### *Stress Tolerance and Recovery*

- Comes “unglued,” freezes, or otherwise performs ineffectively when feeling overloaded or stressed
- Uncontrollable reaction to verbal abuse from others
- Reacts childishly or with anger to criticism or disappointment
- Allows personal problems and stressors to bleed into behavior on the job

#### *Accepting Responsibility for Mistakes*

- Does not accept responsibility for actions and mistakes; routinely makes excuses or blames others for own shortcomings
- Becomes excessively defensive or otherwise overreacts when challenged or criticized
- Minimizes the importance of past mistakes or errors
- Refuses to accept responsibility for mistakes or improper actions

5. **Confronting and Overcoming Problems, Obstacles, and Adversity.** This involves willingness and persistence in confronting problems and personal adversity. It includes taking control of situations, as necessary and demonstrating hustle and drive in reaching goals.

INDICATORS:

- Displays submissiveness and insecurity when confronted with challenges, threatening situations, or difficult problems
- Fails to take action or change behavior to resolve problems or mistakes
- Multiple personal bankruptcies, having current financial obligations for which legal obligations have not been satisfied; or any other flagrant history of financial instability
- Allows debts to mount; evades creditors, collection agencies, etc.
- Past due accounts, discharged debts, late payments, collection accounts, civil judgments, and/or bankruptcy
- Fails to meet obligations (for example, auto insurance, auto registration, selective service registration, IRS requirements, child support obligations)
- Fails to exercise fiscal responsibility commensurate with income

**WORK HABITS**

6. **Conscientiousness.** Diligent, reliable, conscientious work patterns; performing in a timely, logical manner in accordance with rules, regulations, and organizational policies.

INDICATORS:

*Dependability/Reliability*

- Fails to meet commitments to work, school, family, volunteer, or community activities
- Poor attendance; takes time off from work unnecessarily (e.g., on/near weekends)
- History of being late to work, meetings, appointments
- Misses scheduled appointment during the process without prior permission
- Excessively long breaks, returning from lunch late, leaving work early
- Fails to comply with instructions or orders
- Fails to properly prepare for meetings

*Personal Accountability and Responsibility*

- Is not accountable for his/her performance
- Blames others for improper actions
- Fails to analyze prior mistakes or problems to improve performance

- 
- Disciplined by any employer (including military) for gross insubordination, dereliction of duty, or persistent failure to follow established policies and regulations
  - History of involuntary dismissal (for any reason other than lay-off)
  - Conducts unauthorized personal business while on duty
  - Failure to exercise fiscal responsibility commensurate with income
  - Past due accounts, discharged debts, late payments, collection accounts, civil judgments, and/or bankruptcy
  - History of flagrant financial instability, such as multiple personal bankruptcies, financial obligations for which legal judgments have not been satisfied, etc.
  - Failure to meet obligations (for example, auto insurance, auto registration, selective service registration, IRS requirements, child support obligations)

***Safeguarding and Maintaining Property, Equipment, and Belongings***

- Fails to safeguard property entrusted to him/her
- Fails to maintain equipment
- Loses valuable information

***Orderliness, Thoroughness, and Attention to Detail***

- Pattern of disorganization in work, school, etc.
- Fails to attend to details (e.g., typos, missing/incorrect information)
- Fails to attend to all aspects of projects and activities to be sure they are completed
- Motor vehicle collisions due to inattentiveness
- Overlooks or misinterprets instructions on PHS and other documents
- Fails to properly recall instructions/directions provided previously
- Cannot properly recall pertinent/important details related to personal history
- Problems at school, work, driving due to poor attention/vigilance

***Initiative and Drive***

- Gives up in the face of long hours or other difficult working conditions
- Fails to keep current on new rules, procedures, etc.
- Does not initiate proper action unless given explicit instructions
- Fails to ensure that the job is performed correctly
- Procrastinates
- Watches the clock rather than attending to task accomplishment
- Gives up or cuts corners when faced with obstacles
- Performs job duties in a perfunctory manner, expending minimum amount of effort

***General Conscientiousness***

- Resigns without notice (except where the presence of a hostile work environment is alleged)
- Resigns in lieu of termination (except where a hostile work environment is alleged)
- Holds multiple paid positions with different employers within a relatively brief period of time (excluding military, and students who attend school away from their permanent legal residence)
  - Reprimanded or counseled for poor work performance (including military service)
- Terminated or suspended from work (other than honorable discharge from military)
- Released from probationary employment status except for reduction in force
- Poor record of academic achievement

**INTERACTIONS WITH OTHERS**

- 7. Interpersonal Skills.** This involves interacting with others in a tactful and respectful manner, and showing sensitivity, concern, tolerance, and interpersonal effectiveness in one's daily interactions.

**INDICATORS:**

***Social Sensitivity*** (the ability to “read” people and awareness of the impact of one’s own words and behavior on others)

- Provokes others by officious bearing, gratuitous verbal challenge, or through physical contact
- Antagonizes others
- Uses profanity and other inappropriate language
- Incidents of domestic violence, use of verbal or physical abuse, or violence toward others
- Use of physical force to resolve disputes
- Demonstrated overreaction to criticism

***Social Interest and Concern*** (interest and concern for others)

- Baits people; takes personal offense at comments, insults, or criticism
- Evidence of inability to get along with others in work or personal life
- Makes rude and/or condescending remarks to or about others
- Source of customer/citizen complaints
- Argumentative, loner, bully

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***Tolerance*** (lack of tact and impartiality in treating all members of society)

- Makes hasty, biased judgments based on physical appearance, race, gender, or other group membership characteristics
- Refuses to listen to explanations of others
- Inability to recognize how one's own emotions/behavior affect situations and others
- Having been disciplined by any employer (including the military and/or any law enforcement training facility) for acts constituting racial, ethnic, or sexual harassment or discrimination
- During the hiring/background process, uttering any epithet derogatory of another person's race, religion, gender, national origin, or sexual orientation
- Makes inappropriate comments to or about others regarding personal characteristics as well as derogatory comments about specific groups (racial, gender, sexual orientation, proficiency with the English language, immigrant status, HIV/AIDS infection, religion, transgender, social status)
- Evidence of the use of derogatory stereotypes in jokes or daily language
- Sexual harassment/hostile work environment incidents

***Social Self Confidence/Persuasiveness*** (inability and discomfort approaching individuals, and in confronting and reducing interpersonal conflict)

- Avoids confrontations at all costs
- Intimidated by others
- Minimizes or avoids interactions with others
- Escalates situations by overreacting
- Fails to diplomatically offer ideas or persuade others to adopt desired course of action
- Disruptive/challenging to authority
- Use of harassment, threats, or intimidation to gain an advantage
- Succumbs to peer pressure

***Teamwork*** (inability to work effectively as a member of a team)

- Resents successes and accomplishments of team members
- Does not assist or request assistance from team members
- Alienates colleagues by dominating interactions and activities
- Gossips, criticizes, and backstabs colleagues and coworkers
- Fails to achieve or maintain trust with peers, supervisors, and clients

## INTELLECTUALLY-BASED ABILITIES

- 8. Decision-Making and Judgment.** The ability to make timely, sound decisions, especially in dangerous, pressure-filled situations, and/or where information is incomplete and/or conflicting. Able to size up situations quickly to determine appropriate action. It also involves the ability to sift through information to glean that which is important and, once identified, to use that information effectively.

### INDICATORS:

#### *Situation/Problem Analysis*

- Unable to step into a situation and figure out what probably led up to that point in time, as well as what is likely to happen as the situation unfolds
- Tunnel vision; does not see the big picture when analyzing information
- Fails to identify patterns and implications when analyzing information
- Failure to consider available information or appropriate options
- Naive, overly trusting, easily duped
- Spends too much time on minor issues; unable to set priorities

#### *Adherence to Policies and Regulations*

- Failure to consider organizational policies and regulations when making decisions
- Fails to use appropriate judgment and discretion in applying regulations and policies; cannot distinguish between the letter and the spirit of rules and laws
- Rigid adherence to rules without consideration of alternative information; needs directives to be in black and white

#### *Response Appropriateness*

- Poor judgment in knowing when to confront — and when to back away from — potentially volatile situations
- Overbearing approach to resolving problems
- Escalates problems by under or over-reacting
- Uses force when unnecessary or inappropriate
- Indecision or poor decisions when options are not clear-cut
- Paralyzed by uncertainty or ambiguity; insecure about making a decision

#### *Response Assessment*

- Unable or unwilling to make “midcourse corrections” on initial course of action when presented with new information or when circumstances change
- Fails to apply lessons learned from past mistakes

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- 9. Learning Ability.** Ability to comprehend and retain a good deal of information, to recall factual information, and to apply what is learned.

**INDICATORS:**

- Dismissal or probation from school, or other indication(s) of poor academic performance
- Dismissal from a POST-certified Basic Academy, and no subsequent effort to improve in the deficient areas
- Pattern of making repeated mistakes when faced with similar problems and negative situations, in and outside of learning environments

- 10. Communication Skills.** Ability to make oneself understood, both orally and in writing.

**INDICATORS:**

***Oral Communication***

- Speech is difficult to understand
- Responses to questions are rambling, confused, and/or disorganized
- Expresses thoughts and emotions inappropriately through facial gesture and body language
- Discussions of topics are incomplete, inappropriate, and/or filled with a lot of unnecessary/irrelevant details
- Fails to understand both explicit and implied messages and responds accordingly
- Does not listen well, thereby missing the point of what others are saying

***Written Communication***

- Illegible handwriting
- Poor grammar, punctuation, and/or spelling
- Written communications are incomplete, disorganized, unclear, and/or inaccurate
- Written responses to Personal History Statement items are inappropriate, incomplete, or otherwise difficult to decipher

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## Chapter 3

# LEGAL QUALIFICATIONS AND STATUTORY FRAMEWORK

The background investigation of peace officers and public safety dispatchers is one part of a larger pre-employment screening process dictated by California law and POST regulations. In addition to the background investigation, the process must include a written examination, hiring interview, medical examination, and (for peace officers) a psychological examination. The statutory and regulatory requirements – particularly those that have an impact on the conduct of background investigations – for screening peace officers and public safety dispatchers are reviewed here.

### OVERVIEW OF PRE-EMPLOYMENT SCREENING REQUIREMENTS

The selection standards for peace officers and public safety dispatchers are summarized below. The codes and regulations discussed here are included in [Table 3.1](#) (located at the end of this chapter).

#### Peace Officers

##### STATUTORY REQUIREMENTS

Government Code [§1031](#) establishes minimum selection standards for peace officers. It includes minimum criteria on citizenship, age, and education. It also requires that applicants be fingerprinted as part of the search of local, state, and national files to disclose any criminal record, and be found to be of good moral character as determined by a thorough background investigation. These requirements, which form the basis for the background investigation, are discussed in detail in [Chapter 5](#), “Areas of Investigation and Personal History Statements.”

Government Code §1031(f) also stipulates that peace officers must be found free of any physical, emotional, or mental condition that might adversely affect the exercise of the powers of a peace officer.

GC [§1029\(A\)\(B\)](#) stipulate that individuals who have been convicted of a felony, as well as felony-level and felony-related offenses, are prohibited from becoming peace officers. These convictions form the basis for the fingerprint clearance from the California Department of Justice. Juvenile convictions, even those that would amount to a felony as an adult, are not covered under Government Code §1029, and are therefore not an *automatic* bar to appointment as a peace officer.

Penal Code [§29805](#) and U.S. Code Title [18 §922\(d\)\(9\)](#) both involve bans on possession of a firearm. PC §29805 includes a list of misdemeanors that result in a ten-year firearm ban. These convictions form the basis for the firearms clearance from the California Department of Justice.

U.S. Code Title 18 §922(d)(9) stipulates that individuals who have been convicted of misdemeanor offenses containing elements of domestic violence cannot possess a firearm, and forms the basis for the firearms clearance issued by the FBI.

In their fingerprint returns, the California DOJ and the FBI stipulate the eligibility of the candidate based on GC §1029; therefore, background investigators need not necessarily concern themselves with the details of this statute. The California DOJ and the FBI will stipulate the eligibility of the candidate to possess a firearm; DOJ submits a firearms clearance separately from the general fingerprint return.

GC [§1031.1](#) establishes procedures by which employers are legally obligated to furnish specified information in a peace officer pre-employment background investigation. GC 1031.1 is discussed in [Chapter 5](#), “PHS Section 5: Experience and Employment.”

GC [§1031.2](#), which took effect on January 1, 2009, allows the post-offer collection of certain non-medical and non-psychological information during the peace officer background investigation if it was not reasonable to collect the information prior to the conditional offer of employment. The implications of this new statute are discussed later in this chapter and in [Chapter 4](#), “The Background Investigation Process.”

GC [§1031.5](#) serves as an amendment to the citizenship requirements of GC 1031, stipulating that in order for resident aliens to achieve or maintain peace officer eligibility, citizenship status must be conferred within three years of application for citizenship. Citizenship requirements are discussed in [Chapter 5](#), “PHS Section 1: Personal.”

## REGULATORY REQUIREMENTS

Old Standards	New Standards
Regulation 1002	Regulations <a href="#">1950</a> thru <a href="#">1955</a>
Procedure C-1	Regulation <a href="#">1953</a>
Procedure C-2	Regulations <a href="#">1954</a> and <a href="#">1955</a>

Revised POST peace officer selection standards became effective on July 1, 2009. A summary of the POST regulatory changes, both substantive and editorial, are listed in [Table 3.2](#) at the end of this chapter.

The POST peace officer selection requirements consist of:

- Regulation 1950: General Requirements
- Regulation 1951: Reading and Writing Ability Assessment
- Regulation 1952: Oral Interview

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- Regulation 1953: Background Investigation
  - Regulation 1954: Medical Evaluation
  - Regulation 1955: Psychological Evaluation

Regulation [1950\(a\)](#): Selection Requirements specify who is covered by (and who is exempted from) Regulations 1951-1955. As indicated in 1950, all peace officer candidates are covered by these regulations, regardless of prior law enforcement experience either at the same department or at a different department within the same city, county, state, or district. However, the following candidates are exempt from these requirements:

- (1) Peace officers who change penal code classifications (e.g., from reserve to regular officer), assuming documentation exists showing that all current requirements were met, and the officer has worked continuously in the department since the time of initial appointment; and
- (2) Peace officers whose department is merged with another department in the same city, county, state, or district, assuming documentation exists showing that all current requirements were met, and the officer has worked continuously in the department since the time of initial appointment.

For peace officers who are mandatorily reinstated (as a result of a personnel hearing, arbitration, court decision, etc.), POST requires that the department: (A) resubmit fingerprints to DOJ and FBI (unless these agencies were never informed of the officer's separation from the department), and (B) perform a new DMV check.<sup>6</sup>

POST selection requirements must be satisfied prior to the date of appointment as a peace officer. Other specifics, including time limits and transferability of results, are discussed in each regulation.

Regulation [1951](#): Reading and Writing Ability Assessment specifies the options available for demonstrating that peace officer (including reserve officer) candidates possess adequate written communication skills.

Regulation [1952](#): Oral Interview specifies the requirements of the oral interview, including the six POST Interview Factors that must be addressed.

Regulation [1953](#): Background Investigation specifies the requirements for the conduct of the background investigation, including evaluation criteria, required forms, areas of investigation, background investigation updates, and documentation and reporting. These regulations are detailed later in this chapter.

Regulation [1954](#): Medical Evaluation specifies medical evaluator qualifications, timing of the medical evaluation, medical screening procedures and evaluation criteria, required sources of information, and the second opinion rights of medically disqualified candidates.

Regulation [1954\(e\)](#): Medical Evaluation Report stipulates that the medical evaluation report is to be maintained in the candidate's background investigation file and must include: (A) the physician's contact information and medical license number; (B) the candidate's name; (C) the date the evaluation was completed; and (D) a signed statement affirming that the evaluation

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<sup>6</sup> If the reinstated officer was not a citizen at time of initial appointment, and three or more years have elapsed, the department must also obtain verification that the officer has since been granted citizenship (per GC §1031.5).

was conducted in accordance with POST regulations, and a determination of the candidate’s medical suitability.

The information required in the Medical Evaluation Report is not medical; therefore it is lawful to include it in the background file. However, any additional information provided by the physician that is medical must be kept separate and confidential. Information from the physician - medical and otherwise - may be communicated to the background investigator and others involved in the hiring process, if it is relevant to their respective determinations of candidate suitability.

Regulation [1955](#): Psychological Evaluation requirements mirror the requirements in Regulation 1954 (Medical Evaluation), including specifying psychological evaluator qualifications, timing of the evaluation, psychological screening procedures and evaluation criteria, required sources of information, and the second opinion rights of psychologically disqualified candidates.

The psychological evaluation reporting requirements [Regulation 1955(e)] are identical to those discussed above for Regulation 1954(e): Medical Evaluation Report.

## Public Safety Dispatchers

### STATUTORY REQUIREMENTS

Penal Code [§13510\(c\)](#) authorizes POST to establish minimum standards for recruiting and training public safety dispatchers working in agencies that participate in the POST program. In contrast to peace officer standards, there are no statutory minimum age, education, or citizenship requirements specific to public safety dispatchers, no statutory requirements related to felony or misdemeanor convictions, and no requirement to conduct psychological screening.

### REGULATORY REQUIREMENTS

Old Standards	New Standards
Regulation 1018(c)	Regulations <a href="#">1956</a> thru <a href="#">1960</a>
Procedure C-1	Regulation <a href="#">1959</a>

Revised POST public safety dispatcher selection standards became effective on July 1, 2009. A summary of the regulatory changes, both substantive and editorial, are listed in [Table 3.3](#) at the end of this chapter.

The POST public safety dispatcher selection requirements consist of:

- Regulation 1956: General Requirements
- Regulation 1957: Verbal, Reasoning, Memory, and Perceptual Abilities Assessment
- Regulation 1958: Oral Communication Assessment
- Regulation 1959: Background Investigation
- Regulation 1960: Medical Evaluation

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Regulation [1956](#): General Requirements specifies who is covered by (and who is exempted from) these standards. All public safety dispatcher “candidates” are subject to Regulations 1957-1960, regardless of prior public safety dispatcher experience either at the same department or at a different department within the same city, county, state, or district, or whether they are applying for a full-time or part-time position. However, dispatchers who are employed by a department that is merged with another department in the same city, county, state, or district are not subject to these requirements, as long as documentation exists showing that all current requirements were met, and the dispatcher has worked continuously in the department since the time of hire.

For public safety dispatchers who are mandatorily reinstated (as a result of a personnel hearing, arbitration, court decision, etc.), the department must resubmit fingerprints to DOJ and FBI, unless these agencies were never informed of the dispatcher’s separation from the department.

Peace officers who are assigned to dispatcher duties are not subject to POST Regulations 1957-1960.

POST selection requirements must be satisfied prior to the date of appointment as a public safety dispatcher. Other specifics, including time limits and transferability of results, are discussed in each regulation.

Regulation [1957](#): Verbal, Reasoning, Memory, and Perceptual Abilities Assessment specifies the options available for demonstrating that dispatcher candidates have adequate verbal, reasoning, memory, and perceptual abilities.

Regulation [1958](#): Oral Communication Assessment stipulates that the oral communication abilities of public safety dispatcher candidates must be assessed prior to a conditional offer of employment.

Regulation [1959](#): Background Investigation specifies the requirements for the conduct of the background investigation, including evaluation criteria, required forms, areas of investigation, background investigation updates, and documentation and reporting. These regulations are detailed later in this chapter.

Regulation [1960](#): Medical Evaluation specifies medical evaluator qualifications, timing of the medical evaluation, medical screening procedures and evaluation criteria, required sources of information, and the second opinion rights of medically disqualified candidates.

Regulation [1960\(e\)](#): Medical Evaluation Report stipulates that the medical evaluation report is to be maintained in the candidate’s background investigation file and must include: (A) the physician’s contact information and medical license number; (B) the candidate’s name; (C) the date the evaluation was completed; and (D) a signed statement affirming that the evaluation was conducted in accordance with POST regulations, and a determination of the candidate’s medical suitability.

The information required in the Medical Evaluation Report is not medical; therefore, it is lawful to include it in the background file. However, any additional information provided by the physician that is medical must be kept separate and confidential. Information from the physician - medical and otherwise - may be communicated to the background investigator and others involved in the hiring process, if it is relevant to their respective determinations of candidate suitability.

There are no psychological evaluation requirements for public safety dispatchers.

## **POST BACKGROUND INVESTIGATION REGULATIONS: PEACE OFFICERS (1953) AND PUBLIC SAFETY DISPATCHERS (1959)**

As of July 1, 2009, peace officer background investigation requirements are contained in Commission Regulation 1953; public safety dispatcher requirements are included in Commission Regulation 1959. Regulations 1953 and 1959 serve to replace Commission Regulation 1002 (Peace Officers), Regulation 1018(c) (Public Safety Dispatchers) and Procedure C-1 (Background Investigation Procedures for Peace Officers and Dispatchers).

Many of the changes in the July 2009 background investigation requirements are editorial in nature, consistent with the goal of enhancing readability and clarifying common regulatory misinterpretations. However, there are several substantive differences between the previous and current versions. In particular, there is a closer alignment between the requirements for peace officers and public safety dispatchers; many of the recommended areas of investigation for public safety dispatcher candidates are now required. Any remaining differences in the background investigation requirements of peace officers and public safety dispatchers are the result of statutory differences between the two classifications (for example, [GC §1029](#) prohibits convicted felons from becoming peace officers, but there is no equivalent statutory prohibition for dispatchers).

The background investigation regulations are summarized below. The descriptions note changes reflected in the July 2009 standards, similarities or differences between peace officers and public safety dispatcher regulations, and the location of where the regulation is discussed in more detail elsewhere in the Manual.

### **Background Investigation Evaluation Criteria** **Commission Regulations 1953(b) and 1959(b)**

The **POST Background Investigation Dimensions** described and discussed in [Chapter 2](#): “Peace Officer and Public Safety Dispatcher Background Investigation Dimensions” must now be considered in the conduct of every peace officer and public safety dispatcher background investigation.

### **Personal History Statements** **Commission Regulations 1953(c) and 1959(c)**

Applicants must complete a **Personal History Statement** - POST [2-251](#) for Peace Officers; POST [2-255](#) for Public Safety Dispatchers, or an alternative questionnaire covering the same areas of investigation. See [Chapter 5](#): “Areas of Investigation and the POST Personal History Statement.”

### **Collection of Background Information – Pre- and Post-Conditional Offer of Employment** **Commission Regulations 1953(d) and 1959(d)**

In accordance with the Americans with Disabilities Act (ADA) and the California Fair Employment and Housing Act (FEHA), no medical or other disability-related inquiries may be made during a background investigation that is conducted prior to a conditional offer of employment (pre-offer).

Background investigators may, under certain circumstances, make non-medical and non-psychological inquiries after a conditional offer of employment has been extended. Guidance

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on sequencing the background investigation in compliance with the ADA and FEHA is provided later in this chapter and in [Chapter 4](#), “The Background Investigation Process.”

At the post-offer stage, background investigators must interact with screening psychologists, physicians, and others, as necessary, to ensure that everyone involved in the hiring process has the information necessary to conduct their respective assessments of the candidate.

## Areas of Investigation

### Commission Regulations 1953(e) and 1959(e)

The required areas of investigation for peace officer candidates remain unchanged; however, the many areas of investigation for public safety dispatchers have been changed from “recommended” to “required.” As a result, the areas of investigation for these two job classifications are now quite similar. In addition, the July 2009 standards provide detailed specifics on the documentation necessary for each area of investigation for both peace officer and public safety dispatcher candidates.

The required areas of investigation are summarized below. More detailed information is provided in [Chapter 5](#): “Areas of Investigation and the POST Personal History Statement.”

- **Citizenship Verification (Peace Officers)** – Peace officers must be citizens or have applied for citizenship within three years of appointment. (California Highway Patrol officers must be citizens at time of appointment.) Accepted proof includes government-issued birth certificate or naturalization documentation, but it does *not* include a U.S.-issued passport.
- **Age (Peace Officers)** – Peace officers must be at least 18 years old.
- **Employment Eligibility (Public Safety Dispatchers)** – There are no specific citizenship or age requirements for public safety dispatchers; however, proof of eligibility to work in the United States is now required.
- **Criminal Record Checks – Local, State, and National (Peace Officers and Public Safety Dispatchers)** – Criminal record searches at the local, state, and national levels continue to be required. Fingerprint clearances continue to be required from the DOJ and FBI. Firearms clearances continue to be required for peace officer candidates.
- **Driving Record Check (Peace Officers and Public Safety Dispatchers)** – DMV reports or other official driving records continue to be required for both peace officers and public safety dispatchers.
- **Education Verification (Peace Officers and Public Safety Dispatchers)** – Minimum peace officer educational requirements are detailed in [GC §1031\(e\)](#), which was revised in January 1, 2009 to expand the list of acceptable educational institutions. Although there are no minimum educational requirements for public safety dispatchers, verification of educational history must now be collected as a measure of conscientiousness, learning ability, and related attributes. Transcripts are acceptable proof; diplomas are not.
- **Employment History Checks (Peace Officers and Public Safety Dispatchers)** – Employment checks continue to be required for a period of *at least* 10 years for peace officers; employment checks over a ten year period are now required for public safety dispatchers.

- **Relatives/Personal References Checks (Peace Officers and Public Safety Dispatchers)** – Contacts and interviews with relatives, including former spouses and personal references listed on the candidate’s Personal History Statement continue to be required for peace officers, and are now required for public safety dispatchers.
- **Dissolution of Marriage Check (Peace Officers and Public Safety Dispatchers)** – Proof of marriage dissolution/separation is now explicitly stipulated in the requirements for both peace officers and public safety dispatchers. Previously, proof was only required if the candidate subsequently remarried; it is now required for all candidates who have divorced or separated, regardless of their subsequent marital status.
- **Neighborhood Checks (Peace Officers and Public Safety Dispatchers)** – Contacts and interviews with neighbors continue to be required for peace officers, and are now required for public safety dispatchers.
- **Military History Check (Peace Officers and Public Safety Dispatchers)** – Proof of Selective Service registration (where applicable) and military service records continue to be required for peace officers, and are now required for public safety dispatchers.
- **Credit Records Check (Peace Officers and Public Safety Dispatchers)** – Credit records checks continue to be required for peace officers, and are now required for public safety dispatchers.

## Background Investigation Updates

### Commission Regulations 1953(f) and 1959(f)

Background investigation updates are now explicitly sanctioned for peace officers and public safety dispatchers who are either reappointed to the same department, or who transfer (with no break in service) to a different department within the same city, county, state, or district that maintains a centralized personnel and background investigation support division. For reappointments, the background investigation must address the period of time since the individual separated from the department. For inter-departmental transfers, the period since the last background investigation must be covered. All update investigations, at a minimum, must include a new local criminal record check, state and national criminal record checks (unless the individual was not removed from the DOJ or FBI files), DMV check and credit check.

## Documentation and Reporting

### Commission Regulations 1953(g) and 1959(g)

The revised documentation and reporting requirements provide detailed specifications on information to be maintained in the background investigation file. It specifies that there must be sufficient information for the reviewing authority to make a conditional offer of employment, that supporting documents must be originals or true, current and accurate copies, and that these documents must be available during POST compliance inspections. Referencing related statutes and case law, this regulation also addresses retention requirements and access by others involved in the hiring process, and by those conducting background investigations on behalf of other law enforcement/public safety dispatcher agencies. More detailed information is provided in [Chapter 4](#): “The Background Investigation Process.”

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## Disclosure Provisions: Differences and Similarities between Peace Officers and Public Safety Dispatchers

There are statutory provisions that allow investigators greater access to background information of peace officer candidates, and other statutes that allow special access to information from past and current employers of both peace officers and public safety dispatchers. These include:

- **Deferred Entry of Judgment** – Penal Code [§1000.4\(a\)](#) allows those who have successfully completed a deferred entry of judgment program to refrain from disclosing any arrest or criminal record associated with that offense. Public safety dispatcher candidates fall under this protection; however, PC [§1000.4\(b\)](#) specifically exempts peace officers (who must therefore disclose this information).
- **Arrests and Detentions** – Labor Code [§432.7](#) prohibits employers from considering an arrest (or detention) that did not result in a conviction. However, a provision in this statute permits employers to consider arrests and detentions in the case of peace officer applicants as well as other applicants of criminal justice agencies (including dispatchers) as defined in the Penal Code.
- **Compelled Disclosure of Employment Information** – Government Code [§1031.1](#) establishes procedures by which employers are legally obligated to furnish specified information in a peace officer pre-employment background investigation; this obligation does not extend to employers of public safety dispatcher candidates.

These disclosure differences should serve to caution investigators against making unnecessarily invasive inquiries, especially of dispatcher candidates. Other statutory protections may bar consideration of specified criminal processes for either peace officer or public safety dispatcher candidates (i.e., those records sealed pursuant to [PC §851.7](#) or expunged pursuant to [PC §851.8](#)). Close consultation with the agency's legal counsel is critical.

The California courts have also shown a certain inconsistency when addressing a given candidate's rights to inspection of information contained in his/her pre-employment background investigation file. This is another area where close consultation with the agency's legal counsel is critical.

## PRIVACY AND CONFIDENTIALITY LAWS

[Article 1](#) of the California Constitution grants the citizens of the state the right of privacy. As a result, prospective employers are specifically prohibited from asking for unnecessarily intimate or personal information; they are also required to use the least invasive means necessary to gather any intrusive information that can be justified as necessary. Generally, the more intimate or personal the information, the more justified is the expectation that it will not be subject to public scrutiny.<sup>7</sup>

Despite privacy protections, courts have paid great deference to the need for intrusive questioning of law enforcement applicants - and peace officer applicants in particular – in light of the serious and often dangerous nature of the job and the inherent responsibility for carrying a firearm and protecting the public. However, this deference has been shown to have limits.

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<sup>7</sup> *Walls v. City of Petersburg*, 895 F2d 188, 192 (CA4 1990)

For example, in *Thorne v. City of El Segundo*,<sup>8</sup> the court sided with a rejected peace officer applicant who was asked questions about her extra-marital affairs, abortions, and other “private, non-job-related considerations.”

In addition to limiting information to only that which is necessary, agencies must also establish procedures and precautions to prevent unwarranted disclosure of private and otherwise sensitive information. All information provided by the applicant in the Personal History Statement and throughout the background investigation is **private** and should be treated as **confidential**. No portion of the investigation should be revealed to persons other than those who are specifically authorized to receive and evaluate the results.

California law also protects the privacy rights of those who provide confidential information for investigative or employment purpose. These rights are described in detail in connection with contacting references in [Chapter 5](#): “Areas of Investigation and the POST Personal History Statements.”

Procedures that treat questionnaires in a confidential fashion are necessary to ensure that privacy interests of applicants and employees are maintained.<sup>9</sup> All confidential information should be maintained in a secure filing cabinet, with access limited to those involved in the employment decision.

## CONFIDENTIALITY VS. LEGAL PRIVILEGE

By California law, legally mandated background investigations enjoy “absolute privilege”<sup>10</sup> (whether the investigator goes to the other party or the party voluntarily comes to the investigator). In a nutshell, communications protected by absolute privilege may not be introduced in a court proceeding adverse to the privilege-holder’s interests. It does not mean that someone cannot be sued over a privileged communication; it means that they are very unlikely to be successfully sued.

Absolute privilege should not be confused with confidentiality. In general, the only legally confidential aspect of communicated background information is the reference’s identity: case law, the [California Information Practices Act](#)<sup>11</sup> and even the [Investigative Consumer Reporting Agencies Act](#)<sup>12</sup> protects from disclosure the identity of persons contacted.

It is therefore unwise to promise confidentiality that does not exist in the law. What can be promised is that the background investigators’ sources of information are protected, as well as any information that could identify those sources, especially in light of some federal appellate court holdings regarding privileges and immunities in law enforcement background investigations.<sup>13</sup>

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<sup>8</sup> *Thorne v. City of El Segundo*, 726 F.2d 459 (November 21, 1983)

<sup>9</sup> Andrew J. Ruzicho and Louis A. Jacobs, Chapter 4. Selecting New Hires and Promotees, Employment Practices Manual, March 2005.

<sup>10</sup> “Privileged communication” is defined in Civil Code [§47](#).

<sup>11</sup> *Johnson v. Winter* 127 Cal App. 3d 435 and Civil Code §1798 et seq.

<sup>12</sup> Civil Code [§1786](#) et seq.

<sup>13</sup> *McQuirk v. Donnelly*, 189 F.3d 793 (USCA 9<sup>th</sup> 1999)

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## EMPLOYMENT DISCRIMINATION LAWS AND REGULATIONS

There are ever-increasing numbers of laws and regulations – both federal and state - that govern the personnel practices of all employers, including Title VII of the Civil Rights Act [Title VII of the Civil Rights Act \(CRA\) of 1964](#) (as amended), the [Age Discrimination in Employment Act \(ADEA\) of 1967](#), the [Americans with Disabilities Act \(ADA\) of 1990](#), and the [California Fair Employment and Housing Act \(FEHA\)](#). They all share a common purpose: to prohibit *unfair discrimination* in employment and provide equal opportunity for all. Unfair discrimination occurs when employment decisions are based on any *protected class*, including race; gender;<sup>14</sup> religion; ethnicity; national origin or ancestry; age; disability; political affiliation; (and in California), pregnancy, medical condition, marital status, and sexual orientation, rather than on job-relevant knowledge, skills, abilities, and other characteristics.

Unfair discrimination can take two forms: *Disparate Treatment* or *Disparate Impact*. **Disparate treatment** occurs when an applicant from a protected class is treated differently than other applicants during the hiring process. Employers are vulnerable to allegations of disparate treatment when their selection inquiries and practices are inconsistent and irrelevant to the applicant's ability to perform the job. In *Weiner v. County of Oakland*,<sup>15</sup> for example, the court ruled that the questions asked specifically of a female applicant for a correctional officer position were inappropriate, such as whether she could work with aggressive young men, whether her husband approved of her working, and whether her family would be burdened if she needed to change her normal household chores as a result of the job. In another case, the female applicant for a position in the all-male Hampton Beach Meter Patrol was asked whether she had experience using a sledgehammer, and if she could participate in stake-outs and make unassisted arrests. Not surprisingly, the court could find no relationship between the questions asked and the job of writing citations and collecting money from parking meters.<sup>16</sup>

Background investigators should carefully evaluate the relevance of their inquiries, especially those that focus on or single out individuals based on their protected class status. For example, asking applicants questions such as “*What is your religion?*” “*What church do you attend?*” “*What is your political affiliation?*” “*Are you a homosexual?*” “*What is your race?*” “*Are you pregnant?*” “*Do you plan to have children? If so, when?*” invite charges of intentional, disparate treatment. Although there are certain statutory allowances for screening peace officer and other public safety applicants, questions in even these areas are ill advised unless they are sufficiently related to an essential job function.

**Disparate impact** occurs when a seemingly neutral standard or practice results in a substantially different rate of selection that works to the disadvantage of members of a protected class.<sup>17</sup> For example, a height standard can disqualify a disproportionate percentage of women and certain minorities; standards related to credit history or arrest records tend to target certain minorities in disproportion to their percentage of the population. Any selection procedure that causes disparate impact may only be used if it can be demonstrated that it is **job-related and consistent with business necessity** (i.e., essential to the safe and efficient operation of the agency).

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<sup>14</sup> “Gender” includes gender identity, which means that it is illegal to discriminate against individuals because they are transgender.

<sup>15</sup> *Weiner v. County of Oakland*, 14 FEP 380 (1976).

<sup>16</sup> *King v. New Hampshire Department of Resources and Economic Development* 1977 CA1 562 F2d 80

<sup>17</sup> Disparate impact is normally indicated when the selection rate for one group is less than 80% (4/5) that of another.

Although these laws impose restrictions on the types of information that can be collected, the timing of investigations, and the manner in which decisions can be made and justified, it is important to remember that no federal or state statute, court decision, or binding public policy requires an employer to hire unqualified persons or to lower job relevant, legitimate employment standards. The most important way to ensure that the background investigation process is legally acceptable is to focus only on that which is necessary for determining if a candidate meets lawful position requirements and standards. Background investigators must therefore be fully familiar with and able to articulate all aspects of the job in question and the relationship to their inquiries. Agency policy should ensure consistency in the manner in which background information is collected and evaluated, yet allow flexibility to handling each applicant individually, as necessary.

## DISABILITY DISCRIMINATION LAWS AND REGULATIONS

### The Americans with Disabilities Act (ADA) and the California Fair Employment and Housing Act (FEHA)

Confidentiality is never more important than when dealing with medical and disability-related information. In fact, the manner in which disability-related information is acquired, evaluated, and treated is the focus of the federal [Americans with Disabilities Act \(ADA\) of 1990](#) and the [California Fair Employment and Housing Act \(FEHA\)](#). The purpose of both of these statutes is to prohibit discrimination against qualified individuals with disabilities in hiring and any other aspect of employment.

While a full explanation of these laws and their implications for employment procedures in general is far beyond the scope of this manual, a brief description of ADA/FEHA and how it may affect the conduct of background investigations is provided below. A list of recommended ADA/FEHA resource documents is provided at the back of this manual. In addition, background investigators are urged to consult with their legal counsel and/or ADA coordinator whenever disability-related issues arise.

**The ADA and FEHA are NOT identical.** Federal and state disability laws differ in terms of who is considered “disabled” (and therefore protected), what can be asked after a conditional job offer is extended, and in other ways. In general, the California FEHA affords more protection to the disabled than does the ADA, although recent amendments to the ADA have brought many of its provisions closer to those specified in California law. Where there are differences between the two laws, the one that provides the most protection to the disabled prevails, and it will be those provisions that are discussed below with respect to their impact on background investigations.

### Who Is Protected

To be protected by ADA/FEHA, individuals must be: 1) disabled **and** 2) “otherwise qualified” to perform the essential functions of the job (with reasonable accommodation, if necessary). Individuals are “disabled” if they have a physical or mental impairment that limits one or more major life activities, a record of such impairment, or are regarded as having an impairment. Current illegal drug use (either use of illegal drugs or unlawful use of legal drugs) is not covered by these laws. However, individuals who have a history of drug addiction/dependence are. Both current and past alcoholism are protected conditions, as are individuals in California with gender identity disorders.

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## Who Is *Not* Protected

The following conditions are expressly not protected under ADA and FEHA:

- Pedophilia, exhibitionism, voyeurism, or other sexual behavior disorders
- Compulsive gambling, kleptomania, or pyromania
- Psychoactive substance use disorders resulting from current illegal use of drugs

Normal-range characteristics and attributes are not limitations and therefore are also not included in the ADA/FEHA definition of “disability.” These include homosexuality; bisexuality; physical characteristics such as eye color, hair color, left-handedness, or height, weight, or muscle tone that are within normal range and are not the result of a physiological disorder; and common personality traits, such as poor judgment, a quick temper, or general stress due to job pressure.

No matter how disabled, applicants must also be *otherwise qualified* in order to be protected by these statutes. To be otherwise qualified, applicants must first meet all statutory and other minimum qualifications. Law enforcement agencies also are well within their rights to require applicants to have law-abiding histories.<sup>18</sup>

Individuals must also be able to do the job, with or without reasonable accommodation. They must be able to do the job without posing a *direct threat*, which is defined as a significant risk of substantial harm to themselves or especially to others (and the threat cannot be reduced by reasonable accommodation). The determination as to whether someone poses a direct threat must be based on medical facts of the situation, rather than merely fear or speculation.

## Essential Job Functions

Doing the job is defined as being able to perform the *essential functions*. Essential functions are those duties that are considered fundamental (as opposed to marginal) to the position. Employers have the right and the responsibility for identifying the essential functions of the position to serve as the basis for determining applicants’ suitability for employment. It is therefore imperative that agencies create and maintain accurate job descriptions, and that background investigators become familiar with these descriptions so that there is a shared, explicit understanding of what it takes to be able to do the job.

In addition to agency job descriptions, POST has conducted analyses of both the peace officer and public safety dispatcher jobs. The resulting descriptions of the duties, tasks, and demands of these jobs are discussed in POST publications such as the Entry-Level Uniformed Patrol Officer Job Analysis: Task Analysis, the Patrol Officer Job Demands section of the Medical Screening Manual for California Law Enforcement, and the Public Safety Dispatcher Job Analysis.<sup>19</sup>

Based in part on these analyses, POST identified attributes and characteristics critical to the safe, effective job performance of both peace officers and public safety dispatchers, and amenable to assessment in the background investigation. The resulting POST background dimensions are fully described in [Chapter 2](#), “Peace Officer and Public Safety Dispatcher Background Investigation Dimensions.”

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<sup>18</sup> *Hartman v. City of Petaluma*, 841 F. Supp. 946 (1994)

<sup>19</sup> These and other POST documents can be downloaded from the POST website at <http://www.post.ca.gov/Publications.aspx>.

## Reasonable Accommodation

A reasonable accommodation is defined as “any change or adjustment to a job or work environment that permits an otherwise qualified, disabled applicant to compete for and perform the essential functions of the job.” Reasonable accommodation can take many forms, ranging from allowing extra time on a written test, providing regular breaks to allow an employee to take medications, to allowing a student to use a light or smaller handgun.

Reasonable accommodation is one of the cornerstones of ADA/FEHA, but it is a legally complicated concept and one unlikely to emerge during most of the background investigation process. However, should an applicant request reasonable accommodation, a background investigator is well-advised to contact the agency’s ADA coordinator or other appropriate personnel. It is sufficient here to emphasize that: 1) providing reasonable accommodation is a statutory obligation of employers, unless the accommodation would cause an undue hardship to the operation; and 2) decisions surrounding the choice and implementation of any accommodation should be based on individualized assessment, resulting from a constructive discussion with the disabled individual and, when necessary, an appropriate healthcare professional.

## THE CONDITIONAL OFFER OF EMPLOYMENT: PRE- AND POST-OFFER INQUIRIES

Another cornerstone of the ADA and FEHA is the separation of the pre-employment process into two stages, punctuated by a *conditional offer of employment (COE)*. For the COE to be considered “bona fide” (i.e., real), employers must evaluate all relevant non-medical information that they reasonably can obtain and analyze prior to extending the offer.<sup>20</sup> An example of such a conditional offer is included in [Appendix B](#). As reflected in this example, the COE itself should state that the applicant has *provisionally* passed the background investigation, and that additional background information may be investigated at the post-offer stage which could, if warranted, result in the withdrawal of the job offer.

### The Pre-Conditional Offer Stage

Prior to extending the applicant a COE, no disability-related inquiries can be asked on forms or in interviews, nor can such information be sought from third parties (e.g., past employers, references). Disability-related questions include asking applicants if they have had a particular disability or suffered from a mental condition. Questions about a history of worker’s compensation claims or job-related injuries are also forbidden pre-offer, since these types of questions may elicit disability-related information. General questions that are likely to elicit disability-related information are also prohibited pre-offer, such as, “*What impairments do you have?*” “*Have you ever been hospitalized?*” or “*What medications do you take?*”

At the pre-offer stage, it is acceptable at any time to ask applicants about *employment history*, including questions about the circumstances of any gaps or sudden departures from employment. This is permitted even if the applicant was unemployed or terminated because of disability-related reasons. It is also permissible to ask pre-offer questions about previous attendance records (e.g., “*How many days were you absent from your last job?*”). Although it is not permissible to ask pre-offer questions about the number of days an applicant missed work

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<sup>20</sup> [ADA Enforcement Guidance: Pre-Employment Disability-Related Questions and Medical Examination, U.S. EEOC, October 1995.](#)

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in a previous job due to illness, it is legal to ask questions involving abuse of leave (e.g., “*How many Mondays and Fridays were you absent last year other than approved time off?*”).

A history of ***drug addiction or dependence*** is considered a disability; therefore, questions that could reasonably be expected to elicit this information are prohibited, such as “*Have you ever been addicted to drugs?*” or “*Have you ever been treated for drug addiction?*” Questions that address extent of past drug use are also prohibited, such as “*How many times have you used illegal drugs in your life?*” or, “*How often did you use illegal drugs in the past?*”

Current illegal use of drugs does not fall under the protection of the ADA/FEHA; however, there is no clear-cut definition of “current;” rather, the Equal Employment Opportunity Commission (EEOC) merely states that “current” is to be considered “...recently enough to justify an employer’s reasonable belief that involvement with drugs is ongoing.”<sup>21</sup> The POST Personal History Statement uses six months as a benchmark for questions on current illegal drug use; however, this time frame is intended as a rule of thumb rather than a legally sanctioned standard.

Individuals with a past history of recreational or casual drug use also fall outside the protection of the law. Therefore, narrowly-defined questions about past drug use that do not address frequency or extent of use are permissible pre-offer. The POST Personal History Statements include examples of such questions. Any additional pre-offer questions on this topic should not be considered without the input of legal counsel.

Unlike illegal drug use, current *and* past alcoholism are protected. Therefore, alcohol tests are prohibited prior to the COE. No pre-offer questions may be asked regarding the extent of the applicant’s use of alcohol or other aspects of alcoholism. For example, applicants may not be asked pre-offer how much they drink. However, questions about *social* use of alcohol are permissible, as are inquiries about their (job-relevant) behavior, even if that behavior was a result of drunkenness. For example, it is legal to ask about DUIs pre-COE, as well as whether they have been late to or absent from work because of alcohol (or drug) use.

## **The Post-Conditional Offer Stage**

After a COE has been extended, medical and disability related inquiries and examinations are permissible. However, all such questions must be job-related and consistent with business necessity, and all applicants must be subjected to the same basic inquiries. Note that a job offer revoked at this stage may be assumed to be due to disability-related reasons; therefore, an employer may be required to show that the applicant is unqualified or poses a direct threat.

Medical and other disability-related information must be treated with extreme confidentiality. Screening physicians, psychologists, and even background investigators should only disclose such information to others involved in the hiring process (including each other) on a need-to-know basis.<sup>22</sup> This information must be kept confidential and stored in a separate, secure medical file — not with the employee’s regular personnel file. Access by others should be strictly limited. The law allows access to this type of information by only a few selected individuals, including: 1) supervisors or managers, who may be informed about necessary restrictions on the work or duties of an employee and

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<sup>21</sup> EEOC Technical Assistance Manual on the Employment Provisions (Title I) of the ADA, 1992, EEOC-M-1A.

<sup>22</sup> Anne H. Williams, ADA from A to Z, M. Lee Smith Publishers, LLC, Brentwood, TENN. 2002.

necessary accommodations; 2) first-aid and safety personnel, who may be informed if a disability will require emergency treatment; 3) government officials investigating compliance with ADA/FEHA; and 4) state workers' compensation fund employees or representatives of insurance companies.<sup>23</sup>

## BACKGROUND INVESTIGATION INQUIRIES: PRE- OR POST-OFFER?

The sequencing of most phases of the hiring process is clear-cut: Written tests and oral interviews must be conducted pre-offer, since they do not address medical or other disability issues. On the other hand, medical and psychological evaluations must be deferred until the post-offer phase.

Situating the background investigation is another matter. On one hand, the determination of good moral character would not appear on its surface to require inquiries into medical, psychological, or other disability-related areas. As such, the background investigation should be conducted prior to the COE.

In reality, however, the background investigation can and does include inquiries prohibited at the pre-offer phase. Prohibited topics include *histories* of legal and illegal substance abuse (both drugs and alcohol), behaviors resulting from problems with stress tolerance and other psychological stability concerns, and learning disabilities as they relate to educational and employment history, to name a few. Disability-related information may be divulged by the candidates themselves, as well as by the numerous references contacted during the investigation, including past and current employers, family members, friends, roommates, neighbors, etc. But, at the pre-offer stage, background investigators are legally barred from pursuing this line of questioning, regardless of job-relevance or business necessity.

The regulations associated with both the ADA and FEHA include a provision allowing for the deferral of certain non-medical or non-psychological inquiries until the post-offer stage *if it can be demonstrated that the information could not have reasonably been collected prior to the COE*. POST submitted a written request to the EEOC for guidance on the proper interpretation of this provision with respect to the sequencing of peace officer background investigations. Specifically, POST asked about the permissibility under the ADA of deferring to the post-offer phase those parts of the peace officer background investigation that do not involve medical or other disability-related inquiries.

In their response, the EEOC stipulated that, at a minimum, official documents such as DMV records, birth certificates, and credit reports must be requested at the pre-offer stage, since the information in these documents do not touch on medical or other prohibited topics and they are readily obtainable. However, the EEOC agreed with POST that other aspects of the peace officer background investigation could lawfully be deferred until the post-offer phase, including (1) the receipt and evaluation of official documents that cannot be obtained in a timely manner, and (2) contacts and interviews with references, if this information could not have reasonably been collected prior to the COE. The exchange between POST and the EEOC is available at [http://www.post.ca.gov/Data/Sites/1/post\\_docs/bulletin/2008-22.pdf](http://www.post.ca.gov/Data/Sites/1/post_docs/bulletin/2008-22.pdf).

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<sup>23</sup> Note that access to this information does **not** include candidates themselves.

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To ensure that the guidance offered by the EEOC was lawful with respect to the conduct of peace officer background investigations under the California Fair Employment and Housing Act, POST initiated a legislative change that resulted in the January, 2009 addition of Government Code [§1031.2](#):

“Consistent with the [ADA] and [FEHA], the collection of non-medical or non-psychological information of peace officers, in accordance with a thorough background investigation, as required by subdivision (d) of §1031, may be deferred until after a conditional offer of employment is issued if the employer can demonstrate that the information could not have reasonably been collected prior to the offer.”

Although there is no equivalent statute specific to public safety dispatchers, given the consistency between POST requirements for the conduct of peace officer and public safety dispatcher background investigations, it might seem that similar sequencing procedures would apply. However, since GC §1031.2 only refers to peace officer background investigations, any deferral of the non-medical portions of the public safety dispatcher background investigation should only be considered with the direct involvement and consent of legal counsel. In fact, legal counsel’s involvement is imperative before implementing *any* changes in the sequencing of either the public safety dispatcher or peace officer hiring process.

## Frequently Asked Questions

***Q: Why can’t the entire background investigation simply be deferred until after a COE has been extended?***

***A:*** For the COE to be considered “bona fide” (i.e., real), employers must evaluate all relevant nonmedical information that they reasonably can obtain and analyze prior to extending the offer.<sup>24</sup>

***Q: What if the applicant or other individual volunteers disability-related information at the pre-offer stage?***

***A:*** The background investigator may discover protected information pre-offer, either because an applicant or others volunteer disability-related information, or in the course of record reviews. If disability-related information is discovered pre-offer, background investigators may document the information and follow-up and/or disclose it to the appropriate person after a COE is extended. It is unlawful to use that information as a reason for not hiring the person unless the employer can provide a legal defense.

***Q: How long must an agency wait for documents to be received before being able to extend a conditional offer of employment and continue with the background investigation?***

***A:*** There’s no exact answer to this question, but in their letter to POST, the EEOC stated, “An unreasonable delay may exist where a responding agency routinely takes several weeks or months to provide documents and waiting for these official documents will significantly increase the length of the entire hiring process.” Therefore, it would be lawful to extend a conditional offer of employment if documents such as a DD-214, official transcripts, or returns from DOJ or FBI fingerprint checks take in excess of a few weeks to receive.

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<sup>24</sup> [ADA Enforcement Guidance: Pre-Employment Disability-Related Questions and Medical Examination, U.S. EEOC, October 1995.](#)

***Q: What are the advantages of conducting parts of the background investigation post-offer rather than pre-offer?***

**A:** First and foremost, when interviewing people post-offer, the background investigator is free to ask any questions – or follow-up on any volunteered information – as necessary, even if the topics turn to medical, psychological, or other disability-related issues (as long as the questions are job-related and consistent with business necessity). On the other hand, if the interview is being conducted pre-offer, the background investigator cannot continue or pursue this line of questioning. While this questioning can be resumed when/if the candidate reaches the post-offer stage, splitting the background investigation in this way can prove to be burdensome and inefficient.

For example, during the background interview, a candidate could reveal that he has a medical condition and could ask the investigator about his chances of passing the medical examination. If the interview is being conducted pre-offer, the investigator must defer any further discussion about the topic until the post-offer stage, no matter how relevant to the candidate's suitability for the job.

However, if this same conversation occurred at the post-offer stage, the investigator could pursue this line of questioning. Furthermore, the investigator could decide to answer the candidate's question by contacting the doctor directly, or even arranging for the candidate's medical evaluation ahead of schedule – and before the continuation of the background investigation.

***Q: Are there any risks or disadvantages of conducting parts of the background investigation post-offer?***

**A:** Deferring too much of the background investigation to the post-offer stage, especially public safety dispatcher background investigations, could trigger allegations of violation of the ADA and FEHA.

In addition, since medical and other related topics cannot be addressed until after a conditional offer is extended, it would be difficult for a candidate to argue that s/he was discriminated against on the basis of his/her disability if the background investigation was conducted pre-offer. If the candidate is disqualified on the basis of a background investigation that was conducted post-offer, the agency should be prepared to defend the decision against assertions of disability discrimination.

***Q: Must part of the background investigation now be conducted post-offer?***

**A:** No, the new law is permissive; agencies are free to revise or retain their current background investigation process. As this is an emerging area of law, it is imperative that agencies consult with their legal counsel before revising their background investigation process.

***Q: Does GC §1031.2 permit the medical and psychological evaluation to be conducted pre-offer?***

**A:** No. The medical and psychological evaluations conducted in compliance with [GC §1031\(f\)](#) and POST regulations must be conducted post-offer.

**Table 3.1**  
**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p><b>PEACE OFFICERS</b>  <u>Government Code §1031</u></p>	
<p>Each class of public officers or employees declared by law to be peace officers shall meet all of the following minimum standards:</p> <ul style="list-style-type: none"> <li>(a) Be a citizen of the United States or a permanent resident alien who is eligible for and has applied for citizenship, except as provided in Vehicle Code <a href="#">§2267</a>.</li> <li>(b) Be at least 18 years of age.</li> <li>(c) Be fingerprinted for purposes of search of local, state, and national fingerprint files to disclose a criminal record.</li> <li>(d) Be of good moral character, as determined by a thorough background investigation.</li> <li>(e) Be a high school graduate, pass the General Education Development Test indicating high school graduation level, pass the California High School Proficiency Examination, or have attained a two-year, four-year, or advanced degree from an accredited college or university. The high school shall be either a United States public school, an accredited United States Department of Defense high school, or an accredited or approved public or nonpublic high school. Any accreditation or approval required by this paragraph shall be from a state or local government educational agency using local or state government approved accreditation, licensing, registration, or other approval standards, a regional accrediting association, an accrediting association recognized by the Secretary of the United States Department of Education, an accrediting association holding full membership in the National Council for Private School Accreditation (NCPSA), an organization holding full membership in the Commission on International and Trans-Regional Accreditation (CITA), an organization holding full membership in the Council for American Private Education (CAPE), or an accrediting association recognized by the National Federation of Nonpublic School State Accrediting Associations (NFNSSAA).</li> <li>(f) Be found to be free from any physical, emotional, or mental condition that might adversely affect the exercise of the powers of a peace officer. <ul style="list-style-type: none"> <li>(1) Physical condition shall be evaluated by a licensed physician and surgeon.</li> <li>(2) Emotional and mental condition shall be evaluated by either of the following: <ul style="list-style-type: none"> <li>(A) A physician and surgeon who holds a valid California license to practice medicine, has successfully completed a postgraduate medical residency education program in psychiatry accredited by the Accreditation Council for</li> </ul> </li> </ul> </li> </ul>	<p>GC 1031 includes statutory minimum selection standards for peace officers. They include:</p> <p><b>Citizenship</b> – VC 2267 imposes additional citizenship requirements for CHP. See <b>Chapter 5</b>, subsection <a href="#">Citizenship</a>.</p> <p><b>Age</b> – See <b>Chapter 5</b>, subsection <a href="#">Birth Place and Birth Date</a>.</p> <p><b>Fingerprints</b> – To assess legal history and moral character. See <b>Chapter 4, Step 5: Collect &amp; Submit Candidate Fingerprints</b> and <b>Chapter 5, subsection PHS Section 8: Legal</b>.</p> <p><b>Education</b> – GC 1031(e) was revised as of January 1, 2009. The revisions added four additional associations that oversee the accreditation of private institutions: NCPSA, CITA, CAPE, and NFNSSAA, and expanded post-secondary degrees to include post-graduate (i.e., advanced degrees). See <b>Chapter 5, subsection PHS Section 3: Education</b>.</p> <p><i>Medical and psychological evaluation requirements are contained in Commission Regulations <a href="#">1954</a> and <a href="#">1955</a>, respectively.</i></p>

continues

**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p>Graduate Medical Education, and has at least the equivalent of five full-time years of experience in the diagnosis and treatment of emotional and mental disorders, including the equivalent of three full-time years accrued after completion of the psychiatric residency program.</p> <p>(B) A psychologist licensed by the California Board of Psychology who has at least the equivalent of five full-time years of experience in the diagnosis and treatment of emotional and mental disorders, including the equivalent of three full-time years accrued post doctorate.</p> <p>The physician and surgeon or psychologist shall also have met any applicable education and training procedures set forth by the California Commission on Peace Officer Standards and Training designed for the conduct of preemployment psychological screening of peace officers.</p> <p>(g) This section shall not be construed to preclude the adoption of additional or higher standards, including age..</p> <p>(h) This section shall become operative on January 1, 2005.</p>	
<p><b>Government Code §1031.2</b></p> <p>Consistent with the <a href="#">Americans with Disabilities Act of 1990 Public Law 101-336</a> and paragraph (3) of subdivision (e) of §12940, the collection of nonmedical or non-psychological information of peace officers, in accordance with a thorough background investigation, as required by subdivision (d) of §1031, may be deferred until after a conditional offer of employment is issued if the employer can demonstrate that the information could not reasonably have been collected prior to the offer.</p>	<p>GC 1031.2 became effective on <b>January 1, 2009</b>. A detailed explanation of the implications of GC 1031.2 is provided in <a href="#">Chapter 3</a> "Legal Qualifications and Statutory Framework."</p>
<p><b>GC §1029</b></p> <p>(a) ...each of the following persons is disqualified from... being employed as a peace officer of the state, county, city, city and county or other political subdivision, whether with or without compensation ...</p> <ol style="list-style-type: none"> <li>(1) Any person who has been convicted of a felony.</li> <li>(2) Any person who has been convicted of any offense in any other jurisdiction which would have been a felony if committed in this state.</li> <li>(3) Any person who, after January 1, 2004, has been convicted of a crime based upon a verdict or finding of guilt of a felony by the trier of fact, or upon the entry of a plea of guilty or <i>nolo contendere</i> to a felony. This</li> </ol>	<p><i>DOJ and FBI will stipulate the eligibility of the candidate in their response to fingerprint submittals. However, background investigators must ensure that there is no need to resubmit fingerprints prior to filing the report in the candidate's file.</i></p>

*continues*

**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p>paragraph shall apply regardless of whether, pursuant to subdivision (b) of §17 of the Penal Code, the court declares the offense to be a misdemeanor or the offense becomes a misdemeanor by operation of law.</p> <p>(4) Any person who has been charged with a felony and adjudged by a superior court to be mentally incompetent...</p> <p>(5) Any person who has been found not guilty by reason of insanity of any felony.</p> <p>(6) Any person who has been determined to be a mentally disordered sex offender...</p> <p>(7) Any person adjudged addicted or in danger of becoming addicted to narcotics, convicted, and committed to a state institution...</p> <p>(b) (1) A plea of guilty to a felony pursuant to a deferred entry of judgment program... shall not alone disqualify a person from being a peace officer unless a judgment of guilty is entered...</p> <p>(2) A person who pleads guilty or <i>nolo contendere</i> to, or who is found guilty by a trier of fact of, an alternate felony-misdemeanor drug possession offense and successfully completes a program of probation... shall not be disqualified from being a peace officer solely on the basis of the plea or finding if the court deems the offense to be a misdemeanor or reduces the offense to a misdemeanor.</p>	
<p><b>Penal Code §29805</b></p> <p>[Specified convictions; narcotic addiction; condition of probation; restrictions on firearms possession; punishment; employment needs; relief from prohibition; justifiable violations]</p>	<p><i>PC §29805 disqualifies those who have committed specific misdemeanors from possessing a firearm for 10 years, which may preclude candidates from peace officer status. DOJ and FBI will indicate candidate eligibility in their returns of fingerprint records.</i></p>
<p><b>U.S. Code Title 18 §922(d)(9)</b></p> <p>(d) It shall be unlawful for any person to sell or otherwise dispose of any firearm or ammunition to any person knowing or having reasonable cause to believe that such person... has been convicted in any court of a misdemeanor crime of domestic violence.</p> <p>(g) It shall be unlawful for any person... who has been convicted in any court of a misdemeanor crime of domestic violence... to possess any firearm or ammunition.</p>	<p><i>Individuals convicted of misdemeanor offenses containing the elements of domestic violence cannot possess a firearm, which may preclude candidates from peace officer status.</i></p>

*continues*

**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p style="text-align: center;"><b>Minimum Selection Standards for Peace Officers</b></p> <p style="text-align: center;"><b>Commission Regulations 1950-1955</b></p>	<p><i>These POST regulations serve to implement Government Code <a href="#">§1031</a>.</i></p> <p><i>Commission Regulations 1950–1955 became effective <b>July 1, 2009</b>. They replace Commission Regulation 1002 and Procedures C-1 and C-2.</i></p>
<p><b>Regulation <a href="#">1950</a>:</b> <b>Peace Officer Selection Requirements</b></p> <p>(a) The purpose of these regulations is to implement the minimum peace officer selection standards set forth in California Government Code §1031 and as authorized by California Penal Code §13510. Peace officer training requirements are addressed separately in Commission Regulations <a href="#">1005</a> and <a href="#">1007</a>. All POST documents and forms mentioned in these regulations are available on the POST website (<a href="http://www.post.ca.gov">www.post.ca.gov</a>).</p> <p>(1) Every POST-participating department and/or agency (hereinafter referred to as “department”) shall ensure that every “peace officer candidate,” as defined in subsection 1950(b), satisfies all minimum selection requirements specified in the following regulations unless waived by the Commission on a case by case basis. Statutory requirements in these regulations cannot be waived by the Commission.</p> <ul style="list-style-type: none"> <li>• Reading and Writing Ability Assessment (Regulation <a href="#">1951</a>)</li> <li>• Oral Interview (Regulation <a href="#">1952</a>)</li> <li>• Background Investigation (Regulation <a href="#">1953</a>)</li> <li>• Medical Evaluation (Regulation <a href="#">1954</a>)</li> <li>• Psychological Evaluation (Regulation <a href="#">1955</a>)</li> </ul> <p>(2) All requirements specified in these regulations shall be satisfied prior to the date of employment. For purposes of these regulations, “date of employment” is defined as date of appointment as a peace officer or, at the department’s discretion, the date the candidate is hired as a peace officer trainee and enrolled in a POST-certified Basic Course.</p> <p><b>(b) Peace Officer Candidate Definition</b></p> <p>For purposes of these regulations, a “peace officer candidate” is any individual, regardless of rank or Penal Code classification, who applies for a peace officer position with a POST-participating department, regardless of the individual’s prior law enforcement experience either at that department or at a different department within the same city, county, state, or district</p>	<p><i>By specifying that the selection standards must be completed either before appointment as a peace officer or the date the candidate is hired as a peace officer trainee, agencies who use the peace officer trainee classification will not have to rescreen these individuals if more than one year elapses between the date of evaluation and date of peace officer appointment.</i></p> <p><i>POST selection standards apply to all peace officers in POST-participating agencies: new hires, rehires/ reappointments, laterals, seasonal, temporary, full-time, and part-time.</i></p>

*continues*

**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p><b>(c) Exceptions</b></p> <p>For purposes of these regulations, peace officers described in this section are not considered “candidates” and are therefore exempted from Regulations 1951-1955.</p> <p>(1) The department has sole responsibility for determining what, if any, assessments are necessary for a peace officer who:</p> <p>(A) Changes peace officer classifications, such as from reserve officer to regular officer, within the same POST-participating department if documentation is available for inspection verifying that all current minimum selection requirements were previously met, and the peace officer has worked continuously for the department since the time of initial appointment.</p> <p>(B) Is employed by a department that, through reorganization, is merged with another department within the same city, county, state, or district, if documentation is available for inspection verifying that the officer was hired in accordance with the POST requirements in effect at the time of hire.</p> <p>(2) For a peace officer who has been mandatorily reinstated, the department shall:</p> <p>(A) Report the reinstatement to POST through the submittal of a Notice of Appointment/Termination, POST <a href="#">2-114</a>, indicating a correction to record, together with a copy of the official reinstatement documentation [Commission Regulation <a href="#">1003(b)(2)</a>];</p> <p>(B) Resubmit the officer’s fingerprints to the California Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI) to verify legal eligibility for a peace officer position (GC <a href="#">§1029</a> and <a href="#">§1030</a>) and to determine eligibility to possess a firearm [Penal Code <a href="#">§29805</a> and U.S. Code Title <a href="#">18 § 922(d)(9)</a>]. Fingerprints do not need to be resubmitted if the officer was never removed from the department’s peace officer files of the DOJ or FBI;</p> <p>(C) Obtain evidence of U.S. citizenship if the officer was not a United States citizen at the date of initial appointment and three or more years has elapsed since that date of appointment (GC <a href="#">§1031.5</a>);</p> <p>(D) Perform a records check of the California Department of Motor Vehicles (Vehicle Code <a href="#">§12500</a>).</p> <p>(3) Publicly elected peace officers are exempted from Regulations <a href="#">1951-1955</a>.</p>	<p><i>Updated background investigations, medical and psychological evaluations are no longer required for reserve peace officers who are upgraded to regular officer status.</i></p> <p><i>The regulations now clarify that officers who are inherited from another agency within the same city, county, state, or district are not subject to Regulations 1951-1955.</i></p> <p><i>Reinstated officers are largely exempted from POST selection standards; only updated fingerprints and DMV checks (and citizenship check if appropriate) are required.</i></p> <p><i>Besides sheriffs, there are very few elected peace officers.</i></p>

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**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p><b>(d) Adoption of Additional Requirements and/or Higher Standards</b></p> <p>The requirements described herein serve as minimum selection requirements. Per Government Code <a href="#">§1031(g)</a> and Penal Code <a href="#">§13510(d)</a>, the adoption of more rigorous requirements, higher standards, additional assessments and/or more in-depth evaluations than those stated in these regulations is at the discretion of the employing department.</p>	<p><i>Additional screening requirements (e.g., physical ability testing, detection of deception examinations) are the responsibility of the department, based on their peace officers' job functions, responsibilities, and demands.</i></p>
<p><b>Regulation <a href="#">1951</a>:</b> <b>Peace Officer Reading and Writing Ability Assessment</b></p> <p><b>(a)</b> Every peace officer candidate shall be able to read and write at the levels necessary to perform the job of a peace officer. Satisfactory completion of this requirement may occur at any time prior to date of employment. Reading and writing ability shall be demonstrated by one of the following:</p> <ol style="list-style-type: none"> <li><b>(1)</b> Achievement of a score deemed acceptable by the hiring department on the POST Entry-Level Law Enforcement Test Battery or other professionally developed and validated test of reading and writing ability. The test can be administered by either the department or another entity.</li> <li><b>(2)</b> Proof of successful completion of the Regular Basic Course or the Specialized Investigators' Basic Course.</li> <li><b>(3)</b> Proof of possession of a Basic Course Waiver.</li> </ol> <p><b>(b)</b> A department that uses the <a href="#">POST Entry-Level Law Enforcement Test Battery</a> must have a current Test Use and Security Agreement, herein incorporated by reference, on file with POST.</p>	<p><i>Reserve peace officers are now required to satisfy the POST reading and writing requirement (1951).</i></p> <p><i>For the purposes of satisfying Regulation 1951, reading and writing test scores:</i></p> <ul style="list-style-type: none"> <li>• <i>Are transportable</i></li> <li>• <i>Have no shelf life</i></li> <li>• <i>Have no POST-mandated cut score</i></li> </ul>
<p><b>Regulation <a href="#">1952</a>:</b> <b>Peace Officer Oral Interview</b></p> <p><b>(a)</b> Every peace officer candidate shall participate in an oral interview to determine suitability to perform the duties of a peace officer. The interview shall take place prior to making a conditional offer of employment.</p> <p><b>(b)</b> The interview shall be conducted by the department head, one or more representatives of the department, the appointing authority or designee, and/or an oral panel consisting of at least one department employee.</p> <p><b>(c)</b> The POST <a href="#">Interviewing Peace Officer Candidates: Hiring Interview Guidelines</a> provides assistance in conducting the oral interview. The use of the manual is discretionary; except that oral interviews shall address, at a minimum, the six POST Interview Factors herein incorporated by reference described in the manual: Experience, Problem Solving Ability, Communication Skills, Interest/Motivation, Interpersonal Skills, and Community Involvement/Awareness.</p>	<p><i>The POST Interview Manual can be downloaded at <a href="http://lib.post.ca.gov/Publications/interviewguide/0809.pdf">http://lib.post.ca.gov/Publications/interviewguide/0809.pdf</a></i></p>

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**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p><b>Regulation 1953:</b> <b>Peace Officer Background Investigation</b></p> <p><b>(a) Government Code Mandate</b></p> <p>Every peace officer candidate shall be the subject of a thorough background investigation to verify good moral character and the absence of past behavior indicative of unsuitability to perform the duties of a peace officer [Government Code <a href="#">§1031(d)</a>].</p> <p><b>(b) Background Investigation Evaluation Criteria</b></p> <p>The POST <i>Background Investigation Manual: Guidelines for the Investigator</i> provides assistance in conducting background investigations. The use of the manual is discretionary; except the POST Background Investigation Dimensions herein incorporated by reference described in the manual — Integrity, Impulse Control/Attention to Safety, Substance Abuse and Other Risk-Taking Behavior, Stress Tolerance, Confronting and Overcoming Problems, Obstacles, and Adversity, Conscientiousness, Interpersonal Skills, Decision-Making and Judgment, Learning Ability, and Communication Skills — shall be considered in the conduct of every peace officer background investigation.</p> <p><b>(c) Personal History Statements</b></p> <p>Every peace officer candidate shall complete, sign, and date a personal history statement at the onset of the background investigation. A personal history statement can be either the Personal History Statement – Peace Officer, POST <a href="#">2-251</a> or an alternative personal history statement. An alternative personal history statement shall include inquiries related to the following areas of investigation: personal identifying information, relatives and references contact information, education history, residence history, experience and employment history, military history, financial history, legal history, driving history, and other topics related to moral character.</p> <p><b>(d) Collection of Background Information: Pre and Post Conditional Offer of Employment</b></p> <p>(1) Nonmedical or non-psychological background information may be collected after a conditional offer of employment (COE) is issued if it could not have reasonably been collected prior to the COE (GC §1031.2). This may include:</p> <p>(A) Official documents that cannot be obtained and evaluated in a timely manner during the pre-offer period, and</p> <p>(B) Information derived from contacts and interviews with references.</p> <p>(2) At the post-offer stage, background investigators, examining physicians, examining psychologists, and</p>	<p><i>This manual provides guidance and therefore is not intended to add other requirements over and above those specified by the statutes and regulations described here. However, the POST Background Dimensions (<a href="#">Chapter 2</a>) must be assessed during the investigation.</i></p> <p><i>The POST PHS can be downloaded at <a href="http://post.ca.gov/forms.aspx">http://post.ca.gov/forms.aspx</a>. Departments who wish to modify the POST PHS for their use can request an unprotected version of the form by e-mailing POST at <a href="mailto:publications.manager@post.ca.gov">publications.manager@post.ca.gov</a>.</i></p> <p><i>Information on the sequencing of background investigations in light of GC 1031.2 is provided in this chapter under “<a href="#">Conditional Offer of Employment: Pre- and Post- Offer Inquiries</a>” and in <a href="#">Chapter 4</a>.</i></p>

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**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p>others involved in the hiring decision shall work cooperatively to ensure that each has the information necessary to conduct their respective investigations and/or assessments of the candidate.</p> <p><b>(e) Areas of Investigation</b></p> <p><b>(1) Citizenship Verification</b></p> <p>(A) Every peace officer candidate, except those applying to the California Highway Patrol, shall be either a United States citizen or a permanent resident alien who is eligible for and has applied for citizenship on or within three years before the date of appointment as a peace officer (GC <a href="#">§1031(a)</a> and <a href="#">§1031.5</a>).</p> <p>(B) Every peace officer candidate for the California Highway Patrol shall be a United States citizen at time of appointment as a peace officer (VC <a href="#">§2267</a>).</p> <p>(C) Proof of U.S. citizenship shall consist of an official government-issued birth certificate, naturalization documentation, or other citizenship documentation deemed acceptable by POST. The document shall be an original, a certified copy, or a copy that includes a notation by the investigator that the original or certified copy was reviewed.</p> <p><b>(2) Age Verification</b></p> <p>(A) Every peace officer candidate shall be minimally 18 years of age on or before the date of appointment as a peace officer.</p> <p>(B) Proof of age shall be satisfied by any document accepted for proof of citizenship.</p> <p><b>(3) Criminal Record Checks - Local, State, and National</b></p> <p>Every peace officer candidate shall be the subject of a criminal record search at the local, state, and national levels to determine legal eligibility for peace officer employment [GC <a href="#">§1029(a)(1)</a>, <a href="#">1030</a> and <a href="#">§1031(c)</a>], eligibility to carry a firearm [PC <a href="#">§29805</a>; U.S. Code Title <a href="#">18, § 922(d)(9)</a>], and to assess moral character [GC <a href="#">§1031(d)</a>].</p> <p>(A) <b>Local searches</b> shall include inquiries with local law enforcement departments where the candidate has lived, worked, attended school, or frequently visited.</p> <p>Proof of local searches shall be documented by a letter or other written documentation from each department contacted. If a contacted department does not provide written documentation, the request for information shall be noted.</p>	<p><i>Because U.S. Passports are issued to non-citizens (such as U.S. Nationals), they are not an acceptable proof of U.S. citizenship.</i></p> <p><i>Hospital birth records and baptismal records are not considered sufficient documentation of age.</i></p>

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**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p>(B) A <b>state search</b> shall include forwarding the candidate's fingerprints to the California Department of Justice (DOJ) to establish the candidate's legal eligibility for employment (GC <a href="#">§1029</a>) and eligibility to possess a firearm [PC <a href="#">§29805</a>; U.S. Code Title <a href="#">18 §922(d)(9)</a>].</p> <p>Proof of a state search shall be documentation issued by the DOJ consisting of an official clearance return and an authorization to possess and carry firearms. The authorization shall be relevant to the peace officer position and shall have been generated no more than one year prior to the date of employment</p> <p>(C) A <b>national search</b> shall include forwarding the candidate's fingerprints to the Federal Bureau of Investigation (FBI).</p> <p>Proof of a state search shall be documentation issued by the DOJ consisting of an official clearance return and an authorization to possess and carry firearms. The authorization shall be relevant to the peace officer position and shall have been generated no more than one year prior to the date of employment.</p> <p>(4) <b>Driving Record Check</b></p> <p>(A) Every peace officer candidate's driving history, if any, shall be checked to assess behaviors consistent with the safe and appropriate operation of a motor vehicle and adherence to the law.</p> <p>(B) Proof of the driving history check shall consist of a written driving record history from the Department of Motor Vehicles or other official driving record. The record shall be dated no more than one year prior to the date of employment.</p>	<p><i>Two DOJ fingerprint returns are required: an eligibility for employment as a peace officer, and a separate firearms clearance.</i></p>
<p>(5) <b>Education Verification</b></p> <p>(A) Every peace officer candidate shall meet one of the following minimum education requirements pursuant to GC <a href="#">§1031(e)</a>:</p> <ol style="list-style-type: none"> <li>1. Be a high school graduate of one of the following:             <ol style="list-style-type: none"> <li>a. A U.S. public school, or</li> <li>b. An accredited U.S. Department of Defense high school, or</li> <li>c. An accredited or approved public or nonpublic high school.</li> </ol> </li> <li>2. Pass the General Education Development (GED) test indicating high school graduation level.</li> <li>3. Pass the California High School Proficiency Examination, or</li> </ol>	<p><i>Contact with individual school references is no longer required.</i></p>

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**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p>4. Have attained a two-year, four-year, or advanced degree from an accredited college or university.</p> <p>Any accreditation or approval shall be from a state or local government educational agency using local or state government approved accreditation, licensing, registration, or other approval standards, a regional accrediting association, an accrediting association recognized by the Secretary of the United States Department of Education, an accrediting association holding full membership in the National Council for Private School Accreditation (NCPA), an organization holding full membership in the Commission on International and Trans-Regional Accreditation (CITA), an organization holding full membership in the Council for American Private Education (CAPE), or an accrediting association recognized by the National Federation of Nonpublic School State Accrediting Associations (NFSSAA).</p> <p>(B) Proof shall consist of an official transcript or other means of verifying satisfactory completion of educational requirements deemed acceptable by POST. The document shall be an original, a certified copy, or a copy that includes a notation by the investigator that the original or certified copy was reviewed.</p> <p><b>(6) Employment History Checks</b></p> <p>(A) Every peace officer candidate shall be the subject of employment history checks through contacts with all past and current employers over a period of at least ten years, as listed on the candidate's personal history statement.</p> <p>(B) Proof of the employment history check shall be documented by a written account of the information provided and source of that information for each place of employment contacted. All information requests shall be documented.</p> <p><b>(7) Relatives/Personal References Checks</b></p> <p>(A) Every peace officer candidate shall be the subject of reference checks through contacts and interviews with relatives, including former spouses, and personal references listed on the candidate's personal history statement. Additional references, provided by the initial contacts, shall also be contacted and interviewed to determine whether the candidate has exhibited behavior incompatible with the position sought. Sufficient information shall be collected and reviewed to determine candidate suitability.</p> <p>(B) Proof of reference checks shall be documented by written information showing that relatives and personal references identified by the candidate were interviewed. Documentation shall include the</p>	<p><i>As of January 1, 2009, an advanced degree is added to two-year and four-year degrees as meeting these requirements.</i></p> <p><i>As of January 1, 2009, four additional accrediting/ approving associations are recognized: NCPA, CITA, CAPE, and NFSSAA.</i></p>

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**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p>identity of each individual contacted, the contact's relationship to the candidate, and an account of the information provided by the contact. All requests for information shall be documented.</p> <p>(8) <b>Dissolution of Marriage Check</b></p> <p>(A) Every peace officer candidate who indicates one or more marriage dissolutions on the personal history statement shall have his/her court issued dissolution documents and legal separation decrees reviewed as an indication of personal integrity, financial responsibility, and other relevant aspects of candidate suitability.</p> <p>(B) Proof of the dissolution/separation of marriage check shall be documented by a copy of all final court-issued dissolution documents and legal separation decrees.</p> <p>(9) <b>Neighborhood Checks</b></p> <p>(A) Every peace officer candidate shall be the subject of contacts and interviews with current and, where practicable, previous neighbors to determine whether the candidate has exhibited behavior incompatible with the position sought.</p> <p>(B) Proof of neighborhood checks shall be documented by written information showing the identity of each neighbor contacted, the neighbor's relationship to the candidate, and an account of the information provided by the individual. All requests for information shall be documented.</p> <p>(10) <b>Military History Check</b></p> <p>(A) When applicable, a candidate shall be required to present proof of Selective Service registration or military service records.</p> <p>(B) Proof of a military history check shall consist of written verification of Selective Service registration, except for women or any man born prior to January 1, 1960. For any candidate who indicates military history on the personal history statement, proof shall consist of an official copy of their DD-214 long form or equivalent documentation of foreign military service, if available.</p> <p>(11) <b>Credit Records Check</b></p> <p>(A) Every peace officer candidate shall be the subject of a credit record search with a bona fide credit reporting agency (i.e., Experian, TransUnion, Equifax) to determine the candidate's credit standing with lenders, as an indication of the candidate's dependability and integrity.</p>	<p><i>Documentation is required on all individuals who have experienced a marriage dissolution/separation, even for those who have not subsequently remarried.</i></p>

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**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p>(B) Proof of a credit record check shall be documented by an official credit report returned by one of the bona fide credit reporting agencies. The report shall have been created no more than one year prior to the date of employment.</p> <p><b>(f) Background Investigation Updates</b></p> <p>(1) <b>Eligibility</b></p> <p>(A) If a peace officer candidate was initially investigated in accordance with all current requirements and the results are available for review, a background investigation update, as opposed to a complete new background investigation, may be conducted for either of the following circumstances:</p> <ol style="list-style-type: none"> <li>1. The peace officer candidate is being reappointed to the same POST-participating department, or</li> <li>2. The peace officer candidate is transferring, without a separation, to a different department; however, the new department is within the same city, county, state, or district that maintains a centralized personnel and background investigation support division.</li> </ol> <p>(2) <b>Update Requirements</b></p> <p>(A) A new personal history statement [Regulation 1953(c)] with updated information covering the period from the last personal history statement to the current date shall be completed by the peace officer candidate.</p> <p>(B) The department shall conduct investigations of all new information reported by the candidate on the new personal history statement.</p> <ol style="list-style-type: none"> <li>1. For candidates reappointed to the same department per Regulation 1953(f)(1)(A)(1), the new background investigation shall cover the period since the candidate separated from the department.</li> <li>2. For candidates transferring, without a separation, to a different department within the same city, county, state, or district per Regulation 1953(f)(1)(A)(2), the new background investigation shall cover the period since the date the previous background investigation was completed.</li> </ol> <p>(C) Any area of investigation for which there is updated information shall be addressed in the updated background investigation. This shall minimally</p>	

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**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p>include a new: 1) Local Criminal Record Check, 2) State and National Criminal Check, unless there is written attestation that the candidate was never removed from the department's peace officer files of the DOJ or FBI, 3) Driving Record Check, and 4) Credit Record Check..</p> <p>(D) Updated background investigation documentation shall be maintained with the initial background investigation documents.</p> <p>(E) If the original background investigation was conducted within one year from the date of reappointment, it is not necessary to update criminal record checks, driving record check, or credit check.</p> <p><b>(g) Documentation and Reporting</b></p> <p>(1) <b>Background Narrative Report.</b> The background investigator shall summarize the background investigation results in a narrative report that includes sufficient information for the reviewing authority to extend, as appropriate, a conditional offer of employment. The report, along with all supporting documentation obtained during the course of the background investigation, shall be included in the candidate's background investigation file. The supporting documents shall be originals or true, current and accurate copies as attested to by the background investigator. The background investigation file shall be made available during POST compliance inspections.</p> <p>(2) <b>Retention.</b> The background narrative report and supporting documentation shall be retained in the individual's background investigation file for as long as the individual remains in the department's employ. Additional record retention requirements are described in Government Code <a href="#">§12946</a>.</p> <p>(3) <b>Information Access.</b> The information shall be shared with others involved in the hiring process, such as the screening physicians and psychologists, if it is relevant to their respective evaluations. There is a duty and/or legal obligation to furnish this information to those conducting background investigations of peace officer candidates on behalf of other law enforcement departments except as specifically provided by statute (GC <a href="#">§1031.1</a>, GC <a href="#">§6250</a> et seq, Labor Code, <a href="#">§1050</a>, LC <a href="#">§1054</a>, O'Shea v. General Telephone Co. (1987) 193 Cal. App 3d 1040). This information shall only be utilized for investigative leads and the information shall be independently verified by the prospective department to determine the suitability of the peace officer candidate.</p>	<p><i>Access to background investigation files is a complex legal area impacted by both state and federal law. The department's legal counsel should be consulted for specific guidance.</i></p>

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**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p><b>Regulation 1954:</b> <b>Peace Officer Medical Evaluation</b></p> <p><b>(a) Government Code Mandate/Evaluator Requirements</b></p> <p>Every peace officer candidate shall be evaluated by a licensed physician and surgeon (hereinafter referred to as “physician”) to determine if the candidate is free from any physical (i.e., medical) condition that might adversely affect the ability to exercise peace officer powers [GC <a href="#">§1031(f)</a>]. The physician shall conduct the evaluation on behalf of and for the benefit of the employing department.</p> <p><b>(b) Timing of the Medical Evaluation</b></p> <p>The medical evaluation shall commence only after the department has extended a conditional offer of employment to the peace officer candidate [<a href="#">Americans with Disabilities Act (42 USC §12101 et seq)</a>; California Fair Employment and Housing Act (GC <a href="#">§12940 et seq</a>)]. The medical evaluation must be completed within one year prior to date of employment. A new medical evaluation shall be conducted on peace officer candidates reappointed to the same department, unless the prior evaluation occurred within one year of the date of reappointment.</p> <p><b>(c) Medical Screening Procedures and Evaluation Criteria</b></p> <p>The medical screening procedures and evaluation criteria used in the conduct of the medical evaluation shall be based on the peace officer duties, powers, demands, and working conditions as defined by the department. This information shall be provided to the physician, along with any other information (e.g., risk management considerations) that will allow the physician to make a medical suitability determination. The <a href="#">POST Medical Screening Manual for California Law Enforcement</a> provides medical examination and evaluation protocols that are based on patrol officer job demands and working conditions. These protocols may be adopted or adapted for use by the department, if and as appropriate. However, the use of the manual is discretionary.</p> <p><b>(d) Required Sources of Information for the Medical Evaluation</b></p> <p>The medical evaluation shall include a review by the screening physician of the following sources of information prior to making a determination about the candidate’s medical suitability.</p> <p>(1) <b>Job Information.</b> Job information shall consist of the peace officer duties, powers, demands, and working conditions provided by the department per Regulation 1954(c).</p> <p>(2) <b>Medical History Statement.</b> Prior to the medical evaluation, every peace officer candidate shall complete, sign and date a medical history statement.</p>	<p><i>The physician must be provided with a medically-relevant description of the hiring department’s peace officer position.</i></p> <p><i>The department is responsible for establishing medical screening standards. The examination and evaluation protocols contained in the POST Medical Screening Manual is intended to assist agencies in that regard, but its use is discretionary.</i></p> <p><i>The job information provided by the department must be reviewed by the physician before conducting evaluations.</i></p> <p><i>POST 2-252 can be downloaded at <a href="http://lib.post.ca.gov/Publications/2-252MedicalHistoryStatement.doc">http://lib.post.ca.gov/Publications/2-252MedicalHistoryStatement.doc</a></i></p>

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**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p>The POST Medical History Statement – Peace Officer, POST <a href="#">2-252</a> can be used for this purpose, or an alternative form that includes inquiries about past and current medical conditions and procedures, physical symptoms, limitations, restrictions, and the use of medications and drugs.</p> <p>(3) <b>Medical Records.</b> Medical records shall be obtained from the candidate’s treating physician or other relevant health professional, if warranted and obtainable. This information may be provided by the candidate or, with written authorization from the candidate (Civil Code § 56.11), may be obtained directly from the health professional.</p>	
<p><b>(e) Medical Evaluation Report</b></p> <p>(1) The evaluating physician shall submit a medical evaluation report to the department that shall include the following information:</p> <p>(A) The physician’s contact information and medical license number,</p> <p>(B) The candidate’s name,</p> <p>(C) The date the evaluation was completed, and</p> <p>(D) A statement, signed by the physician, affirming that the candidate was evaluated in accordance with Commission Regulation 1954. The statement shall include a determination of the candidate’s medical suitability for exercising the powers of a peace officer.</p> <p>(2) The department shall maintain the medical evaluation report in the candidate’s background investigation file; the report shall be available to POST during compliance inspections.</p> <p>(3) The physician shall provide any additional information to the department that is necessary and appropriate for the hiring department, such as the candidate’s job-relevant functional limitations, reasonable accommodation requirements, and potential risks posed by detected medical conditions. All information deemed medical in nature shall be maintained as a confidential medical record, separate from the background investigation file.</p> <p>(4) The POST Medical Examination Report – Peace Officer, POST <a href="#">2-253</a> is available for use in reporting this information; however, its use is discretionary.</p> <p>(5) Information from the medical evaluation may be provided to others involved in the hiring process, if it is relevant to their respective determinations of candidate suitability.</p>	<p><i>Section 2 of the POST Medical Examination Report (POST <a href="#">2-253</a>) provides a sample medical evaluation report.</i></p> <p><i>The Medical Examination Report (POST 2-253) can be downloaded at <a href="http://lib.post.ca.gov/Publications/2-253MedicalExamReport.doc">http://lib.post.ca.gov/Publications/2-253MedicalExamReport.doc</a></i></p>

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**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p><b>(f) Second Opinions</b></p> <p>A candidate who is found medically unsuitable has the right to submit an independent evaluation for consideration before a final determination of disqualification is made [<a href="#">2 CCR §7294.0(d)(2)</a>]. When a candidate notifies the department that s/he is seeking an independent opinion, the department shall make available the peace officer duties, powers, demands, and working conditions and the medical screening requirements specified in Commission Regulation 1954. Other information, such as specific procedures or findings from the initial evaluation, may be shared with the second-opinion evaluator at the discretion of the department. The means for resolving discrepancies in evaluations is at the discretion of the department, consistent with local personnel policies and/or rules.</p>	
<p><b><a href="#">Regulation 1955:</a></b>  <b>Peace Officer Psychological Evaluation</b></p> <p><b>(a) Government Code Mandate/Evaluator Requirements</b></p> <p>Every peace officer candidate shall be evaluated to determine if the candidate is free from any emotional or mental condition that might adversely affect the exercise of the powers of a peace officer [GC <a href="#">§1031(f)</a>], and to otherwise ensure that the candidate is capable of withstanding the psychological demands of the position.</p> <p>(1) The psychological evaluation shall be conducted by either of the following:</p> <p>(A) A physician and surgeon who holds a valid California license to practice medicine, has successfully completed a postgraduate medical residency education program in psychiatry accredited by the Accreditation Council for Graduate Medical Education, and has at least the equivalent of five full-time years of experience in the diagnosis and treatment of emotional and mental disorders, including the equivalent of three full-time years accrued after completion of the psychiatric residency program.</p> <p>(B) A psychologist licensed by the California Board of Psychology who has at least the equivalent of five full-time years of experience in the diagnosis and treatment of emotional and mental disorders, including the equivalent of three full-time years accrued post-doctorate.</p> <p>(2) The evaluator shall be in compliance with any current POST education and training requirements developed for the conduct of pre-employment psychological screening of peace officers. Evaluators shall also be familiar with the research literature available on pre-employment psychological screening of peace officers, and with state and federal fair employment statutes relevant to this area of practice.</p>	

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**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p>peace officer suitability. Together, the instruments shall provide information about each candidate related to:</p> <p>1) freedom from emotional and/or mental conditions that might adversely affect the exercise of the powers of a peace officer, and 2) psychological suitability per the POST Psychological Screening Dimensions [Regulation 1955(c)(2)].</p> <p>The psychological assessments shall be interpreted using appropriate, authorized test publisher scoring keys. If mail-order, internet-based, or computerized test interpretations are used, the evaluator shall verify and interpret the individual results.</p> <p>(3) <b>Personal History Information.</b> Personal history information includes the candidate’s relevant work, life and developmental history based on information collected during the background investigation and/or from responses on a personal history questionnaire collected as part of the psychological evaluation.</p> <p>(4) <b>Psychological Interview.</b> A psychological interview shall be administered to each peace officer candidate subsequent to a review and evaluation of the results of the written assessments [Regulation 1955(d)(2)] and the candidate’s personal history information [Regulation 1955(d)(3)]. Sufficient interview time shall be allotted to address all issues arising from the reviewed information and other issues that may arise during the interview.</p> <p>(5) <b>Psychological Records.</b> Psychological records and relevant medical records shall be obtained from the candidate’s treating health professional, if warranted and obtainable. This information may be provided by the candidate, or, with written authorization from the candidate (Civil Code <a href="#">§56.11</a>), may be obtained directly from the health professional.</p> <p><b>(e) Psychological Evaluation Report</b></p> <p>(1) Data from all sources of information shall be considered; the evaluator’s determination shall not be based on one single data source unless clinically justified.</p> <p>(2) The evaluator shall submit a psychological evaluation report to the department that shall include the following information:</p> <p>(A) The evaluator’s contact information and professional license number,</p> <p>(B) The name of the candidate,</p>	<p><i>This requirement can be met by the psychologist’s review of the background investigation package and/or the administration of a separate personal history questionnaire.</i></p>

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**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p>(C) The date the evaluation was completed, and</p> <p>(D) A statement, signed by the evaluator, affirming that the candidate was evaluated in accordance with Commission Regulation 1955. The statement shall include a determination of the candidate's psychological suitability for exercising the powers of a peace officer.</p> <p>(3) The department shall maintain the psychological evaluation report in the candidate's background investigation file; the report shall be available to POST during compliance inspections.</p> <p>(4) Any additional information reported by the evaluator to the department shall be limited to that which is necessary and appropriate, such as the candidate's job-relevant functional limitations, reasonable accommodation requirements, and the nature and seriousness of the potential risks posed by the candidate. All information deemed medical in nature shall be maintained as a confidential record, separate from the background investigation file.</p> <p>(5) Information from the psychological evaluation may be provided to others involved in the hiring process, if it is relevant to their respective determinations of candidate suitability.</p> <p><b>(f) Second Opinions</b></p> <p>A candidate who is found psychologically unsuitable has the right to submit an independent evaluation for consideration before a final determination of disqualification is made [2 CCR §7294.0(d)(2)]. When a candidate notifies the department that s/he is seeking an independent opinion, the department shall make available the peace officer duties, powers, demands, and working conditions and the requirements specified in Commission Regulation 1955. Other information, such as specific procedures or findings from the initial evaluation, may be shared with the second-opinion evaluator at the discretion of the department. The means for resolving discrepancies in evaluations is at the discretion of the department, consistent with local personnel policies and/or rules.</p>	

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**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p style="text-align: center;"><b>PUBLIC SAFETY DISPATCHERS</b> <u>Penal Code §13510</u></p> <p>(c) For the purpose of raising the level of competence of local public safety dispatchers, the commission shall adopt, and may from time to time amend, rules establishing minimum standards relating to the recruitment and training of local public safety dispatchers having a primary responsibility for providing dispatching services for local law enforcement agencies ...which standards shall apply to those cities, counties, cities and counties, and districts receiving state aid ...</p> <p>These standards also shall apply to consolidated dispatch centers operated by an independent public joint powers agency ... when providing dispatch services to the law enforcement personnel..."primary responsibility" refers to the performance of law enforcement dispatching duties for a minimum of 50 percent of the time worked within a pay period.</p> <p>(d) Nothing in this section shall prohibit a local agency from establishing selection and training standards that exceed the minimum standards established by the commission.</p>	<p><i>PC 13510 authorizes POST to establish minimum standards for public safety dispatchers whose employers participate in the POST public safety dispatcher program.</i></p>
<p style="text-align: center;"><b>Minimum Selection Standards for Public Safety Dispatchers</b> <u>Commission Regulations 1956-1960</u></p>	<p><i>Commission Regulations <u>1956-1960</u> became effective <b>July 1, 2009</b>. They replace Commission Regulation 1018(c) and Procedure C-1.</i></p>
<p><b>Regulation 1956: Public Safety Dispatcher Selection Requirements</b></p> <p>(a) The purpose of these regulations is to set forth the minimum public safety dispatcher selection standards as authorized by PC §13510(c). Public safety dispatcher training requirements are addressed separately in Commission Regulation 1018(c). All POST documents and forms mentioned in these regulations are available on the POST website (<a href="http://www.post.ca.gov">www.post.ca.gov</a>).</p> <p>(1) Every department and/or independent communications agency (hereinafter referred to as "department") that participates in the POST Public Safety Dispatcher Program shall ensure that every "<i>public safety dispatcher candidate</i>" as defined in subsection 1956(b) satisfies all minimum selection requirements specified in the following regulations:</p> <ul style="list-style-type: none"> <li>• Verbal, Reasoning, Memory, and Perceptual Abilities Assessment (Regulation 1957)</li> <li>• Oral Communication Assessment (Regulation 1958)</li> </ul>	

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**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<ul style="list-style-type: none"><li>• Background Investigation (Regulation 1959)</li><li>• Medical Evaluation (Regulation 1960)</li></ul> <p>(2) All requirements specified in these regulations shall be satisfied <b>prior to the date of appointment</b> as a public safety dispatcher.</p> <p><b>(b) Public Safety Dispatcher Candidate Definition.</b></p> <p>For purposes of these regulations, a “public safety dispatcher candidate” is any individual who applies for a full-time or part-time position that involves receiving emergency calls for law enforcement service and/or dispatching law enforcement personnel. This includes any individual who applies for a public safety dispatcher position with a POST-participating department regardless of the individual’s prior public safety dispatcher experience either at that department or a different department within the same city, county, state, or district.</p> <p><b>(c) Exceptions.</b></p> <p>For purposes of these regulations, individuals described in this section are not considered “public safety dispatcher candidates” and are therefore exempted from Regulations 1957-1960.</p> <p>(1) The department has sole responsibility for determining what, if any, assessments are necessary for a public safety dispatcher who is employed by a department that, through reorganization, is merged with another department within the same city, county, state, or district, if documentation is available for inspection verifying that the dispatcher was hired in accordance with the POST requirements in effect at the time of hire.</p> <p>(2) For a public safety dispatcher who has been mandatorily reinstated to the department, the department shall:</p> <ul style="list-style-type: none"><li>(A) Report the reinstatement to POST through the submittal of a Notice of Appointment/Termination, POST <a href="#">2-114</a>, indicating a correction to record, together with a copy of the official reinstatement documentation [Commission Regulation <a href="#">1003(b)(2)</a>];</li><li>(B) Resubmit the dispatcher’s fingerprints to the California Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI) to obtain criminal record results. Fingerprints do not need to be resubmitted if the dispatcher was never removed from the department’s personnel files of the DOJ or FBI.</li></ul> <p>(3) A peace officer who is assigned to dispatcher duties.</p>	

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**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p>(d) <b>Adoption of Additional Requirements and/or Higher Standards.</b></p> <p>The requirements described herein serve as minimum selection requirements. Per Penal Code <a href="#">§13510(d)</a>, the adoption of more rigorous requirements, higher standards, additional assessments, and/or more in-depth evaluations than those stated in these regulations is at the discretion of the employing department.</p>	<p><i>Additional screening requirements (e.g., detection of deception examinations, psychological evaluation) are the responsibility of the department, based on their dispatchers' job functions, responsibilities, and demands.</i></p>
<p><b>Regulation <a href="#">1957</a>:</b>  <b>Public Safety Dispatcher Verbal, Reasoning, Memory, and Perceptual Abilities Assessment</b></p> <p>(a) Every public safety dispatcher candidate shall demonstrate verbal, reasoning, memory, and perceptual abilities at levels necessary to perform the job. Satisfactory completion of this requirement may occur at any time prior to appointment, and shall be demonstrated by one of the following:</p> <p>(1) Completion of the <a href="#">POST Entry-Level Dispatcher Selection Test Battery</a> or alternative job-related tests of these abilities, administered by either the hiring department or another entity, with a score deemed acceptable by the hiring department. All tests must include assessments of the following:</p> <p>(A) <b>Verbal.</b> This ability includes written and oral comprehension (the ability to read passages and listen to orally-imparted information and retrieve facts, draw conclusions, and derive meaning); and written expression (the ability to use language to convey information clearly in writing).</p> <p>(B) <b>Reasoning.</b> This ability includes at least one of the following:</p> <ol style="list-style-type: none"> <li>1. Deductive reasoning - the ability to apply general rules to specific problems to attain logical answers, or</li> <li>2. Information ordering - the ability to correctly follow a given rule or set of rules to arrange things or actions in a certain order.</li> </ol> <p>(C) <b>Memory.</b> This ability includes the capacity to store and retrieve facts, details, and other information.</p> <p>(D) <b>Perceptual.</b> This ability includes speed and accuracy (the ability to quickly and accurately compare letters and numbers presented orally and in written form); and time sharing (the ability to shift back and forth between two or more sources of information, both written and orally-imparted, in performing a task or set of tasks).</p> <p>(2) Proof of possession of a valid California <a href="#">POST Public Safety Dispatcher Basic Certificate</a>.</p>	<p><i>For the purposes of satisfying Regulation 1957, verbal, reasoning, memory, and perceptual abilities, test scores:</i></p> <ul style="list-style-type: none"> <li>• <i>Are transportable</i></li> <li>• <i>Have no shelf life</i></li> <li>• <i>Have no POST-mandated cut score</i></li> </ul>

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**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p>(3) Proof of successful completion of the <a href="#">POST-certified Public Safety Dispatcher Basic Course</a> (80 hours minimum) and completion of probation as a public safety dispatcher during previous employment.</p> <p>(b) A department that uses the <a href="#">POST Entry-Level Dispatcher Selection Test Battery</a> must have a current Test Use and Security Agreement, herein incorporated by reference, on file with POST.</p>	
<p><b><a href="#">Regulation 1958:</a></b>  <b>Public Safety Dispatcher Oral Communication Assessment</b></p> <p>Every public safety dispatcher candidate shall participate in an oral interview or other measure of oral communication abilities to determine suitability for public safety dispatcher service. The oral communication assessment shall be conducted prior to a conditional offer of employment (COE).</p>	
<p><b><a href="#">Regulation 1959:</a></b>  <b>Public Safety Dispatcher Background Investigation</b></p> <p>(a) <b>Requirement</b></p> <p>Every public safety dispatcher candidate shall be the subject of a thorough background investigation in order to verify the absence of past behavior indicative of unsuitability to perform public safety dispatcher duties.</p> <p>(b) <b>Background Investigation Evaluation Criteria</b></p> <p>The POST <i>Background Investigation Manual: Guidelines for the Investigator</i> provides assistance in conducting background investigations. The use of the manual is discretionary; except for the POST Background Investigation Dimensions described in the manual which are herein incorporated by reference - Integrity, Impulse Control/Attention to Safety, Substance Abuse and Other Risk-Taking Behavior, Stress Tolerance, Confronting and Overcoming Problems, Obstacles, and Adversity, Conscientiousness, Interpersonal Skills, Decision-Making and Judgment, Learning Ability, and Communication Skills - shall be considered in the conduct of every public safety dispatcher background investigation.</p> <p>(c) <b>Personal History Statements</b></p> <p>Every public safety dispatcher candidate shall complete, sign, and date a personal history statement at the onset of the background investigation. A personal history statement can be either the POST Personal History Statement – Public Safety Dispatcher, POST <a href="#">2-255</a> or an alternative personal history statement. An alternative personal history statement shall include: personal identifying information, relatives and references contact information, education, history,</p>	<p><i>This manual provides guidance and therefore is not intended to add other requirements over and above those specified by the regulations described here. However, the POST Background Dimensions (<a href="#">Chapter 2</a>) must be assessed during the investigation.</i></p> <p><i>The POST PHS can be downloaded at <a href="http://post.ca.gov/forms.aspx">http://post.ca.gov/forms.aspx</a>. Departments who wish to modify the POST PHS for their use can request an unprotected version of the form by e-mailing POST at <a href="mailto:publications.manager@post.ca.gov">publications.manager@post.ca.gov</a>.</i></p>

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**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p>residence history, experience and employment history, military history, financial history, legal history, driving history, and other topics related to moral character.</p> <p><b>(d) Collection of Background Information: Pre- and Post-Conditional Offer of Employment</b></p> <p>(1) <b>Pre-Offer.</b> Prior to the extension of a conditional offer of employment (“pre-offer”), no part of the background investigation shall be conducted that is deemed medical or otherwise subject to state or federal pre-offer inquiry prohibitions [<a href="#">EEOC’s ADA Enforcement Guidance: Preemployment Disability-Related Questions and Medical Examinations, (1995)</a>]. Non-medical inquiries and other parts of the background investigation that are not subject to these prohibitions shall be conducted pre-offer, except as noted in 1959(d)(2) below.</p> <p>(2) <b>Post-Offer.</b> Background information that cannot be legally or practicably obtained prior to a conditional offer of employment may be acquired and evaluated after the offer has been extended (“post-offer”). At the post-offer stage, background investigators, examining physicians, and others involved in the hiring decision shall work cooperatively to ensure that each has the information necessary to conduct their respective investigations and/or assessments of the candidate.</p> <p><b>(e) Areas of Investigation</b></p> <p>(1) <b>Employment Eligibility</b></p> <p>(A) Every public safety dispatcher candidate shall be legally eligible for employment in the United States.</p> <p>(B) Proof of employment eligibility shall consist of an official government-issued U.S. birth certificate, naturalization documentation, U.S. passport, current permanent resident alien card, or other documentation deemed acceptable by POST. The document shall be an original, a certified copy, or a copy that includes a notation by the investigator that the original or certified copy was reviewed.</p> <p>(2) <b>Criminal Record Checks - Local, State, and National</b></p> <p>Every public safety dispatcher candidate shall be the subject of a criminal record search at local, state, and national levels.</p> <p>(A) <b>Local searches</b> shall include inquiries with local law enforcement agencies where the individual has lived, worked, attended school, or frequently visited. Proof of <b>local searches</b> shall be documented by a letter or other written documentation from each agency</p>	<p><i>Information on the sequencing of public safety dispatcher background investigations is provided in <a href="#">Chapter 4</a>: “The Background Investigation Process.”</i></p>

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**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p>contacted. If a contacted agency does not provide written documentation, the request for information shall be noted..</p> <p>(B) A <b>state search</b> shall include forwarding the candidate's fingerprints to the California Department of Justice (DOJ) to obtain criminal record results.</p> <p>Proof of a <b>state search</b> shall be documentation issued by the DOJ consisting of an official clearance return. The authorization shall be relevant to the public safety dispatcher position and shall have been generated no more than one year prior to the date of appointment.</p> <p>(C) A <b>national search</b> shall include forwarding the candidate's fingerprints to the Federal Bureau of Investigation (FBI).</p> <p>Proof of a <b>national search</b> shall consist of an official clearance from the FBI. The clearance shall be relevant to the public safety dispatcher position and shall have been generated no more than one year prior to the date of appointment.</p>	
<p>(3) <b>Driving Record Check</b></p> <p>(A) Every public safety dispatcher candidate's driving history, if any, shall be checked to determine the candidate's driving record and adherence to the law.</p> <p>(B) Proof of the driving history check shall consist of a written driving record history from the Department of Motor Vehicles or other official driving record. The record shall be dated no more than one year prior to the date of appointment.</p>	
<p>(4) <b>Education Verification</b></p> <p>(A) Every public safety dispatcher candidate's educational history shall be investigated to verify the information provided on the personal history statement and as a measure of conscientiousness, learning ability, and other aspects of character.</p> <p>(B) Proof shall consist of an official transcript or other means of verifying educational history deemed acceptable by POST. The document shall be an original, a certified copy, or a copy that includes a notation by the investigator that the original or certified copy was reviewed.</p>	<p><i>Verification of educational history is now required.</i></p>
<p>(5) <b>Employment History Checks</b></p> <p>(A) Every public safety dispatcher candidate shall be the subject of employment history checks through contact with all past and current employers over the period of the past ten years, as listed on the personal history statement.</p>	<p><i>Verification of employment history is now required.</i></p>

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**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p>(B) Proof of the employment history check shall be documented by a written account of the information provided and source of that information for each place of employment contacted. All information requests shall be documented.</p>	
<p>(6) <b>Relatives/Personal References Checks</b></p> <p>(A) Every public safety dispatcher candidate shall be the subject of reference checks through contacts and interviews with relatives, including former spouses, and personal references listed on the candidate's personal history statement. Additional references, provided by the initial contacts, shall also be contacted and interviewed to determine whether the applicant has exhibited behavior incompatible with the position sought. Agencies shall collect and review sufficient information to determine candidate suitability.</p> <p>(B) Proof of reference checks shall be documented by written information showing that relatives and personal references identified by the candidate were interviewed. Documentation shall include the identity of each individual contacted, the contact's relationship to the candidate, and an account of the information provided by the contact. All requests for information shall be documented.</p>	<p><i>Relatives/personal references checks are now required.</i></p>
<p>(7) <b>Dissolution of Marriage Check</b></p> <p>(A) Every public safety dispatcher candidate who indicates one or more marriage dissolutions on the personal history statement shall have his/her court issued dissolution documents and legal separation decrees reviewed as an indication of personal integrity, financial responsibility, and other relevant aspects of candidate suitability.</p> <p>(B) Proof of the dissolution/separation of marriage check shall be documented by a copy of all final court-issued dissolution documents and legal separation decrees.</p>	<p><i>Documentation is required on all individuals who have experienced a marriage dissolution/separation, even for those who have not subsequently remarried.</i></p>
<p>(8) <b>Neighborhood Checks</b></p> <p>(A) Every public safety dispatcher candidate shall be the subject of contacts and interviews with current and, where practicable, previous neighbors to determine whether the candidate has exhibited behavior incompatible with the position sought.</p> <p>(B) Proof of neighborhood checks shall be documented by written information showing the identity of each neighbor contacted, the neighbor's relationship to the candidate, and an account of the information provided by the individual. All requests for information shall be documented.</p>	<p><i>Neighborhood checks are now required.</i></p>

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**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p>(9) <b>Military History Check</b></p> <p>(A) When applicable, a candidate shall be required to present proof of Selective Service registration or military service records.</p> <p>(B) Proof of a military history check shall consist of written verification of Selective Service registration, except for women or any man born prior to January 1, 1960. For any candidate who indicates military history on the personal history statement, proof shall consist of an official copy of their DD-214 long form or equivalent documentation of foreign military service, if available.</p>	<p><i>Military history check is now required.</i></p>
<p>(10) <b>Credit Records Check.</b></p> <p>(A) Every public safety dispatcher candidate shall be the subject of a credit record search with a bona fide credit reporting agency (i.e., Experian, TransUnion, Equifax) to determine the candidate's credit standing with lenders, as an indication of the candidate's dependability and integrity.</p> <p>(B) Proof of a credit record check shall be documented by an official credit report returned by one of the bona fide credit reporting agencies. The report shall have been created no more than one year prior to the date of appointment.</p>	<p><i>Credit record check is now required.</i></p>
<p>(f) <b>Background Investigation Updates</b></p> <p>(1) <b>Eligibility</b></p> <p>(A) If a public safety dispatcher was initially investigated in accordance with all current requirements and the results are available for review, a background investigation update, as opposed to a complete new background investigation, may be conducted for either of the following circumstances:</p> <ol style="list-style-type: none"><li>1. The public safety dispatcher candidate is being reappointed to the same POST-participating department, or</li><li>2. The public safety dispatcher candidate is transferring, without a separation, to a different department; however, the new department is within the same city, county, state, or district that maintains a centralized personnel and background investigation support division.</li></ol> <p>(2) <b>Update Requirements</b></p> <p>(A) A new personal history statement [Regulation 1959(c)] with updated information covering the period from the last personal history statement to the current date shall be completed by the public safety dispatcher candidate.</p>	

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**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p>(B) The department shall conduct investigations of all new information reported by the candidate on the new personal history statement.</p> <ol style="list-style-type: none"> <li>1. For candidates who are being reappointed to the same department per Regulation 1959(f)(1)(A)(1), the new background investigation shall cover the period since the candidate separated from the department.</li> <li>2. For candidates who are transferring, without a separation, to a different department within the same city, county, state, or district per Regulation 1959(f)(1)(A)(2), the new background investigation shall cover the period since the date the previous background investigation was completed.</li> </ol> <p>(C) Any area of investigation for which there is updated information shall be addressed in the updated background investigation. This shall minimally include a new: 1) Local Criminal Record Check, 2) State and National Criminal Check, unless there is written attestation that the candidate was never removed from the department’s personnel files of the DOJ or FBI, 3) Driving Record Check, and 4) Credit Record Check.</p> <p>(D) Updated background investigation documentation shall be maintained with the initial background investigation documents.</p> <p>(E) If the original background investigation was conducted within one year from the date of reappointment, it is not necessary to update criminal record checks, driving record check, or credit check.</p>	
<p><b>(g) Documentation and Reporting</b></p> <ol style="list-style-type: none"> <li>(1) <b>Background Narrative Report.</b> The background investigator shall summarize the background investigation results in a background narrative report that includes sufficient information for the reviewing authority to extend, as appropriate, a conditional offer of employment. The report, along with all supporting documentation obtained during the course of the background investigation, shall be included in the candidate’s background investigation file. The supporting documents shall be originals or true, current and accurate copies as attested to by the background investigator. The background investigation file shall be made available during POST compliance inspections.</li> <li>(2) <b>Retention.</b> The background narrative report and supporting documentation shall be retained in the individual’s background investigation file for as long</li> </ol>	

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**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p>as the individual remains in the department’s employ. Additional record retention requirements are described in Government Code <a href="#">§12946</a>.</p> <p>(3) <b>Information Access.</b> The information shall be shared with others involved in the hiring process, such as the screening physicians and psychologists, if it is relevant to their respective evaluations. There is a duty and/or legal obligation to furnish this information to those conducting mandated background investigations of public safety dispatcher candidates on behalf of other public safety dispatcher agencies, except as specifically provided by statute (GC <a href="#">§6250</a> et seq., Labor Code <a href="#">§1050</a>, LC <a href="#">§1054</a>, O’Shea v. General Telephone Co. (1987) 193 Cal. App 3d 1040). This information shall only be utilized for investigative leads and the information shall be independently verified by the acquiring department to determine the suitability of the public safety dispatcher candidate.</p>	<p><i>Access to background investigation files is a complex legal area impacted by both state and federal law. The department’s legal counsel should be consulted for specific guidance.</i></p>
<p><b>Regulation 1960:</b> <b>Public Safety Dispatcher Medical Evaluation</b></p> <p>(a) <b>Evaluator Requirements</b></p> <p>Every public safety dispatcher candidate shall be evaluated to determine if the candidate is free from any physical (i.e., medical) condition that might adversely affect the ability to perform the duties of a public safety dispatcher. The evaluation shall be conducted on behalf of and for the benefit of the employing department by a licensed physician or a licensed health care professional under the supervision of a licensed physician.</p> <p>(b) <b>Timing of the Medical Evaluation.</b></p> <p>The medical evaluation shall commence only after the department has extended a conditional offer of employment to the public safety dispatcher candidate. The medical evaluation must be completed within one year prior to date of appointment. A new medical evaluation shall be conducted on public safety dispatcher candidates who are reappointed to the same department, unless the prior evaluation occurred within one year of the date of reappointment.</p> <p>(c) <b>Medical Screening Procedures and Evaluation Criteria.</b></p> <p>The medical screening procedures and evaluation criteria used in the conduct of the medical evaluation shall be based on the public safety dispatcher duties, demands, and working conditions as defined by the department. This information shall be provided to the physician, along with any other information (e.g., risk management considerations) that will allow the physician to make a medical suitability determination.</p>	<p><i>The physician must be provided with a medically-relevant description of the hiring department’s public safety dispatcher position.</i></p> <p><i>The department is responsible for establishing medical screening standards.</i></p>

*continues*

**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p><b>(d) Required Sources of Information for the Medical Evaluation.</b></p> <p>The medical evaluation shall include a review of the following sources of information prior to making a determination about the candidate’s medical suitability.</p> <p>(1) <b>Job Information.</b> Job information shall consist of the public safety dispatcher duties, demands, and working conditions provided by the department per Regulation 1960(c).</p> <p>(2) <b>Medical History Statement.</b> Prior to the medical evaluation, every public safety dispatcher candidate shall complete, sign, and date a medical history statement. The POST Medical History Statement – Public Safety Dispatcher, POST <a href="#">2-264</a> can be used for this purpose, or an alternative form that includes inquiries about past and current medical conditions and procedures, physical symptoms, limitations, restrictions, and the use of medications and drugs.</p> <p>(3) <b>Medical Records.</b> Medical records shall be obtained from the candidate’s treating physician or other relevant health professional, if warranted and obtainable. This information may be provided by the candidate, or, with written authorization from the candidate (Civil Code <a href="#">§56.11</a>), may be obtained directly from the health professional.</p>	<p><i>POST 2-264 can be downloaded at <a href="http://post.ca.gov/forms.aspx">http://post.ca.gov/forms.aspx</a>.</i></p>
<p><b>(e) Medical Evaluation Report</b></p> <p>(1) A medical evaluation report shall be submitted to the department that includes the following information:</p> <p>(A) The physician’s contact information and medical license number,</p> <p>(B) The candidate’s name,</p> <p>(C) The date the evaluation was completed, and</p> <p>(D) A statement, signed by the physician, affirming that the candidate was evaluated in accordance with Commission Regulation 1960. The statement shall include a determination of the candidate’s medical suitability for performing as a public safety dispatcher.</p> <p>(2) The department shall maintain the medical evaluation report in the candidate’s background investigation file; the report shall be available to POST during compliance inspections.</p> <p>(3) The physician shall provide any additional information to the department that is necessary and appropriate for the hiring department, such as the candidate’s job-relevant functional limitations, reasonable accommodation requirements, and potential risks posed by detected medical conditions. All information deemed medical in nature shall be maintained as a confidential medical record, separate from the background investigation file.</p>	<p><i>Section 2 of the POST Medical Examination Report (<a href="#">2-265</a>) provides a sample medical evaluation report.</i></p>

*continues*

**Table 3.1** *continued*

**BACKGROUND INVESTIGATION CODES AND REGULATIONS**

LAW / REGULATION	NOTES / COMMENTS
<p>(4) The POST Medical Examination Report – Public Safety Dispatcher, POST <a href="#">2-265</a> is available for use in reporting this information; however, its use is discretionary.</p> <p>(5) Information from the medical evaluation may be provided to others involved in the hiring process, if it is relevant to their respective determinations of candidate suitability.</p> <p><b>(f) Second Opinions</b></p> <p>A candidate who is found medically unsuitable has the right to submit an independent evaluation for consideration before a final determination of disqualification is made [<a href="#">2 CCR §7294.0(d)(2)</a>]. When a candidate notifies the department that s/he is seeking an independent opinion, the department shall make available the public safety dispatcher duties, demands, and working conditions and the medical screening requirements specified in Commission Regulation 1960. Other information, such as specific procedures or findings from the initial evaluation, may be shared with the second-opinion evaluator at the discretion of the department. The means for resolving discrepancies in evaluations is at the discretion of the department, consistent with local personnel policies and/or rules.</p>	<p><i>The Medical Examination Report (POST 2-265) can be downloaded at <a href="http://lib.post.ca.gov/Publications/2-265MedicalExamReport.doc">http://lib.post.ca.gov/Publications/2-265MedicalExamReport.doc</a>.</i></p>

**Table 3.2**  
**SUMMARY OF POST PEACE OFFICER SELECTION STANDARDS:**  
**REGULATIONS 1950–1955**  
Replacing Commission Regulation 1002, Procedures C-1 and C-2

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**1950: General Requirements**

- All selection requirements must be satisfied *prior* to appointment.
- The same requirements apply to all officers, regardless of rank, including reading and writing assessment for reserve officers.
- The department has sole responsibility for determining what if any assessments are necessary for officers who:
  - change peace officer classifications, including from reserve to regular officer.
  - are inherited from another agency within the same city, county, state, or district, as a result of a merger.
- Reinstated officers are exempt from POST selection requirements; however, the department must submit a Notice of Appointment/Termination to POST, submit fingerprints to DOJ and FBI, obtain evidence of citizenship if appropriate, and perform DMV check.
- Publicly elected peace officers are exempt from POST selection requirements.
- Local agencies have the right to implement more rigorous requirements, additional standards, and assessments as they see fit.

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**1951: Reading and Writing Ability**

- Reading and writing test scores are transportable across agencies and have no shelf life.
- The [POST Entry-Level Law Enforcement Test Battery](#) or other professionally developed and validated test of reading and writing ability can satisfy this requirement.
- The agency establishes own cut score or other acceptable demonstration of reading and writing ability.
- Reading and writing ability assessment required for reserve officers.
- Agencies using POST Law Enforcement Test Battery must have security agreement on file.

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**1952: Oral Interview**

- Use of [POST Interview Manual](#) is discretionary; however, the POST interview factors must be assessed.
- The interview must take place pre-offer.

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**1953: Background Investigation**

- Use of POST background investigation manual is discretionary; however, the POST background dimensions must be assessed.
- Per GC [§1031.2](#) nonmedical or non-psychological background information may be collected after a COE, including
  - official documents that cannot be obtained and evaluated in a timely manner during the pre-offer period, and
  - information derived from contacts and interviews with references.
- Background investigators, screening physicians, and psychologists must work together, as necessary, for each evaluator to make their respective assessments of the candidate's suitability.

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*continues*

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**Table 3.2** *continued*

**SUMMARY OF POST PEACE OFFICER SELECTION STANDARDS:  
REGULATIONS 1950–1955**

**Replacing Commission Regulation 1002, Procedures C-1 and C-2**

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**1953: Background Investigation** *continued*

- Specific, detailed documentation criteria (including shelf life) provided for each area of investigation.
- Contact with individual school references is no longer required.
- The revision to GC [§1031\(e\)](#) broadens the criteria for satisfying the educational requirement.
- Investigation of marriage dissolution/separation is expanded to include those individuals who have not remarried.
- Allows abbreviated background updates (consisting of only areas where information might have changed) for officers who:
  - are reappointed to the same agency, or
  - transfer to a different agency within the same city, county, state, or district.
- Background report must be sufficient to support a hiring decision.
- Background reports must be retained throughout the officer’s tenure at that agency, and in compliance with other record retention statutes.
- Requires access to background reports by POST and other law enforcement agencies who are conducting background investigations of the candidate

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**1954: Medical Evaluation**

- Physicians conduct evaluations on behalf of the hiring agency (vs. the candidate).
- Local agencies are responsible for developing medical screening procedures and criteria based on their peace officers’ powers, duties, demands, and working conditions.
- Use of the [POST Medical Screening Manual](#) is discretionary.
- Agencies must communicate the powers, duties, demands, and working conditions to the physician.
- Results of medical examination are valid for one year.
- Physicians must request information from treating physicians or other relevant health professionals, if warranted and obtainable.
- The determination of the candidate’s medical suitability must be made by the physician.
- The physician may report additional information beyond the suitability determination as necessary and appropriate.
- Second-opinion rights of medically-rejected candidates per [CCR 7294](#). POST requirement that agencies provide relevant job information to candidates’ second opinion evaluators, upon request. Ultimate manner of resolving differences rests with the hiring agency.

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**1955: Psychological Evaluation**

- The purpose of the psychological examination is revised from “detecting job-relevant psychopathology” to determining whether the candidate is “psychologically capable of exercising the powers of a peace officer and withstanding the psychological demands of the position.”
- Screening psychologists must meet statutory education and experience requirements, and be familiar with relevant research literature and state and federal law.

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*continues*

**Table 3.2** *continued*

**SUMMARY OF POST PEACE OFFICER SELECTION STANDARDS:  
REGULATIONS 1950–1955**

**Replacing Commission Regulation 1002, Procedures C-1 and C-2**

**1955: Psychological Evaluation** *continued*

- Psychologists conduct evaluations on behalf of the hiring agency (vs. the candidate).
- Local agencies are responsible for developing psychological screening procedures and criteria based on the peace officer powers, duties, demands, and working conditions.
- Agencies must communicate the powers, duties, demands, and working conditions to the psychologists.
- Candidates must be assessed against the [POST Peace Officer Psychological Screening Dimensions](#).
- Results of psychological examination are valid for one year.
- Psychologist must review relevant work, life and developmental history, based on the background investigation report and/or a separate personal history questionnaire.
- Psychological interview must cover issues arising from review of written assessments, background issues, treatment records (if available), and other relevant information.
- Psychologists must request information from treating health professionals, if warranted and obtainable.
- Information from all sources must be considered in the determination of psychological suitability.
- The determination of the candidate's psychological suitability must be made by the psychologist.
- The psychologist may report additional information beyond the suitability determination as necessary and appropriate.
- Second-opinion rights of psychologically-rejected candidates per [CCR 7294](#). POST requirement that agencies provide relevant job information to candidates' second opinion evaluators, upon request. Ultimate manner of resolving differences rests with the hiring agency

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**Table 3.3**

**SUMMARY OF POST PUBLIC SAFETY DISPATCHER SELECTION STANDARDS:  
REGULATIONS [1956–1960](#)**

Replacing Commission Regulation 1018(c), Procedure C-1

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**1956: General Requirements**

- The changes in the general requirements for dispatcher selection mirror those for peace officers (see changes for [1950](#)).

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**1956(c): Exceptions**

- Reinstated dispatchers are exempt from POST selection requirements; however the department must submit a Notice of Appointment/Termination to POST, and fingerprints to DOJ and FBI.

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**1957: Verbal, Reasoning, Memory, and Perceptual Abilities**

- Verbal, reasoning, memory and perceptual ability test scores are transportable across agencies and have no shelf life.
- The agency establishes own cut score or other acceptable demonstration of verbal, reasoning, memory, and perceptual ability.

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**1959: Background Investigation**

The changes to the dispatcher background investigation standards are primarily intended to align these standards with those of peace officers ([Regulation 1953](#)), consistent with the current standard of practice. Previous public safety dispatcher areas of investigation that were previously only recommended are now required, including:

- *Employment Eligibility:* Citizenship or permanent resident alien (as required of all U.S. employees)
- *Education Verification:* No minimum requirement (can be used to verify the accuracy of what is reported on the PHS and as a measure of several POST background dimensions – e.g., learning ability)
- *Employment History Checks:* Self-explanatory
- *Relatives/Personal References Checks:* Self-explanatory
- *Dissolution of Marriage Check:* For the same reasons as peace officer requirement
- *Military History:* For the same reasons as peace officer requirement
- *Credit Records Check:* As important for dispatchers as peace officers, since they have access to CLETS

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**1960: Medical Evaluation**

- The evaluation must be conducted by a licensed physician or a licensed health care professional under supervision of a licensed physician.
- The evaluation must be conducted on behalf of the department.
- Local agencies are responsible for developing medical screening procedures and criteria based on their dispatchers' duties, demands, and working conditions.
- Agencies must communicate the duties, demands, and working conditions to the physician.

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*continues*

**Table 3.3** *continued*

**SUMMARY OF POST PUBLIC SAFETY DISPATCHER SELECTION STANDARDS:  
REGULATIONS 1956–1960**

Replacing Commission Regulation 1018(c), Procedure C-1

**1960: Medical Evaluation** *continued*

- Results of medical examination are valid for one year.
  - Physicians must request information from treating physicians or other relevant health professionals, if warranted and obtainable.
  - Medical history information must be collected from the candidate using the POST Medical History Statement ([2-264](#)) or alternative form.
  - The determination of the candidate’s medical suitability must be made by the physician and reported to the department using the POST Medical Examination Report ([2-265](#)) or alternative form.
  - The physician may report additional information beyond the suitability determination as necessary and appropriate.
  - Second-opinion rights of medically-rejected candidates per [CCR 7294](#). POST requirement that agencies provide relevant job information to candidates’ second opinion evaluators, upon request. Ultimate manner of resolving differences rests with the hiring agency.
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## THE BACKGROUND INVESTIGATION PROCESS

### PRIOR TO INITIATING THE INVESTIGATION

Before beginning the investigation, the investigator should be fully familiar with the laws and regulations associated with the conduct of backgrounds. Investigators are strongly advised to complete POST-certified background investigation courses as described in [Chapter 1](#).

Investigators also need to understand local policies and ordinances, agency standards, and their agency's needs and philosophy regarding the background investigation process. They need the ground rules regarding the resources (both human and other) committed to this process, and a full understanding of what is expected of background investigators.

Agency procedures, resources, and priorities will have a significant impact on the manner in which background investigations can be conducted, including:

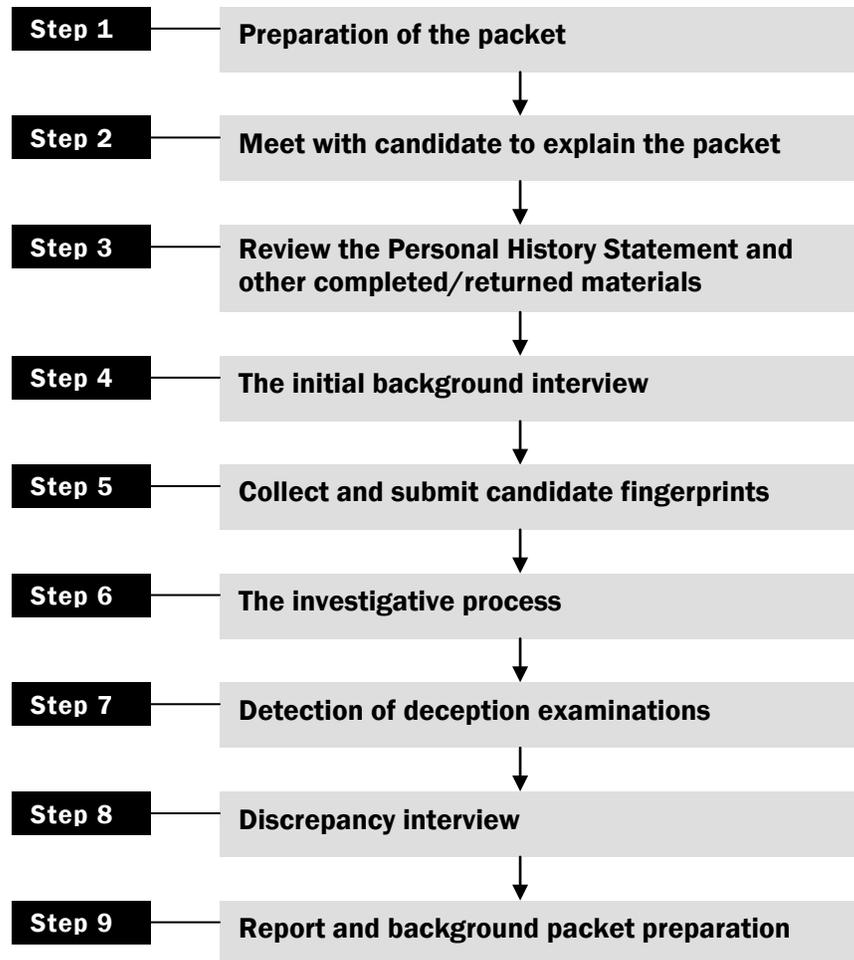
- 1) The amount of time available to complete the investigation,
- 2) The resources available for conducting background investigations,
- 3) Whether background investigations are a full-time assignment or an ancillary duty,
- 4) The extent to which the agency has clearly defined background and hiring policies,
- 5) Availability of clerical support,
- 6) The agency's policy regarding interactions between the background investigator and others involved in the hiring process (i.e., the truth detection examiner, psychologist, or medical doctor), and
- 7) The background investigator's role in the hiring decision.

Investigators must also balance agency resources against the value of the background information to be gained. Geography, logistics, staffing, funding, and urgency all have an impact on available resources. The fewer resources available, the more important it is to choose wisely when investing time and effort in a specific situation. Careful planning is critical; investigators must learn to maximize the available time and personnel resources. For example, driving halfway across the state to speak with a manager at the local fast food restaurant where a candidate worked eight or nine years ago may not be a very productive use of time.

## THE BACKGROUND STEPS

The background investigation phases or “steps” are graphically represented in **Figure 4.1** below. These steps pertain to the investigations of both peace officers and public safety dispatchers; however, the scope, depth, and necessity of a particular step may vary between these two classifications.

**Figure 4.1**  
**THE BACKGROUND INVESTIGATION PROCESS**



Agencies have considerable latitude in how these steps are ordered and implemented, and even whether certain steps (e.g., discrepancy interviews) are performed at all. However, federal and state laws do restrict when certain phases of the hiring process can or must be conducted. As discussed in the previous chapter, medical and psychological examinations must be conducted post-offer. The sequencing of the background investigation with respect to the conditional offer of employment was discussed in the previous chapter, and will be revisited later in this chapter.

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## Step 1 Preparation of the Packet

The precise composition of a background packet will vary from agency to agency, based on department policies, guidance from the agency's legal counsel, and consultation with the agency's human resources or personnel department. At a minimum, the packet should include:

- Agency-specific information - hiring requirements and policies, detailed instructions, etc.
- A personal history statement<sup>25</sup> (e.g., POST Forms [2-251/2-255](#) or local agency alternative) that the candidate must complete and return
- A list of documents (birth certificates, high school transcripts, etc.) that the candidate is expected to furnish (and how and when they are to be furnished)
- Multiple waivers and authorization forms, such as:
  - advisements regarding false statements (sample [B.2](#) in **Appendix B**),
  - lateral advisements (samples [B.3](#) and [B.4](#) in **Appendix B**), and
  - authorization forms for release of information (samples provided in **Chapter 5**, subsection [PHS Section 5: Experience and Employment](#)).

Actual agency advisements and forms should be on current department letterhead, reviewed by legal counsel, and notarized as necessary.

- Credit Advisement Form [to comply with the Fair Credit Reporting Act ([15 USC §1681](#)) and the California Consumer Credit Reporting Agencies Act (Civil Code [§1785.20](#) and [§1785.20.5](#)).
- If a contract investigator is to be used, appropriate Investigative Consumers Reporting Agencies Act (ICRA) forms should be included. (Note: This is a legally complex subject. Investigators should **never** attempt to devise the forms for this specific use without very careful guidance from their agency's legal counsel.)<sup>26</sup>
- Additional forms (e.g., blank supplementary questionnaires, child abuse and adult abuse reporting statements, drug policies, etc.).

Labor Code [§432](#) specifies that applicants are entitled to copies of all application documents that they are required to sign.

Investigators are unlikely to be charged with the responsibility for developing a background packet. Departmental forms, including blank waivers, are important documents which require the review and concurrence of the chain of command and the agency's legal counsel. Even the format/layout of official correspondence is commonly specified by the department head. However, investigators must bear responsibility for ensuring that departmental information is current and contains up-to-date contact information.

It is useful to maintain complete background packets for potential candidates. More efficient still, these packets can be placed on-line or on a CD-ROM. There are many advantages to electronic packets. First, needed changes can be effected quickly and the warehousing of blank packets is minimized. (Note that the POST [PHS forms](#) are on-line.) Copies of these forms

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<sup>25</sup> The POST Personal History Statement is referenced throughout this chapter; however, other alternative personal history statements are acceptable.

<sup>26</sup> Financial Credit Reporting is discussed in "[PHS Section 7: Financial](#)" of **Chapter 5**.

for candidates can easily be reproduced from this packet. Second, maintaining electronic packets allows the investigator to personalize each packet. By simply “searching and replacing,” proper dates, gender, names, and other needed identifying data can be inserted. Third, keeping an electronic master packet minimizes the likelihood that a needed form will be overlooked or misplaced from a hard-copy file. Fourth, if changes occur in the law, it is simple to update the file, rather than engage in the tedious process of replacing outdated items in an already-printed inventory.

## Step 2

### Meet with Candidate to Explain the Packet

It is a good idea to meet with the candidate to present the background packet personally. By explaining each item in the packet, communication between the candidate and the investigator is fostered and confusion can be avoided. Investigators who question the need for this step do well to remember their own surprise when, as a candidate, they were first handed a background packet. Candidates for employment as a peace officer or public safety dispatcher may never have been confronted with such a comprehensive application document.

At this initial meeting, agency-specific requirements or policies can be discussed and each section of the Personal History Statement can be reviewed, emphasizing the need to be honest, thorough, and complete. The list of required documents should be reviewed as well. An agreed-upon time can be established for the candidate to return the completed documents. The investigator and candidate should exchange contact information, including cell phone numbers and e-mail addresses.

Note that, although LC [§450](#) prohibits employers from charging applicants for submitting job applications and related expenses (e.g., taking employment examinations), this statute may not pertain to costs borne by candidates for obtaining their own personal, official documents (e.g., transcripts, birth certificate). Therefore, it may be permissible to require candidates to pay and be responsible for acquiring these documents.

## Step 3

### Review the Personal History Statement and Other Completed/Returned Materials

Once the candidate has completed a background packet, the investigator should review the submitted materials. The completed Personal History Statement should be reviewed to establish that there are no immediately disqualifying factors (e.g., felony conviction for peace officer candidates, lack of position-appropriate citizenship, admitted current illegal drug use, etc.). Notes should be made of responses and issues that require attention in the earliest steps of the investigation, including during an initial background interview.

It is permissible to make copies of passports, Certificates of Naturalization, and other official documents to include in the background investigation file (Note: Only copies made with the intent to defraud are prohibited by law). Copies should include a notation that the original or certified copy was inspected, the date of inspection, and the signature of the investigator.

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## DOCUMENT ANALYSIS

A typical background investigation may include 50 or more pages of documents, ranging from the Personal History Statement to copies of various releases to vital statistics documents, transcripts, credit reports, criminal histories, etc. The verification of all these documents can be challenging at best.

The analysis of original documents is far preferable to facsimile reproductions. The candidate should be required to bring original documents (or, in some cases, certified copies) to the investigator. If necessary, duplicates can be made and the originals returned to the individual. If copies are made, the investigator should make a note that the originals were reviewed.

In general, there are three issues that must be addressed when analyzing a document:

- 1) Is it authentic? Does it look real?
- 2) Is the information consistent with other claims made by the candidate, and the information already submitted or uncovered in the background?
- 3) Is it sufficient, that is, does it provide legally acceptable proof?

If in doubt about a given document, the best advice is to check with the originating source. Virtually any official document can be verified by the agency or institution of issuance. However, this can be a very time-consuming process; therefore, there are a few checks that investigators can initially do themselves, for example:

- 1) the social security number provided can be matched against the number on the college transcripts, credit report, and fingerprints,
- 2) the information on the driver's license can be checked against the information on the official driving record, and
- 3) the Selective Service registration number can be matched against the number obtained on-line.

Most documents submitted by candidates are what they say they are. The most common types of deficiencies involve documents that, although genuine, are not legally sufficient. Examples include:

- Ceremonial birth certificates from hospitals that, although real, are not legal birth certificates.
- School transcripts, although genuine, from unaccredited educational institutions.
- Credit reports that are real, but over one year old.
- Automobile liability insurance cards that are real but expired, or that do not name the candidate as an insured.

## Step 4 The Initial Background Interview

It is advisable to meet with the candidate to review the information. This interview may take place either during or after the review of the information by the investigator. This initial background interview allows the investigator to:

- affirm with the candidate that documents are true, correct, and up-to-date,
- explore reasons or explanations for curious, suspicious, or incomplete responses,
- correct truly inadvertent errors or oversights and,
- get an overall feel for the candidate.

If corrections are necessary, they can be made in one of several ways: 1) on a separate working copy, thereby preserving the original; 2) on the original document, but only in a different color of ink, or 3) by having the candidate submit supplementary sheets explaining each correction. Available time and investigator's/department's preference dictate which of these options is best.

Agency policy will dictate the treatment and disposition of inaccurate or incomplete information. Some agencies have a zero tolerance for such error, insisting upon a correct and complete document the first time; others are more lenient.

Candidate responses that are vague, suspicious, or incomplete should be the focus of further questioning. This process will provide valuable insight into where the likely problems are to be found, thus allowing the investigator to begin prioritizing the focal points of the investigation.

It is recommended that this interview and all others be tape-recorded. Tape recordings can be a valuable back-up to the investigator's memory, especially in the event that a single investigator is handling multiple backgrounds. It also provides solid proof of what was asked and the content and manner of the answers. Candidates must be informed that interviews are being recorded.<sup>27</sup>

The initial background interview is also an ideal time to have candidates execute all the necessary release and authorization forms. California law mandates that candidates be offered a copy of any document that they are required to sign.<sup>28</sup> A signed, notarized, comprehensive, and valid authorization for the release of information can offset the reluctance of contacts and references to answer questions about others. Sample releases are provided in [Chapter 5](#), "Areas of Investigation and the POST Personal History Statements" and the Appendices; however, it is critical that the agency's legal counsel play an active role in the design, approval, and/or use of these forms. Unless otherwise specified, authorizations for release of information may only be valid for 30 days.<sup>29</sup>

There may be circumstances where time or distance simply will not permit a face-to-face meeting between the investigator and the candidate. In this case, a telephone follow-up with the candidate may be the only means available.

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<sup>27</sup> PC [§632](#), et seq

<sup>28</sup> LC [§432](#)

<sup>29</sup> CC [§1798.24\(b\)](#). Note that the Information Practices Act only applies to state agencies; however, courts have applied provisions of this act to non-state agencies as well.

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## INTERVIEWING

A very substantial part of the background investigation process consists of making contact with a wide variety of individuals, including the candidates and their relatives, references, acquaintances, teachers, neighbors, employers, military acquaintances and others. All these individuals need to be interviewed, whether in writing, by telephone interview, or as a result of a face-to-face meeting.

The background process can be intimidating and intrusive to these interviewees, especially to the many candidates who have never experienced this depth of interrogation. Although candidates must cooperate fully and openly with a lawful background investigation, investigators are wise to remember that the best candidates are likely to have many choices — law enforcement and otherwise. The interview should be seen as an opportunity to represent the agency favorably in addition to uncovering job-relevant information.

With certain narrow exceptions, others who are contacted during the process are under no obligation to cooperate; investigators must rely upon their good will to gather the needed information. Unlike a criminal investigation, many people contacted in the course of a background have no idea that they were going to be interviewed, nor do they have expectations regarding the nature of the investigation. Many will be reluctant to answer questions about others. The investigator's skill in gaining the cooperation of others is critical. The style and manner in which these individuals are approached and interviewed will very often make the difference between success and failure.

There are many useful publications and resources dealing with the subject of interviewing, as well as a POST-certified course on Interviewing and Interrogation. It is beyond the scope of this manual to provide an in-depth discussion of effective interviewing. Presented below is a brief overview of some of the more important aspects of interviews that have the most direct bearing on the conduct of background investigation. Much of the information presented here was adapted from POST's "[Interviewing Peace Officer Candidates: Hiring Interview Guidelines \(2003\)](#)."

## PREPLANNING

By taking the time to prepare and ask job-related questions and focus the interview on candidate qualifications, investigators maximize the use of the time spent in the interview and send a powerful message to interviewees that they are serious about evaluating candidates carefully and selecting the best person for the job. This positive message reflects well upon the agency, and can prove to be an effective recruitment device, as candidates appreciate employment practices that are thorough, job-related, and even-handed.

## BEGINNING THE INTERVIEW

### Establishing Rapport

Creating an accepting, open environment helps relieve the interviewees' anxiety, which in turn allows them to feel comfortable giving honest, candid answers. Therefore, building rapport can enhance the effectiveness of the interview by yielding more complete and accurate candidate information.

Open the interview session by greeting the individual with a sincere smile, lots of eye contact, and a firm handshake. Providing information about the background investigation can both serve as an icebreaker as well as ensure that interviewees understand the process

*continued*

and what is expected of them. Interviewees must be informed if an audio recording device is used. They should be encouraged to respond candidly and completely to all questions, to provide specific examples of past behavior, when appropriate, and to ask for clarification if a question is unclear.

## POSING QUESTIONS

### Open Versus Closed Questions

Questions can vary by the type of response required of the candidate, ranging from a simple “yes” or “no” (closed questions) to an in-depth answer. In general, answers to ***closed questions*** (e.g., “Have you ever worked the night shift?”) are often so short that they do not provide interviewers with sufficient, useful information. The result is that interviewers end up doing more talking in the interview than the candidate does. A “yes or no” question, for example, may require 15–20 words to ask, but only elicit a 1–3 word response. Therefore, questions that are open-ended are generally preferable.

Although they should be used sparingly, closed-ended questions do have their place in the background investigation. During the interview, they are useful for verifying facts, eliciting specific details, addressing questions arising from the candidate’s written responses, or for checking minimum qualifications.

***Open questions*** require candidates to provide specifics, details, and other information. These questions are useful in finding how well the candidates organize their thoughts and sometimes they can reveal attitudes and feelings critical to effective job performance. They are generally more effective than closed-ended questions at developing insight into a candidate’s experience and abilities.

## QUESTION PHRASING

Regardless of format, all questions must be worded ***clearly, simply, and concisely***. The candidate must understand what is being asked without having to second-guess or read between the lines.

Interviewers can have a significant influence over the responses of candidates based on the specific wording chosen to communicate the question. ***Leading questions*** indicate to the candidate the response that the interviewer wants. Leading questions include those in which the correct answer is fairly obvious (e.g., “How important is it for a peace officer to have integrity?”) or implied by the way the question is phrased or delivered (e.g., “Would you be willing to use deadly force, if necessary?”)

## FOLLOW-UP/PROBING

***Follow-up questions*** can serve three important functions: clarification, elaboration, and verification.

**1) Clarification** – Follow-up questioning may be necessary if the interviewee’s response was vague or confusing, or indicates that he did not understand the question. Investigators should ask clarifying questions if they find themselves needing to make inferences or assumptions to fill in the gaps in the information provided. Sometimes clarifying questions may be as simple as repeating the initial question. Otherwise, clarifying follow-up questions typically begin with phrases such as “Could you explain again...,” “Help me understand,” or “What do you mean ...” It may also be appropriate to paraphrase what the individual said: “If I heard you correctly, here is what you said...”

*continued*

**2) Elaboration** – An individual may provide a brief answer that needs to be expanded. In these situations, follow-up questions can be used to obtain more details. Sometimes a simple pause – saying nothing – will elicit a further response. Otherwise, probes such as “Tell me more about...,” “Walk me through...,” “Could you expand on...,” or “Please provide an example” can prompt additional, necessary information. Even if the response was complete, at times it may be useful to request another example or other additional information to ensure a complete picture of the individual.

**3) Verification** – In an effort to present themselves in the best possible light, candidates may provide impressive but not necessarily complete and accurate responses. Asking follow-up questions to obtain details about how, who, when, and where will help interviewers separate what is being said from how it is being said, to ensure that they are not unduly influenced by candidate presentation skills alone. Pressing candidates and others for specifics allows the investigator to retain control of the interview by ensuring that the answers provided are complete, accurate and in line with information the investigator sought.

## INTERVIEWERS’ NONVERBAL BEHAVIOR

Nonverbal behavior (eye movements, changes in posture, facial expressions) can communicate as much information to the individual as the questions themselves. An investigator’s body language can either encourage or discourage information. There are several steps investigators can take to ensure that their nonverbal behavior creates an atmosphere in which the candidate will relax and talk more freely:

- Keep your eyes opened and focused on the individual, especially when asking questions or when a candidate seeks clarification.
- Maintain an open, interested posture: face the person, do not cross your arms; lean forward when listening to candidate responses.
- Keep a cheerful expression: smile, never frown, grimace or show confusion, disapproval, boredom, or impatience.
- Nodding your head indicates that you find the information useful and encourages the individual to continue, as does giving short verbal approval, such as “mm-hmm.”
- Speak at a reasonable, steady pace, using variation in voice loudness and tone to emphasize important points or requests and to keep communications sounding fresh and genuine.

## DECEPTION IN THE INTERVIEW

Avoidance of eye contact, rapid blinking, and nervous body movements are commonly interpreted – particularly by experienced law enforcement officers – as signs of deception. However, research has demonstrated that nonverbal behaviors are unreliable indicators of lying. For example, while some individuals do look away while lying, others increase their degree of eye contact. Fidgeting and other nervous body movements can be natural behavior for some and a natural reaction to the stress of the interview for others. Therefore, investigators should avoid drawing conclusions about an individual’s deceptiveness or other motives based on nonverbal behavior alone.

## Step 5 Collect and Submit Candidate Fingerprints<sup>30</sup>

Agencies differ as to when fingerprints are obtained and submitted to the Federal Bureau of Investigation (FBI) and the Department of Justice (DOJ). Although Livescan responses may return in 24 hours or less, problem records can take upwards of 30 days. Firearms clearance letters are mailed separately and may take several weeks to process.

For peace officer candidates, there will be three documents returned to the agency: 1) the criminal record return from the DOJ's Bureau of Criminal Identification and Investigation, 2) the FBI criminal record return document, and 3) the DOJ firearms eligibility clearance return. The first two documents will also be returned for public safety dispatcher candidates. Each one of the documents must be reviewed carefully to ensure that there is a clearance on the return document, as error messages transmitted to the employer via email look very similar to actual Livescan reports. Therefore, investigators must carefully inspect these returns to avoid potential problems. Note that Livescan defaults to checking only California records for nonsworn candidates. Therefore, investigators must ensure that FBI fingerprints are specifically requested for public safety dispatcher candidates.

Any indication of criminal activity or a negative return must be thoroughly reviewed to determine compliance with POST and agency selection standards.

NOTE: Effective January 1, 2010, DOJ is required to provide the date and name of every agency that has previously requested a search of the candidate's pre-employment criminal history [PC [§11105\(k\)](#) and [\(l\)](#)].

## Step 6 The Investigative Process

Each background investigation may take 40 or more working hours of an investigator's time. The investigative hours are likely to be spread out over many weeks, depending upon the candidate. Type of history, length of history, number of candidates, geographical history, available resources, and even competing demands on the investigator's time all have an impact on the length of time required.

Investigators should be aware of the available resources before embarking upon the investigation. Resource realities will dictate whether the investigation will focus on mailed inquiries, phone calls, face-to-face interviews, or some combination thereof.

Regardless of the manner in which references are contacted, the investigator must determine who and how many individuals to contact. The following general guidelines may help:

- Rather than using a "shotgun approach" (i.e., contacting everyone to ensure completeness), assess the expected value of the comments from a particular reference against the resources expended to get the information.
- Begin in the areas that appear to be the most time-consuming or an area which, if explored, is most likely to reveal information that will disqualify the candidate from further consideration. The areas will vary from candidate to candidate.

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<sup>30</sup> Fingerprinting is also discussed in the Legal section of [Chapter 5](#), Areas of Investigation, and the POST Personal History Statements.

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- Contact a diverse group of persons who know the candidate across a variety of contexts (home, school, work, socially, the military). Often, the point of diminishing returns is reached when this type of diverse group echoes the same information about the candidate, both positive and negative. If significantly different information is revealed, or the contacts only know the candidate in a very limited context, more interviews are probably appropriate.

## CYBER-INVESTIGATIONS: INTERNET SEARCHES AND SEARCH ENGINES

Internet searches may provide quick and convenient access to many public records not easily inspected in-person, provide background information on individuals who appear in the local media or other internet sources, and even assist in locating individuals and/or their employers when information furnished on a PHS is incomplete or out-of-date. However, the lure of cybersearching can easily result in countless valuable hours surfing for information of marginal use. An investigator must continuously balance the time available for the investigation against the potential value of information to be gained as a result of such searches.

It is also quite easy to spend excessive amount of time and resources searching on subscription search engines (e.g., Lexis-Nexis, Equifax, Autotrak, WestLaw). When using commercial search engines, it is wise to identify the focus of the search beforehand and narrow inquiries to information that will be of maximum value (and not otherwise reasonably available at a lower cost). This practice is advisable even when accessing free search engines (e.g., Google, Yahoo, MSN).

The proliferation of social networking sites (e.g., MySpace, Facebook, Twitter), may provide additional insights regarding candidates. Background investigators and others involved in the selection process may also find benefit in checking these sites and, where necessary, directing candidates to “unlock” their individual pages.

While the internet generally provides for the quick and inexpensive transmission of information, it is not secure. Background investigators are generally in possession of huge amounts of highly personal and sensitive data concerning their candidates, and care must be exercised before this information is transmitted over the internet.

### Step 7

#### Detection of Deception Examinations

The administration of pre-employment “detection of deception” examinations (i.e., polygraph, voice stress analysis) is *not* a POST requirement; rather, their use is a matter of agency discretion.

Agencies electing to conduct a detection of deception examination should do so based on a full understanding of the advantages and limitations associated with this procedure. The placement of the examination within the pre-employment screening process should be decided in consideration of federal and state disability statutes. The ADA/FEHA statutes prohibit pre-offer inquiries involving medical or psychological disabilities, including history of drug use and current or past alcoholism. This prohibition applies even if the agency outsources this step in the process. Agencies should carefully review the provisions of California law and relevant case law with respect to the use and permissibility of such examinations.

## Step 8 Discrepancy Interview

A discrepancy interview may be held if inconsistencies or other issues arise during the conduct of the investigation that impact a candidate's employment eligibility. It is recommended that the investigator prepare for the meeting by writing a description of each issue to be discussed. At the start of the interview, the candidate should be provided with a copy of the written description of each discrepancy, and given ample opportunity to provide a complete explanation for each identified issue. This interview is not the place to make any commitment to the candidate as to the outcome of the background investigation process.

It is highly recommended that all discrepancy interviews be audio or video recorded, with the knowledge of the candidate. As discussed previously, this prevents misinterpretation or misrepresentation of what was said.

## Step 9 Report and Background Packet Preparation

The heart of the background investigation is the completed package. Excellent investigative work needs to be competently, clearly, and defensibly documented. The background report must clearly address all required areas of inquiry as they relate to the essential attributes as defined in the background dimensions.

Below are some general guidelines for writing effective reports:

- 1) Write for the reader! If the report cannot be understood, is too long, poorly written, or too confusing, it will not be read and nothing is gained.
- 2) Do not bury critically important information.
- 3) Assume that everything in the report might ultimately be subject to discovery. Avoid including information that cannot be supported with facts or corroboration.
- 4) Impressions count. While investigators should avoid injecting personal bias in any official action, their ability to assess the credibility and/or motives of others is key to a successful background.
- 5) If it cannot be documented, it did not happen. Do not put the agency in a position of having to defend something that is not documented.
- 6) Always keep in mind the visibility and importance of the background report and the investigation itself. The decisions resulting from this report will affect the quality of the agency's workforce. Their safety and effectiveness may well depend upon how well the investigation has been conducted and documented.

## THE BACKGROUND PACKAGE

Commission Regulations 1953(g)(1) and 1959(g)(1) –Background Narrative Report – stipulate:

“The background investigator shall summarize the background investigation results in a narrative report that includes sufficient information for the reviewing authority to extend, as appropriate, a conditional offer of employment. The report, along with all supporting documentation obtained during the course of the background investigation, shall be included in the candidate's background investigation file. The supporting documents shall be originals or true, current and accurate copies as attested to by the background investigator. The background investigation file shall be made available during POST compliance inspections.”

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The typical completed background package includes:

- Narrative summary
- Results of interviews
- Personal History Statements (PHS)
- Copies of relevant supporting documents
- Completed background report

These documents should be organized in a consistent, systematic manner. A package that is poorly organized or difficult to understand is unfair to the candidate as well as an inefficient use of the investigator's time and agency resources. POST offers sets of [tabbed dividers](#) for organizing peace officer and public safety dispatcher background reports. These background investigation report organizers may be ordered by contacting the POST Training Delivery and Compliance Bureau at 916 227-4863.

Use of these tabbed dividers is not mandatory, as POST does not dictate the precise format of a completed background package. What *is* important is that the background package be **complete and organized so that all information can be readily located by the appointing authority and by POST consultants during the audit process.** [Chapter 6](#), "POST Compliance Inspections," includes detailed guidance on organizing the background investigation package in accordance with POST requirements.

Some agencies employ a system that includes a narrative that omits specific sources of information and sometimes specific details. This narrative, coupled with non-confidential material, might be shared with the candidate or others when required by law without compromising confidential and/or privileged information.<sup>31</sup> Note, however, that information and documents collected in the course of the background investigation supporting the required areas of inquiry and investigation must be retained as discussed below under [Record Retention](#).

The choice of a background organizational reporting system should be made in close consultation with agency command staff and the department's legal counsel.<sup>32</sup> As noted earlier, any narrative and packaging system selected/developed must assure that all areas of inquiry and investigation are thoroughly documented in compliance with POST regulations.

An "**investigator's checklist**" is recommended, regardless of the reporting system chosen. The checklist should be included in the package,<sup>33</sup> along with all supporting documents situated in the appropriate sections of the completed background report packet (e.g., birth certificates, marriage dissolution documents, educational records, military records, credit report, fingerprint returns, motor vehicle records, and clearance letters from the psychologist and the medical evaluator).<sup>34</sup> Example checklists are provided in [Tables 4.1](#) and [4.2](#).

A **sample of a partial background report** is included in [Appendix C](#), illustrating the amount and depth of information that should be included. This sample report begins with a background

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<sup>31</sup> See Civil Code [§1798.38](#), [§1798.40](#), [§1786.10](#), Penal Code [§13302-§13303](#), etc. and *Johnson v. Winter*, 127 Cal.App. 3d 425

<sup>32</sup> Privileges, exemptions, and immunities from disclosure may be impacted by the format selected by an agency; a careful review of CC [§1786](#) and [§1798](#) is recommended.

<sup>33</sup> Because the checklist contains the identities of references and contacts, it is specifically protected by statute (CC [§1798.38](#)) and *Johnson v. Winter*, 127 Cal. App. 3d 425.

<sup>34</sup> The actual psychological and medical reports are not included in the background investigation report, but rather kept separate, per the confidentiality provisions of ADA, FEHA, and HIPAA.

investigation checklist that documents the individuals contacted and the steps followed. A narrative summary, followed by an executive summary, are located behind POST report [Tab A](#), Background Narrative Report.

Appendix C then includes the edited versions of interviews with contacts behind the appropriate tabs, including previous employers ([Tab K](#)), relatives and references ([Tab L](#)) and neighbors ([Tab M](#)). Note that there may well be additional documentation, such as returned questionnaires, included in these sections along with the edited narrative interviews.

**Note:** *Previously completed background reports can serve as a useful training aid for new investigators; however, care must be taken to protect the privacy rights of the persons mentioned on these completed forms.*

## REPORT RECOMMENDATIONS

Agency policy will generally dictate whether the investigator is required to offer a recommendation. However, the hiring decision rests with the department head.

It is recommended that background investigators not include recommendations in their report unless their recommendations are *always* followed. This avoids placing the agency in the potentially embarrassing position of having to explain a hiring decision in the face of the investigator's contrary recommendation.

Rather than making such recommendations, investigators should summarize their findings — especially negative information — around the POST background dimensions.<sup>35</sup> Doing so can greatly aid the agency hiring authority's review and evaluation of the information contained in the larger report. An "executive summary," if used, is an excellent location for expressing the results of the investigation in terms of their impact on these critical attributes.

## RECORD RETENTION

All parts of the narrative report need to be retained in the background package for inspection by POST in order to verify that all mandated areas of inquiry were thoroughly addressed. In addition, Commission Regulations 1953(g)(2) and 1959(g)(2) stipulate:

The background narrative report and supporting documentation shall be retained in the individual's background investigation file for as long as the individual remains in the department's employ. Additional record retention requirements are described in Government Code § 12946.

Government Code [§12946](#)<sup>36</sup> stipulates that all files containing records of application — including background information — must be retained for a minimum of two years after the files were initially created in the case of applicants who were not hired; records of terminated employees must be maintained for a minimum of two years from the date the employment action was taken. If notified that a verified complaint has been filed against it, an agency must preserve all records and files until the final resolution of the complaint.

Information gathered as a part of a background (as well as the overall hiring) process should never be destroyed without guidance from and the concurrence of agency command staff and,

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<sup>35</sup> The POST background investigation dimensions are described in [Chapter 2](#)

<sup>36</sup> Retention requirements for counties are addressed in GC [§26202](#); requirements for cities are covered in GC [§34090](#)

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as appropriate, the agency's legal advisor. In addition to potential violations of POST regulation, the improper destruction of these records is a criminal offense in California.<sup>37</sup>

**Q: Must an investigator's handwritten notes be preserved along with the rest of the background?**

A: If an investigator's notes are rough drafts of material faithfully and entirely reproduced in the background file, they do not have to be maintained. However, if the notes are the only record of information obtained, they would be subject to the same retention requirements as any other aspect of the background investigation.

## THE CONDITIONAL OFFER OF EMPLOYMENT

Traditionally, the completed background investigation package is forwarded to the hiring authority for evaluation. Those candidates found suitable are then notified by a conditional offer of employment (COE). However, closing out the background investigation prior to a COE limits lawful inquiries into areas such as history of illegal drug use, extent of alcohol use, or other disability-related issues that are prohibited at the pre-offer phase. Therefore, at a minimum, the COE should inform candidates that further background issues may continue to be investigated as warranted. A sample COE is provided in [Appendix B](#).

By law, the entire background investigation may not be deferred to the post-offer phase. However, both ADA and FEHA regulations include provisions for allowing for the deferral of certain nonmedical or non-psychological inquiries until the post-offer stage *"if the employer can demonstrate that the information could not have reasonably been collected prior to the COE."*

A thorough discussion of the practical implications and options for the sequencing of the background investigation with respect to the COE is discussed in **Chapter 3**, "Legal Qualifications and Statutory Framework" (see "[The Conditional Offer of Employment: Pre- and Post-Offer Inquiries](#)"). That section includes a discussion of GC 1031.2, a statutory provision that went into effect in January, 2009 that specifically addresses the pre/post offer sequencing of peace officer background investigations. As emphasized in Chapter 3, no changes in the sequencing of either the peace officer or the public safety dispatcher background investigation should be implemented without the direct involvement of the agency's legal counsel.

## MEDICAL AND PSYCHOLOGICAL EVALUATIONS AND BACKGROUND INVESTIGATIONS FOLLOW-UP

Medical evaluations are required for both peace officers and public safety dispatchers; associated POST regulations are contained in Regulation [1954](#) (peace officers) and [1960](#) (dispatchers). Only peace officer candidates are legally required to undergo a psychological examination (Regulation [1955](#)).

Even if the background investigation is conducted pre-offer, background investigators may need to follow-up on personal history topics that could not be fully investigated at the pre-offer stage, such as extent or frequency of past illegal drug use, current/past alcohol abuse, and behavior issues or performance problems associated with medical or psychological conditions.

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<sup>37</sup> Government Code [§6200-§6201](#) make it a crime to improperly destroy a public record, whereas GC [§12946](#) controls the destruction of "records of application."

A request for any information or explanations that the applicant may have lawfully withheld at the pre-offer stage can be included with the conditional offer of employment itself.

During the course of the background investigation, the investigator may uncover information indicating that a candidate may be unfit for physical, emotional, or mental reasons. In such cases, the investigator should refer the information to the appropriate professional for evaluation. Furthermore, it is not uncommon for an examining physician or psychologist to seek information from the background investigator that might bear on a particular aspect of the candidate's medical or psychological condition. There may also be times when the physician or psychologist uncovers information unknown to but relevant for the background investigator. This information should be forwarded to the background investigator for evaluation and additional investigation if appropriate. In general, the psychologist, physician, and background investigator should work cooperatively as long as the information — especially that from the psychologist or physician to the background investigator — is provided on a strictly “need to know” basis [see Regulations [1953\(d\)](#)/[1959\(d\)](#)].

## MEDICAL AND PSYCHOLOGICAL EXAMINATION DOCUMENTATION

Findings of the medical and psychological suitability evaluations must be reported in writing to the appointing authority for use in the hiring decision. As stipulated in Regulations 1954, 1955 and 1960, these documents must include:

- a) The evaluator’s contact information and medical license number,
- b) The candidate’s name,
- c) The date the evaluation was completed, and
- d) A statement, signed by the physician/evaluator, affirming that the candidate was evaluated in accordance with Commission Regulations. The statement shall include a determination of the candidate’s medical/psychological suitability for the position.

This document may also include information regarding the candidate’s need for reasonable accommodation, as necessary.

Documentation of medical/psychological clearance is intended to be kept in the individual’s background file; however, the actual report and other documents that include medical and/or psychological information must be kept separately and securely.

## SECOND OPINIONS

California Regulation [[2 CCR §7294.0\(d\)\(2\)](#)] grants all candidates who are rejected based on the results of a medical or psychological evaluation the right to submit an independent expert opinion for consideration before a final determination of disqualification is made.<sup>38</sup> When a candidate notifies the department that s/he is seeking an independent opinion, the department is now required to make available the job duties, powers, demands, and working conditions, and the POST medical/psychological screening requirements (Commission Regulations [1954](#), [1955](#), and [1960](#)). Other information may be shared with the second-opinion evaluator, such as specific procedures or findings from the initial evaluation, at the discretion of the department as appropriate.

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<sup>38</sup> Code of Regulations, Title 2, §7294.0, subd. (d)(2) can be found by searching the California Office of Administrative Law’s [online source for CCRs](#).

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The means for resolving discrepancies in evaluations rests with the department, consistent with local personnel policies and/or rules. Regardless of whether it is created by the departmental physician or a second (or third) opinion evaluator, a Medical Evaluation Report, in compliance with POST medical/psychological documentation requirements, must be included in the background file of all candidates who are subsequently hired.

### **FINAL EVALUATION – FORMAL OFFER OF EMPLOYMENT**

At this time, the hiring authority should have a completed background report, including any required follow-up investigation. All documentation should be secured in the file, the narrative report of the background investigation completed, all medical and psychological screening requirements conducted, and any discrepancies resolved. The appointing authority is now ready to make a final hiring decision.

Once a formal offer of employment has been accepted, a Notice of Appointment (POST Form [2-114](#)) must be submitted to POST within 30 days of appointment.



**Table 4.1** *continued*

**BACKGROUND INVESTIGATION CHECKLIST – PEACE OFFICER**

NAME	POSITION
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**3. Record Checks Completed**

TYPE OF INQUIRY	DATE		BY	TYPE OF INQUIRY	DATE		BY
	LETTER MAILED	REPLY RECEIVED			LETTER MAILED	REPLY RECEIVED	
<b>Educational Documents</b>				<b>Legal Records</b>			
				FBI Record			
				CA Department of Justice			
				Firearms Clearance Letter			
<b>Credit Records</b>				Local LE Agency Checks:			
<b>Military Records</b>							
<b>DMV Records</b>							

**4. Examinations Completed**

TYPE OF SCREENING	DATE	BY	OTHER	DATE	BY
Medical Screening Completed					
Psychological Screening Completed					

**5. Additional Actions Completed**

TYPE OF ACTION	DATE	BY	COMMENTS
Applicant Orientation and Questionnaire Review <i>(Optional)</i>			
Applicant Discrepancy Interview, if any <i>(Optional)</i>			
Narrative Investigation Report Completed			



**Table 4.2** *continued*

**BACKGROUND INVESTIGATION CHECKLIST – PUBLIC SAFETY DISPATCHER**

NAME	POSITION
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**3. Record Checks Completed**

TYPE OF INQUIRY	DATE		BY	TYPE OF INQUIRY	DATE		BY
	LETTER SENT	REPLY RECEIVED			LETTER SENT	REPLY RECEIVED	
<b>Educational Documents</b>				<b>Legal Records</b>			
				FBI Record			
				CA Department of Justice			
				Local LE Agency Checks:			
<b>Credit Records</b>							
<b>Military Records</b>							
<b>DMV Records</b>							

**4. Examinations Completed**

TYPE OF SCREENING	DATE	BY	OTHER	DATE	BY
Medical Screening Completed					
Psychological Screening Completed <i>(Optional)</i>					

**5. Additional Actions Completed**

TYPE OF ACTION	DATE	BY	COMMENTS
Applicant Orientation and Questionnaire Review <i>(Optional)</i>			
Applicant Discrepancy Interview, if any <i>(Optional)</i>			
Narrative Investigation Report Completed			

**Figure 4.2**  
**BACKGROUND**  
**INVESTIGATION**  
**REPORT ORGANIZERS**

*(Tab divider sets are available through POST)*



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## Chapter 5

# AREAS OF INVESTIGATION AND THE POST PERSONAL HISTORY STATEMENTS

Commission Regulations [1953](#) and [1959](#) specify the required sources of information for background investigations of peace officers and public safety dispatchers, respectively. The required ten sources of investigation are:

- 1) Personal identifying information
- 2) Relatives and other references
- 3) Educational history
- 4) Residential history
- 5) Employment history
- 6) Military history
- 7) Financial history
- 8) Legal history
- 9) Driving history
- 10) Other topics related to assessing moral character

These information sources generally apply to both peace officers and public safety dispatchers; however, there are statutory and regulatory differences in the manner in which these areas can be investigated. These differences are highlighted in [Table 5.1](#), which compares areas of investigations for these two occupations.

### THE POST PERSONAL HISTORY STATEMENT (PHS)

Per Commission Regulations 1953(c) and 1959(c), candidates must complete a personal history statement before the onset of the background investigation. Although the POST Personal History Statement will satisfy this requirement, it is not required. However, any form used to meet this requirement must include questions in the ten areas of inquiry listed above.

POST offers two Personal History Statements to assist in the conduct of background investigations:

- 1) Personal History Statement – *Peace Officers* (POST [2-251](#))
- 2) Personal History Statement – *Public Safety Dispatchers* (POST [2-255](#))

**Table 5.1**  
**COMPARISON OF AREAS OF BACKGROUND INVESTIGATION FOR PEACE OFFICERS**  
**AND PUBLIC SAFETY DISPATCHERS**

Type/Source of Information	Peace Officer	Public Safety Dispatcher
1. State Department of Motor Vehicles	Driving record and adherence to law	Same
2. High school and all higher educational institutions attended	Verify U.S. high school diploma or equivalent, per GC §1031(e), and character of candidate	Determine school record and character of candidate
3. Official documents (e.g., birth certificates, citizenship papers)	Verify age and citizenship per GC §1031 (a) and (b) <sup>39</sup> and eligibility for employment per 8 USC §1324a	Verify eligibility for employment in United States per 8 USC §1324a
4. Police files in jurisdictions where candidate resided, worked or frequently visited	Determine if criminal record exists	Same
5. Criminal records of the California Department of Justice	Establish legal eligibility for employment and possession of a firearm (via firearms clearance letter)	Establish DOJ eligibility for unsupervised CLETS access, and assessment of integrity and moral character
6. Federal Bureau of Investigations records	Establish legal eligibility for employment and possession of a firearm per GC §1031 and §1029, PC §29805, and U.S. Code Title 18 §922(d)(9)	Same as criminal records for CA DOJ
7. Previous employers	<b>For at least the past 10 years</b> , to determine quality of work record	<b>Within the past 10 years</b> , to determine quality of work record
8. References supplied by candidate, and other references supplied by the initial references	Determine whether candidate has exhibited behavior incompatible with the position sought	Same
9. Present and past neighborhoods	Determine whether the candidate has exhibited behavior incompatible with the position sought	Same
10. Credit records	Determine credit standing with lenders as an indication of dependability and integrity	Same
11. Military records in and outside of the U.S.	Determine the quality of service and proof of selective service registration where required by law	Same

<sup>39</sup> In addition, [Vehicle Code §2267](#) for CHP officers.

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The PHS forms listed in [Appendix D](#) can be downloaded from the POST website (<http://post.ca.gov/forms.aspx>). They may be completed by hand or electronically (except for initials and signatures).

Although the two PHS forms contain many of the same questions, there are several key differences as a result of both statutes and the different demands and requirements associated with these two professions. These differences are listed in [Table 5.2](#).

It is strongly recommended that, prior to using the POST PHS or any personal history statement; agencies submit the form(s) to their legal counsel for concurrence. Agencies who wish to revise the POST PHS prior to use at their agencies can request an unprotected version of these forms by emailing POST at: [publications.manager@post.ca.gov](mailto:publications.manager@post.ca.gov).

The PHS is divided into ten sections that parallel the required areas of investigation. Each section/area of investigation is discussed below, referenced by the corresponding section in the POST Personal History Statements.

### **PHS Section 1: Personal**

This section requests information on:

- Name (current, past, and nicknames)
- Address (residential and mailing)
- Contact Information (phone numbers and e-mail address)
- Citizenship Status/Eligibility for Employment
- Birth Place and Birth Date
- Social Security Number
- Driver's License
- Physical Description

This information is to be used to verify the candidate's identity, obtain contact information, determine that the candidate meets statutory requirements, and to enable fingerprinting and the accurate acquisition of documents required to successfully conduct the background investigation.

### **VERIFYING IDENTITY**

Establishing identity is a first critical step in the background investigation process. An original birth certificate or certified copy should at least be examined, a copy of which can be made for the investigator's records. If a birth certificate cannot be located (or is in a foreign language), an original U.S. passport or an original or certified copy of a Certification of Naturalization, or presentation of a valid Permanent Resident Alien card will suffice. Candidates can be assigned the responsibility for obtaining these documents, as well as all other personal documents.

**Table 5.2**  
**DIFFERENCES BETWEEN PEACE OFFICER AND PUBLIC SAFETY DISPATCHER**  
**PERSONAL HISTORY STATEMENTS**

Personal History Statement	Peace Officer	Public Safety Dispatcher
SECTION	POST FORM <a href="#">2-251</a>	POST FORM <a href="#">2-255</a>
1. Personal Information	Inquiries regarding: <i>U.S. citizenship or application for citizenship</i>	Inquiries regarding: <i>Legal authorization for permanent employment in U.S.</i>
2. Relatives and References	Requests contact information for 7 to 10 references	Requests contact information for 5 to 7 references
3. Education	Inquiries regarding: Attendance at a <i>POST Basic Academy</i>	Inquiries regarding: Attendance at a <i>POST Public Safety Dispatchers' Basic Course</i>
4. Residence	No difference	No difference
5. Experience and Employment	Requests candidate to list all <i>past and current employment</i>  Inquiries regarding: Past job performance problems with reference to the candidate's <i>entire</i> history of employment	Requests candidate to list employment for <i>past 10 years</i>  Inquiries regarding: Past job performance problems with reference to the <i>past 10 years</i> of employment (with the exception of selling or releasing confidential information)
6. Military Experience	No difference	No difference
7. Financial	No difference	No difference
8. Legal	Requests candidate to disclose all detentions, arrests, and convictions, including diversion programs that were not successfully completed, and in some cases, offenses that may have been pardoned, unless specifically exempted by state or federal law	Requests candidates applying to criminal justice agencies (as defined in PC § 13101) to disclose any detention, arrest, or conviction, except where sealed or expunged  Candidates applying to non-criminal justice agencies are only required to disclose arrests resulting in conviction, except where sealed or expunged
9. Motor Vehicle Operation	Inquiries regarding: <ul style="list-style-type: none"> <li>• Vehicle liability insurance</li> <li>• Accidents</li> </ul>	No inquiries regarding: <ul style="list-style-type: none"> <li>• Vehicle liability insurance</li> <li>• Accidents</li> </ul>
10. Other Topics	No difference	No difference

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It is permissible to make copies of official documents; only duplicates made with the intent to defraud are prohibited by law.

Both the parents' and the candidate's name should be verified on these documents. Any discrepancies should be explained.

### DISCREPANCIES IN NAMES – USE OF AN ALIAS

Name changes can occur for a variety of legitimate reasons, including marriage, adoption, or naturalization. The law permits individuals to use any name as long as the change of name is not for fraudulent purposes. However, the candidate should be able to produce documents that reflect these changes. Use of other names for fraudulent or other illegal purposes speaks directly to the individual's suitability for law enforcement.

### CITIZENSHIP

Every employer in the United States is required by law to show that anyone hired since June 1, 1986 is legally eligible to be employed in the U.S.<sup>40</sup> This is true for native-born citizens, as well as naturalized citizens and resident aliens.

- **Peace Officers** – Peace officers must, at a minimum, be either United States citizens or permanent resident aliens who are eligible for and have applied for citizenship. (Note: Peace officers with the California Highway Patrol must be United States citizens.)<sup>41</sup>

All individuals born within the contiguous 50 states and the territories of Guam, Puerto Rico, American Samoa, and a portion of the Virgin Islands are citizens of the United States. Proper evidence of citizenship is a valid birth certificate documenting birth in the United States, or a valid document from the Department of State documenting birth to an American citizen in a foreign country, such as a child of parents in the United States military or in other foreign service. Such documents are issued by the State Department. Other evidence of citizenship is a Certificate of Naturalization. Since U.S. Passports can legitimately be issued to non-citizens such as U.S. Nationals and some others (who are not citizens), they do not provide adequate proof of citizenship.

Government Code [§1031.5](#) stipulates that in order for resident aliens to achieve or maintain peace officer eligibility, citizenship status must be conferred within three years of application for citizenship. Resident aliens need to provide documentation that they are permanent resident aliens who are eligible and have applied for U.S. citizenship. Acceptable proof of citizenship includes both a Permanent Resident Alien Card issued by Immigration and Customs Enforcement (ICE) as well as a copy of an official receipt from ICE showing that the candidate's application for citizenship has been received. Note: "proof of mailing" from the Postal Service is not equivalent to a receipt issued by ICE.

Where an application for citizenship is not completed within three years, there is a presumption that the candidate is not cooperating with ICE. Any delays which push the application period beyond that three-year period must be the documented responsibility of ICE, rather than due to the failure of the candidate to complete the process.

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<sup>40</sup> [8 USC §1324a](#)

<sup>41</sup> [VC §2267](#)

- **Public Safety Dispatchers** – There are no unique citizenship requirements for public safety dispatchers; therefore, the dispatcher PHS only asks, "Are you legally authorized for permanent employment in the United States?"

#### BIRTH PLACE AND BIRTH DATE

Birth place and birth date is collected for identification purposes, for fingerprinting, and to verify that peace officer candidates meet the minimum age requirement of 18 years old.<sup>42</sup> Note that both federal and state laws prohibit employment discrimination based on age and national origin.

Age can be verified by presentation of a valid birth certificate or other documents as described above for verifying citizenship requirements.

#### SOCIAL SECURITY NUMBER

A Social Security number is collected to obtain credit records, Employment Development Department employment histories, employment files, and other information (including POST Peace Officer and Public Safety Dispatcher Profile Records). Care must be taken to ensure that this information is not shared with unauthorized individuals and is otherwise kept private.

#### PHYSICAL DESCRIPTION AND PHOTOGRAPHS

Photographs, as well as a physical description of the candidate (e.g., height, weight, hair color, eye color) can be very useful for positive identification purposes during the background investigation. The photograph should be taken when the candidate meets with the background investigator to start the background process. There are some candidate protection rules regarding use of photographs:

- Photographs are not permitted at time of initial application and may not be used as a basis for employment discrimination.
- Candidates cannot be made to pay for their own photograph.

#### **PHS Section 2: Relatives and References**

This section requests contact information on:

- Parents (including step-parents and in-laws)
- Spouses/Registered Domestic Partners (current and former)
- Siblings (including half, step, foster, etc.)
- Children (including natural, adopted, step, and foster)
- References other than family members or individuals listed elsewhere

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<sup>42</sup> GC [§1031\(b\)](#)

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Commission Regulations [1953](#) and [1959](#) require that, within practical limits, background investigators contact the references supplied by the candidate, and other references supplied by these initial contacts, to determine whether the candidate has exhibited behavior incompatible with the position sought. Anyone who knows the candidate is a potential source of information. Typically, different types of personal associations with the candidate will lead to familiarity with different facets of the candidate's background. These individuals' greatest value may be as sources of information for secondary references; that is, other individuals who know the candidate but were not listed as such by the candidate. Sometimes secondary references prove to be more candid than primary references supplied by the candidate.

The number of contacts that are initiated is largely up to the common sense and good judgment of the investigators and their reviewing authorities. In general, more contacts are better than few, but investigators and their agencies are ultimately responsible for determining to what length an investigation must go. Every contact attempted should be documented

Not every person or entity contacted will respond to a request for interview, return a phone call, or complete and mail back a questionnaire. The duty to cooperate with background investigations is a matter of public policy; however, except in very narrow circumstances, there is no legal obligation to do so. Background investigators should document even unsuccessful attempts to contact references

## FAMILY MEMBERS

Family members often have the most long-term and in-depth knowledge of the candidate. Relatives may be able to provide information about the candidate's traits and temperament, academic problems and learning ability, legal misconduct (e.g., arrests and/or lawsuits), as well as names of others who are familiar with the candidate. That longstanding relationship with the candidate may, however, affect the objectivity of the information provided. Investigators must judge the completeness and accuracy of that information on a case-by-case basis.

It is recommended that the investigator inquire into whether the candidate has had serious interpersonal problems, including whether the candidate has had any marital problems or any problems with physical or psychological abuse. This does not mean, however, that the investigator should examine every minor family disagreement and dispute, nor unnecessarily violate a family's privacy. The purpose, rather, is to inquire into problems that are of sufficient severity to affect job performance and therefore the candidate's qualifications.

The investigator should be aware that attitudes of the spouse or other close personal relations regarding the candidate joining the department might affect that person's ability to objectively evaluate the candidate's qualifications. The investigator may find it useful to ascertain those attitudes.

Officers and dispatchers have been known to be susceptible to the influence of unprincipled relatives or acquaintances; therefore, such information uncovered during the investigation should be examined. However, having relatives or acquaintances with a criminal or unsavory past should not be an automatic basis for disqualification. Instead, the investigator should focus on the candidate's behavior regarding such relatives or acquaintances and the degree of the candidate's susceptibility to such influence.

## MARITAL STATUS

An individual's marital status is prohibited as a basis for employment discrimination.<sup>43</sup> No judgments should be made about the candidate's current marital status (i.e., married, single, separated, or divorced), nor should routine inquiry be made into the facts surrounding the candidate's decision to marry or remain single.

## FORMER SPOUSE(S)/FORMER REGISTERED DOMESTIC PARTNER(S)

As of July 1, 2009, peace officer and public safety dispatcher candidates must show proof of dissolution of marriage even if they have not subsequently remarried. Besides helping establish legal rights of survivorship or medical decision-making, dissolution documents can contain highly relevant information concerning a candidate's character or financial well-being. Restraining orders, allegations of domestic violence, property settlements, and continuing financial obligations may be detailed in such documents.

Although a copy of the final judgment is sufficient, an inspection of the full file has the benefit of indicating any current or past restraining orders. The final judgment should be inspected to ensure that a final date of dissolution (not merely a request for final judgment) is entered. For candidates who were divorced outside of the United States while they were a citizen of another country, proof of marriage dissolution is often easier to establish by reviewing their Certificate of Naturalization, rather than attempting to translate and verify the legal sufficiency of a foreign document.

Former spouses or domestic partners can be the source of very useful information for a wide variety of uses, including employment history, residences, financial problems, drug use, and other facts. The reason for the break-up itself can provide useful information. The given reasons should be confirmed, whenever possible, by obtaining a copy of the dissolution of marriage or domestic partnership, or checking the civil filing index of the court in order to uncover further information. The investigator should also confirm that child support, if any, is up-to-date.

Any information gathered from a prior spouse/partner should be carefully evaluated and corroborated. Ill feelings generated by dissolution can cause hostility towards the candidate, which can affect the honesty of the information provided. However, if serious acts of wrongdoing are alleged, every effort should be made to verify those claims through additional sources. For example, if acts of domestic violence are claimed, the investigation should include determining whether police reports were filed and/or court restraining orders were sought.

## CHILDREN

Generally, the behavior of the candidate's offspring should not be used in evaluating the candidate's acceptability. Exceptions would be the situations in which the candidate knowingly supported or contributed to the delinquent behavior of the offspring, or there is evidence of abuse or neglect. Support of dependents is a separate question, which is addressed later in this chapter in the [Financial](#) section.

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<sup>43</sup> GC [§12900 et seq.](#)

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## OTHER REFERENCES

Anyone who has lived with or has had a relationship with the candidate is a potential source of relevant information, depending upon the nature of their relationship and how recently that relationship existed. Therefore, the context, frequency of contact, and length of the candidate's relationship with the relative, reference, or acquaintance should be investigated. However, no judgments should be made based on the mere fact of the gender of the individual with whom the candidate has resided.

Some references, even those supplied by the candidate, will be quite reluctant to provide disparaging information about the individual. It is critical that a valid authorization form from the candidate be provided along with an explanation of the protection afforded to the information they provide. An example authorization form for peace officer candidates is included in [Table 5.3](#).

The background investigator is encouraged to solicit secondary references from the relative, reference, or acquaintance. The secondary and other references can often provide the investigator with valuable insight and information that listed references may not be willing to furnish.

References should be asked about the candidate's participation in illegal or unethical conduct, as well as their reputation for honesty and integrity. Specific instances of illegal or unethical activity should be corroborated whenever possible. Other useful topic areas include candidate drug use, financial difficulties, racial or ethnic biases, strengths and weaknesses, and their understanding of the reasons underlying their interest in a career in law enforcement.

Ideally, relatives and references should be interviewed in person. However, if the individuals to be contacted are not within a geographical area that makes personal interviews feasible, contacts may be made by telephone or letter. A sample letter and questionnaire are located in [Tables 5.4A](#) and [5.4B](#).

### PHS Section 3: Education

This section requests information on secondary and post-secondary education, including:

- Degrees and certificates
- Dates attended and units completed
- Trade, vocational, or business schools/institutes attended
- Attendance at a POST Basic Academy/Public Safety Dispatcher Basic Course
- History of academic discipline, suspension, or expulsion

**Peace officer** candidates must have achieved a high school diploma or equivalent.<sup>44</sup> No minimum educational standards are established for **public safety dispatchers**; however, educational information listed on their PHS must be verified.

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<sup>44</sup> GC [§1031\(e\)](#)

**Table 5.3**

[Sample Form for Use](#)

**SAMPLE AUTHORIZATION/ADVISEMENT  
TO CONDUCT A PRE-EMPLOYMENT PEACE OFFICER BACKGROUND INVESTIGATION**

AUTHORIZATION / ADVISEMENT <b>INFORMED CONSENT RELEASE AND HOLD HARMLESS FOR CONFIDENTIALITY OF PRE-EMPLOYMENT BACKGROUND INVESTIGATION DATA</b>	
CANDIDATE NAME:	<input style="width: 95%; height: 25px;" type="text"/>
<p>I fully recognize that under California law, individuals must clearly demonstrate their personal, medical, and psychological fitness to serve in the position of a peace officer. I further recognize that an employing agency has both a legal and a moral obligation to make every reasonable effort to ensure that any person employed by them as a peace officer will conform to the very highest standards.</p> <p>I understand that I am authorizing an intensive investigation into all aspects of my personal, medical, and psychological fitness, and that such investigation will include contacting persons and/or organizations who have information relating to my fitness, including if I am or have been a peace officer in California, information protected under sections 832.7 of the Penal Code and 1043 of the Evidence Code. I further understand that this background investigation includes a credit check and that negative credit information may be considered as part of this process. I understand that under the law I am entitled to a copy of the credit report. I also understand that those persons and/or organizations may feel inhibited, intimidated, or otherwise reticent about furnishing information concerning my fitness unless confidentiality of their information can be guaranteed on a permanent basis.</p> <p>I further recognize that although some of the information contained in this report is a matter of public record, or would otherwise be accessible to me, this information will be inextricably interwoven with other confidential data to which I otherwise would not be privy. I have also been informed that because this background investigation is either mandated by law, responses from persons contacted, whether solicited or unsolicited, may enjoy absolute privilege under California Civil Code §47.</p> <p>Therefore, I exonerate, release, and discharge both my prospective employer, their officers, agents, or assigns, from any claim or damages, whether in law or in equity, on behalf of myself, my heirs, agents, or assigns, for their refusal to make available any and all information contained in this pre-employment investigation declared confidential pursuant to law, including but not limited to the identity of any person or organization who may have supplied information in the course of this investigation, as well as the substance of any such information supplied which might identify that person.</p> <p>I have had adequate time to review this form, I understand its meaning and purpose and have been furnished a copy of it pursuant to California Labor Code §432.</p>	
<p><b>This release is valid for 120 days from the date of signature.</b></p>	
<p>Dated this _____ day of _____, 20__</p> <p>In the County of _____ within the State of California.</p>	
<p>▶ _____ Candidate Signature</p>	<p>▶ _____ Notarized Signature</p>

**Table 5.4A**  
**SAMPLE COVER LETTER FOR REFERENCE CHECKS**

[Sample Form for Use](#)

**AGENCY LETTERHEAD**

[Date]

[Name]  
[Mailing Address]  
[City, ST Zip]

Dear Mr./Ms. \_\_\_\_\_:

\_\_\_\_\_ [Name of Candidate] \_\_\_\_\_ has applied for a position in this department. We are informed that you may be able to furnish information of value concerning the candidate's qualifications.

Please assist us by expressing your opinion of this individual and answering the questions on the attached questionnaire. Your responses are absolutely privileged under the law.

We rely upon well-informed individuals to assist us in the selection of personnel who are qualified for public service training and who will maintain high standards of performance in law enforcement.

Your cooperation and an early reply in this matter will be appreciated.

Very truly yours,

[Name]  
[Title]

[Contact Number - *optional*]  
[Email - *optional*]

**Table 5.4B**  
**SAMPLE QUESTIONNAIRE FOR REFERENCE CHECKS**

[Sample Form for Use](#)

<b>QUESTIONNAIRE</b> <b>REFERENCE CHECK</b>	page 1 of 2
CANDIDATE NAME: <input style="width: 350px; height: 25px;" type="text"/>	
<p>1. How do you know this candidate?</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>2. How long have you known the candidate? ____ years ____ months</p>	
<p>3. Do you feel the candidate will be effective in a job where helping other people is a key responsibility?</p> <p><input type="checkbox"/> Y <input type="checkbox"/> N</p> <p>Explain: _____</p> <p>_____</p> <p>_____</p>	
<p>4. Do you consider the candidate to be an honest person? <input type="checkbox"/> Y <input type="checkbox"/> N</p> <p>Explain: _____</p> <p>_____</p> <p>_____</p>	
<p>5. How does the candidate deal with difficult problems or emergencies?</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>6. How well does the candidate keep his/her commitments on time and as agreed?</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>7. Does the candidate presently engage in illegal drug use? <input type="checkbox"/> Y <input type="checkbox"/> N</p> <p>Explain: _____</p> <p>_____</p> <p>_____</p>	
<p>8. Has the candidate expressed or displayed any bias or prejudice towards others? <input type="checkbox"/> Y <input type="checkbox"/> N</p> <p>Explain: _____</p> <p>_____</p> <p>_____</p>	

**Table 5.4B** *continued*

**SAMPLE QUESTIONNAIRE FOR REFERENCE CHECKS**

QUESTIONNAIRE REFERENCE CHECK <i>continued</i>	page 2 of 2	
CANDIDATE NAME: <input style="width: 400px; height: 20px;" type="text"/>		
<p>9. Would you trust this candidate with your own personal safety or that of your family? <input type="checkbox"/> Y <input type="checkbox"/> N</p> <p>_____</p> <p>_____</p> <p>_____</p>		
<p>10. Please provide any other information about the candidate that you feel might be relevant to the background investigation:</p> <p>_____</p> <p>_____</p> <p>_____</p>		
<p>11. List other personal references we may contact regarding the candidate:</p>		
Name	Name	Name
Address	Address	Address
Phone	Phone	Phone
Email	Email	Email
<p><b>Signature:</b> _____</p> <p><b>Print Name:</b> _____</p> <p><b>Address:</b> _____</p> <p>_____</p> <p>_____</p>		<p><b>Date:</b> _____</p>
<p><b>PLEASE RETURN QUESTIONNAIRE TO:</b> [AGENCY NAME] [MAILING ADDRESS] [CITY, ST, ZIP]</p> <p>[ATTN: CONTACT NAME/DEPARTMENT]</p>		
<p>THANK YOU FOR YOUR ASSISTANCE</p>		

## VERIFYING MINIMUM REQUIREMENTS – PEACE OFFICERS

Government Code [§1031\(e\)](#) established the following education standards for peace officers; however, this does not preclude an agency from establishing higher, job-related post-secondary education requirements. All **peace officers** must have attained one of the following:

- Graduated from an acceptable United States public high school, Department of Defense high school, or accredited or approved public or non-public high school, OR
- Passed the General Education Development (GED) test, OR
- Passed the California High School Proficiency Examination, OR
- Attained a two-year, four-year, or advanced degree from an accredited college or university.

U.S. public high schools are acceptable if they meet the high school standards set by the state in which the school is located. The status of a public high school, as well as many private schools, can be checked by contacting that state's Department of Education, or the local school district itself. A list of state education departments can be accessed at <http://www2.ed.gov/about/contacts/state/index.html?src=ln> .

To comply with Government Code §1031(e), nonpublic high schools as well as post-secondary institutions must be accredited or approved by:

- A [state or local government educational agency](#),
- A [regional accrediting association](#),
- An accrediting association recognized by the Secretary of the US Department of Education or holding full membership in the [National Council for Private School Accreditation](#) (NCPSA) or the [National Federation of Nonpublic School State Accrediting Associations](#) (NFSSAA), OR
- An organization holding full membership in the [Commission on International and Trans-Regional Accreditation](#) (CITA) or the [Council for American Private Education](#) (CAPE).

Accredited U.S. Department of Defense (DOD) high schools are also sanctioned by Government Code §1031(e). The status of a DOD school can be checked at [www.dodea.edu](http://www.dodea.edu).

There are a limited number of foreign schools that meet the criteria stipulated in Government Code §1031(e). These include overseas schools operated by the Department of Defense schools, foreign schools accredited by an association recognized by one of the accrediting agencies recognized by the Secretary of the United States Department of Education, or one of the four additional associations that oversee the accreditation of private institutions (i.e., NCPSA, CITA, CAPE, and NFSSAA).

Official transcripts are the only authoritative means of verifying a person's educational background. Transcripts from accredited institutions will bear the regional accreditation stamp. Some candidates may be reluctant to furnish original transcripts because of the fees involved or the steps necessary to arrange for them. Not uncommonly, however, the reason that candidates fail to furnish original transcripts is because their academic records have been impounded for payment of fees or loans still due the school, a fact that may serve as another legitimate area of concern.

If official records are not available through any source, and the candidate does not have any of the other qualifications outlined in GC §1031(e), s/he will need to complete a GED.

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## RELATED EDUCATIONAL BACKGROUND INQUIRIES

Commission Regulations 1953(e)(5) and 1959(e)(4) require that an investigation must be made into the high school and all higher educational institutions that the candidate attended. At a minimum, this investigation should verify that the information supplied by the candidate on the PHS was accurate. School personnel may also provide useful information if the candidate has recently finished school. This is especially true if there is any record of disciplinary actions, such as suspensions, expulsions or any other form of academic punishment.

It can be particularly useful to contact staff from the candidate's Basic Police Academy or Public Safety Dispatcher Academy. Academy staff are especially likely to remember candidates who stood out from their classmates.

### **PHS Section 4** **Residence**

This section requires candidates to detail their residential history for the past 10 years (or since the age of 15), including:

- Addresses
- Dates resided
- Contact information for property manager, rent collector, or owner
- Roommate/housemate contact information
- Reasons for moving
- History of being evicted or asked to leave a residence
- History of leaving a residence owing rent

Commission Regulations 1953(e)(9) and 1959(e)(8) stipulate that the background investigation include "contacts and interviews with current, and where practicable, previous neighbors to determine whether the candidate has exhibited behavior incompatible with the position sought." An investigation of residential history facilitates local police record inquiries, as well as providing information about the candidate from neighbors, landlords, roommates, and others acquainted with the candidate.

A neighborhood check is not merely a restatement of a candidate's residential history. Rather, it includes contacting a sampling of neighbors (and landlords) to determine if any job-relevant behaviors can be identified and documenting those contacts.

The security provisions in some housing complexes will not permit neighbors to be canvassed. Committing a potential criminal trespass to accomplish a neighborhood check is not required, and information gleaned from the property owner may be all that is available.

When interviewing neighbors, the background investigator should inquire into how well the neighbor is acquainted with the candidate, whether there have been any incidents requiring a law enforcement response at the candidate's residence, and how the candidate interacts with others in the neighborhood. Contacts with landlords and property managers should include inquiries into the candidate's timeliness in paying rent, complaints from other neighbors or tenants about the candidate, and whether the property was vacated with the proper notice and

left in good repair. Information gleaned from these interviews should be maintained in the background narrative report.

If personal interviews with landlords are not feasible, inquiries may be made by letter. **Tables 5.5A** and **5.5B** include a sample letter and background questionnaire for landlords.

### **PHS Section 5**

## **Experience and Employment**

Information about the candidate's past work behavior and performance is of tremendous value when determining the individual's suitability for employment. Commission Regulation [1953\(e\)\(6\)](#) requires an investigation of a peace officer candidate's employment history for a minimum of the past 10 years; however, the peace officer PHS requires candidates to document their entire employment history (and, in the case of dispatcher candidates, their employment for the past 10 years). Information inquiries include:

- Employer name, location, and dates and status of employment
- Job titles and duties
- Name and contact information for supervisors and coworkers
- Reasons for leaving (or wanting to leave)
- Dates and reasons for periods of unemployment
- History of counterproductive work behavior, including:
  - Disciplinary actions
  - Being fired, released from probation, or asked to resign
  - Workplace violence
  - Resignation in lieu of termination
  - Subject of written complaints or counseling for poor performance
  - Subject of discrimination accusations
  - Attendance problems
  - Unsatisfactory performance reviews
  - Misuse of confidential information
  - Misuse of sick leave
  - Poor performance as a result of drug/alcohol consumption
- History and status of applications to other law enforcement agencies

### **GENERAL AREAS OF EMPLOYMENT HISTORY INQUIRY**

At a minimum, investigators should:

- Contact past employers and co-workers
- Inquire into the reason(s) for the candidate's having had no prior employment or extended gaps in employment.

**Table 5.5A**  
**SAMPLE COVER LETTER TO LANDLORDS**

[Sample Form for Use](#)

**AGENCY LETTERHEAD**

[Date]

[Name]

[Mailing Address]

[City, ST Zip]

Dear Mr./Ms. \_\_\_\_\_:

\_\_\_\_\_ [Name of Candidate] \_\_\_\_\_, who resided as a tenant

at: \_\_\_\_\_  
\_\_\_\_\_

from: \_\_\_\_\_ to: \_\_\_\_\_

is a candidate for a position as a  peace officer  public safety dispatcher in this agency.

We are asking your assistance in helping us determine his/her qualifications for the position. Please do so by completing the attached questionnaire. Your responses enjoy absolute privilege under the law.

Sincerely,

[Name]

[Title]

[Contact Number - *optional*]

[Email - *optional*]

**Table 5.5B**  
**SAMPLE QUESTIONNAIRE FOR LANDLORD REFERENCE CHECK**

[Sample Form for Use](#)

QUESTIONNAIRE LANDLORD REFERENCE CHECK	page 1 of 2
CANDIDATE NAME: <input data-bbox="857 411 1511 474" type="text"/>	
<b>1. How long have you rented/did you rent to the candidate?</b>	
_____	
<b>2. Do/Did you know the candidate other than as a tenant? <input type="checkbox"/> Y <input type="checkbox"/> N</b>	
Explain: _____	
_____	
_____	
<b>3. Does/Did the candidate pay his/her rent on time/as agreed? <input type="checkbox"/> Y <input type="checkbox"/> N</b>	
Explain: _____	
_____	
_____	
<b>4. Does/Did the tenant have any problems with other tenants/neighbors? <input type="checkbox"/> Y <input type="checkbox"/> N</b>	
Explain: _____	
_____	
_____	
<b>5. Would you rent to this candidate again? <input type="checkbox"/> Y <input type="checkbox"/> N</b>	
Explain: _____	
_____	
_____	
<b>6. Did the candidate leave your property in good/satisfactory condition? <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A</b>	
Explain: _____	
_____	
_____	
<b>7. Would you recommend the candidate for a position of public trust such as police officer or public safety dispatcher? <input type="checkbox"/> Y <input type="checkbox"/> N</b>	
Explain: _____	
_____	
_____	

**Table 5.5B** *continued*

**SAMPLE QUESTIONNAIRE FOR LANDLORD REFERENCE CHECK**

QUESTIONNAIRE  
LANDLORD REFERENCE CHECK *continued*

page 2 of 2

CANDIDATE NAME:

8. Please give any additional pertinent facts that may occur to you:

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Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Address: \_\_\_\_\_

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PLEASE RETURN QUESTIONNAIRE TO: [AGENCY NAME]  
[MAILING ADDRESS]  
[CITY, ST, ZIP]

[ATTN: CONTACT NAME/DEPARTMENT]

THANK YOU FOR YOUR ASSISTANCE

- Inquire into whether the candidate has ever been fired or asked to resign from any place of employment and the circumstances surrounding the termination or resignation
- Inquire into a candidate's reason for leaving a job if that reason is other than being fired or being asked to leave
- Inquire into the facts that formed the basis for rejection of the candidate from another position requiring peace officer powers
- Inquire into whether the candidate has ever received unemployment insurance, workers compensation, or other state or federal assistance through fraudulent means

POST regulations require the investigation of a peace officer candidate's past ten years of employment. However, there may be circumstances where an agency feels the need to investigate beyond that ten year period because of answers furnished on the PHS, such as an indication of significant disciplinary problems, terminations, prior police experience, etc.

## EMPLOYERS

Quite often, both public and private employers refuse to speak to investigators, or refer to their designated spokespersons who provide very limited information. GC [§1031.1](#) was specifically added to facilitate obtaining written employment information from present or past employers of peace officer candidates who are not currently employed as peace officers.<sup>45</sup> It requires these employers to disclose relevant information to background investigators, including performance evaluations, attendance records, disciplinary actions, eligibility for rehire, etc., however:

- The request must be made in writing
- The request must be accompanied by a notarized letter from the candidate releasing the employer of liability
- The request and authorization must be presented to the employer by a sworn officer of the employing agency (or other designee)
- The disclosed information remains confidential, even though the information may be released to other law enforcement agencies that are also conducting a peace officer background investigation; the receiving agency must reconfirm the information.

Past and present employers are entitled to charge reasonable fees to reimburse costs incurred in furnishing the information.

A sample of a written request for information, including a copy of GC §1031.1, is included in **Tables 5.6A** and **5.6B**. Note that individual employers may have their own specific requirements and release forms to be completed before they provide information.

Access to employment information on past or current employees of a public agency but who are not covered by GC §1031.1 is guaranteed by the [California Public Records Act](#).<sup>46</sup>

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<sup>45</sup> Per GC [§1031.1\(d\)](#), an employer's refusal to disclose information to a law enforcement agency constitutes grounds for a civil action for injunctive relief.

<sup>46</sup> GC [§6253](#).

**Table 5.6A**

**SAMPLE LETTER – EMPLOYMENT QUERY**

[To be used for peace officer candidates who are not currently employed as peace officers.]

**AGENCY LETTERHEAD**

[Date]

[Name]

[Mailing Address]

[City, ST Zip]

Dear Mr./Ms. \_\_\_\_\_:

\_\_\_\_\_ [Name of Candidate] \_\_\_\_\_, who was employed by your firm from \_\_\_\_\_ to \_\_\_\_\_, is a candidate for the position of peace officer in this department. We are asking your assistance in helping to determine his/her qualifications for the position by supplying us with employment information regarding this individual.

Government Code §1031.1 requires employers to disclose written employment information when a person is applying for a peace officer position. A copy of the law is attached for you. An employer has an obligation to disclose written employment information, which includes information in connection with job applications, performance evaluations, attendance records, disciplinary actions, eligibility for rehire, and other information relevant to peace officer performance (except information prohibited from disclosure by any other state or federal law or regulation).

We would appreciate your cooperation in providing the above employment information regarding \_\_\_\_\_ [Name of Candidate] \_\_\_\_\_. We are accompanying this request with a notarized authorization releasing you from civil liability. We would be glad to cover any costs you incur in copying and furnishing these documents to us. Of course, your responses are absolutely privileged under the law.

Very truly yours,

[Name]

[Title]

[Contact Number – *optional*]

[Email – *optional*]

Attachments: Government Code §1031.1  
Authorization/Advisement Form

**Table 5.6B**  
**SAMPLE LETTER – ATTACHMENT (GOVERNMENT CODE)**

[Sample Form for Use](#)

Attachment

**GOVERNMENT CODE SECTION 1031.1**

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**1031.1.** (a) For purposes of performing a thorough background investigation for candidates not currently employed as a peace officer, as required by subdivision (d) of §1031, an employer shall disclose employment information relating to a current or former employee, upon request of a law enforcement agency, if all of the following conditions are met:

- (1) The request is made in writing.
- (2) The request is accompanied by a notarized authorization by the candidate releasing the employer of liability.
- (3) The request and the authorization are presented to the employer by a sworn officer or other authorized representative of the employing law enforcement agency.

(b) In the absence of fraud or malice, no employer shall be subject to any civil liability for any relevant cause of action by virtue of releasing employment information required pursuant to this section. Nothing in this section is intended to, nor does in any way or manner, abrogate or lessen the existing common law or statutory privileges and immunities of an employer.

(c) For purposes of this section, "employment information" includes written information in connection with job applications, performance evaluations, attendance records, disciplinary actions, eligibility for rehire, and other information relevant to peace officer performance, except information prohibited from disclosure by any other state or federal law or regulation.

(d) An employer's refusal to disclose information to a law enforcement agency in accordance with this section shall constitute grounds for a civil action for injunctive relief requiring disclosure on the part of an employer.

(e) Employment information disclosed by an employer to an initial requesting law enforcement agency shall be deemed confidential. However, the initial requesting law enforcement agency may disclose this information to another authorized law enforcement agency that is also conducting a peace officer background investigation. Whenever this information is disclosed to another law enforcement agency, that agency shall utilize the information for investigative leads only and the information shall be independently verified by that agency in order to be used in determining the suitability of a peace officer candidate.

(f) An employer may charge reasonable fees to cover actual costs incurred in copying and furnishing documents to law enforcement agencies as required by this section.

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**Dispatcher applicants** should not be asked to complete waivers designed for peace officer applicants; rather, separate waivers should be designed for that purpose. Investigators can reassure references contacted in the course of such backgrounds that similar legal privilege (per Civil Code [§47](#)) may apply (but only if the agency is in the POST Public Safety Dispatcher Program, thereby making a background investigation a legal requirement).

Some past employers maintain records only for limited periods of time, others cease operations, and still others even decline to respond to those requests even though they are legally required to do so (i.e., GC [§1031.1](#), peace officers). To satisfy POST, every contact with a current or past employer, even an unsuccessful one, needs to be documented. The extent to which the department is willing to pursue remedies under the law to attempt to obtain this information is governed by the department and their legal counsel, not by POST. It is also up to the agency to decide the impact of an inability to obtain meaningful (or any) information from a present or former employer.

CC [§47\(b\)\(3\)](#) confers absolute privilege on the persons who are contacted or who come forward on legally mandated backgrounds (i.e., peace officers and public safety dispatchers in the POST program). As discussed in [Chapter 3](#), “Legal Qualifications and Statutory Framework,” information that is privileged may not be introduced in a court proceeding if it is adverse to the interests of the provider of that information. This protection should be spelled out in a notarized letter from the candidate releasing the employer from liability, such as in the sample letter for entry-level peace officer candidates found in [Table 5.7](#), and the comparable letter for dispatcher candidates located in [Table 5.8](#). Employers can also be reminded of the legal risks associated with providing inaccurate evaluations, either highly positive or negative.

Information from the employer should include, if at all possible:

- A verification of the dates of employment and the position held
- An examination of the original application documents to assure that the candidate is disclosing his/her entire job history
- An assessment of the candidate's job skills and reputation as an employee
- Identification of any performance problems or work habits, including the ability to work with others and as part of a team
- The candidate's attendance and punctuality record or other indications of dependability
- The real reason why the employee is leaving or has left that employer
- If the former employer would recommend or rehire that person

Before drawing any conclusions, the background investigator should establish or refute the veracity of any negative information; to the extent possible, the employer's observations should be supported with official records. Any discrepancies between these personal assessments and the official record should be explored. Investigators must keep in mind that many employers, even public employers, often fail to document assessments of work performance, and an official record may be very difficult, if not impossible, to access.

**Table 5.7**  
**SAMPLE AUTHORIZATION TO RELEASE INFORMATION**  
**FOR EMPLOYMENT – PEACE OFFICER CANDIDATES**

[Sample Form for Use](#)

RELEASE AUTHORIZATION

EMPLOYMENT INFORMATION – PEACE OFFICER

CANDIDATE NAME:

California Government Code §1031, subdivision (d), provides that each class of **Public Officer or Employees declared by law to be Peace Officers** shall *"Be of good moral character, as determined by a thorough background investigation."*

All responses to inquiries are protected, even if unsolicited, by the absolute privilege of California Civil Code §47, subsections (b) and (c), and California Government Code §1031.1.

As a candidate for a position with the \_\_\_\_\_ [insert employer's name] \_\_\_\_\_, I am required to furnish information for use in determining my qualifications. For this purpose, I authorize release of any and all information you may have concerning me, including but not limited to, information of a confidential or privileged nature, or any data or materials that have been sealed or agreed to be withheld pursuant to any prior agreement or court proceeding involving disciplinary matters.

I hereby acknowledge that I have been advised that the records or information contained therein may be considered confidential under California Penal Code §832.7, and therefore subject to discovery or disclosure only pursuant to a noticed motion under California Evidence Code §1043. By signing this authorization I hereby waive any and all rights to have any record or records or information contained therein discovered or disclosed only by a noticed motion pursuant to California Evidence Code §1043, and hereby authorize the disclosure of all records to which, as an employee, the undersigned would have or did have access.

I hereby release, discharge, and exonerate the agency, their agents, representatives, and/or any person furnishing information, from liability arising out of the furnishing and/or inspection of records and/or other **truthful**, even though potentially embarrassing, information.

It is further understood, acknowledged, and agreed to, that any information secured pursuant to this statutorily required background investigation, which would negatively reflect on my fitness for duty, will be forwarded to my current law enforcement employer.

This release shall be binding on my legal representatives, heirs, and assigns.

**This release is valid for 120 days from the date of signature.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

In the County of \_\_\_\_\_  
within the State of California.

▶ \_\_\_\_\_  
Candidate Signature

▶ \_\_\_\_\_  
Notarized Signature

**Table 5.8**

[Sample Form for Use](#)

**SAMPLE AUTHORIZATION TO RELEASE INFORMATION  
FOR EMPLOYMENT – PUBLIC SAFETY DISPATCHER CANDIDATES**

RELEASE AUTHORIZATION

**EMPLOYMENT INFORMATION – PUBLIC SAFETY DISPATCHER**

CANDIDATE NAME:

As an applicant for the position of **Public Safety Dispatcher** with the \_\_\_\_\_ [Name of Employer] \_\_\_\_\_, under California law [Code of Regulations, Title 11, Chapter 5.6, enacted pursuant to Penal Code §13510(c)], my prospective employer is required to conduct an investigation into my fitness to serve in this capacity.

I hereby direct you, your organization, its Custodian of Records, and/or persons in your employ to release any and all information which you may have concerning me, including information which may be of a confidential, privileged, and/or derogatory nature, including, but not limited to: employment information, official employment documents, employment performance data, character reference information, educational records and transcripts (pursuant to Public Law 93-380), medical, surgical, psychological, and dental records if I am offered employment with this agency (pursuant to the Medical Information Act, Civil Code §56 et. seq. and C.F.R. 1630), credit and financial information (pursuant to the Banking Privacy and Fair Credit Reporting Acts), local criminal history information [pursuant to Penal Code §13300(b)(10)], and/or any other information that you possess.

I exonerate, release and discharge you, your organization, its officers, agents, and assigns, from any liability or damages, whether in law or in equity, for furnishing the truthful information requested by the bearer of this authorization form.

Truthful responses are protected, even if unsolicited, by the absolute privilege of California Civil Code §47.

I have had adequate time to review this form, I understand its meaning and purpose and have been furnished a copy of it pursuant to California Labor Code §432.

**This release is valid for 120 days from the date of signature.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

In the County of \_\_\_\_\_ within the State of California.

▶ \_\_\_\_\_

Candidate Signature

▶ \_\_\_\_\_

Notarized Signature

## SUPERVISORS AND CO-WORKERS

Current and past co-workers and supervisors can serve as useful sources of information, as well as a source of leads to additional co-workers, friends, and other useful contacts. As with all references, the relevance and usefulness of the information provided by these individuals depends upon how recently they worked with the candidate, for how long, and the nature of their working relationship. Any information provided by supervisors and co-workers - positive or negative - should be carefully evaluated and corroborated.

If past employers and supervisors cannot be interviewed personally, contact may be made by letter or by telephone. A sample letter and questionnaire that can be used to contact the past and present employers are found in **Tables 5.9A** and **5.9B**.

## PERIODS OF UNEMPLOYMENT

The PHS requires candidates to indicate all periods of unemployment and reason for the unemployment, choosing from five categories: student, between jobs, leave of absence, travel, and other. As discussed in the section on disability discrimination, medical inquiries are prohibited prior to a conditional offer of employment. However, it is permissible to question any gaps or sudden departures of employment per se, even if it may elicit information about a medical condition or disability. Medical information volunteered in response to this line of questioning should not be pursued until and unless the candidate receives a conditional job offer.

## REASON FOR LEAVING A JOB

While inquiring into the reasons for the candidate's leaving a job is recommended, caution must be exercised. Limited employment opportunity is a valid and acceptable reason for terminating an employment relationship, as are hostile work environments, unlawful terms of employment, relocation, and other explanations.

## CURRENT EMPLOYER

A current employer or supervisor may present a biased or inaccurate picture of the candidate in order to encourage (or discourage) employment of the candidate elsewhere. The investigator must exercise caution and ensure that any information, either positive or negative, is carefully evaluated and corroborated.

The investigator should avoid deliberately placing a candidate's present job in jeopardy. If on the PHS, the candidate indicated that there would be a problem if the current employer were contacted, it is lawful to defer contact with that employer until after a conditional offer of employment has been extended. In this case, the investigator should contact the present employer only after all other candidate screening steps have taken place.<sup>47</sup>

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<sup>47</sup> [ADA Enforcement Guidance: Preemployment Disability-Related Questions and Medical Examinations](#), EEOC, October, 1995.

**Table 5.9A**  
**SAMPLE COVER LETTER FOR QUESTIONNAIRE**  
**TO PAST EMPLOYERS/SUPERVISORS**

[Sample Form for Use](#)

**AGENCY LETTERHEAD**

[Date]

[Name]  
[Mailing Address]  
[City, ST Zip]

Dear Mr./Ms. \_\_\_\_\_:

\_\_\_\_\_ [Name of Candidate] \_\_\_\_\_, who was employed by your firm from \_\_\_\_\_ to \_\_\_\_\_, is a candidate for the position of \_\_\_\_\_ [Position Title] \_\_\_\_\_ in this department.

We are asking your assistance in helping to determine his/her qualifications for the position. Would you please help us by answering the questions on the enclosed questionnaire? Your responses are absolutely privileged under the law.

If you prefer to speak with us by phone, please contact me at   [Area Code - Number]  .  
My normal work hours are   [Hours]  .

Your cooperation is greatly appreciated.

Very truly yours,

[Name]  
[Title]

enclosure

**Table 5.9B**  
**SAMPLE QUESTIONNAIRE TO PAST EMPLOYERS/SUPERVISORS**

[Sample Form for Use](#)

QUESTIONNAIRE EMPLOYMENT QUALIFICATIONS	Page 1 of 2
CANDIDATE NAME: <input data-bbox="808 407 1507 474" type="text"/>	
1. Why did the candidate leave your employ?	
<hr/> <hr/> <hr/>	
2. Was the candidate punctual and dependable? <input type="checkbox"/> Y <input type="checkbox"/> N	
Explain: <hr/> <hr/> <hr/>	
3. How did the candidate get along with other employees?	
<hr/> <hr/> <hr/>	
4. How did the candidate deal with difficult problems or emergencies?	
<hr/> <hr/> <hr/>	
5. Was the candidate honest and truthful? <input type="checkbox"/> Y <input type="checkbox"/> N	
Explain: <hr/> <hr/> <hr/>	
6. Did the candidate have any problems following/adhering to company or agency policies? <input type="checkbox"/> Y <input type="checkbox"/> N	
Explain: <hr/> <hr/> <hr/>	
7. Did the candidate have any extended work absences? (Do NOT include periods of disability, legitimate illness, or maternity leave.) <input type="checkbox"/> Y <input type="checkbox"/> N	
Explain: <hr/> <hr/> <hr/>	
8. Would you rehire or recommend the candidate for hiring? <input type="checkbox"/> Y <input type="checkbox"/> N	
Explain: <hr/> <hr/> <hr/>	

**Table 5.9B** *continued*

**SAMPLE QUESTIONNAIRE TO PAST EMPLOYERS/SUPERVISORS**

QUESTIONNAIRE

**EMPLOYMENT QUALIFICATIONS** *continued*

Page 2 of 2

CANDIDATE NAME:

9. Can you think of any reason why the candidate might not be qualified to work in a law enforcement agency?  Y  N

Explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. If you know of other persons who may be able to furnish information about the candidate, please give their names and contact information:

Name _____	Name _____
Address _____	Address _____
_____	_____
Phone _____	Phone _____
Email _____	Email _____

Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PLEASE RETURN QUESTIONNAIRE TO: [AGENCY NAME]  
[MAILING ADDRESS]  
[CITY, ST, ZIP]

[ATTN: CONTACT NAME/DEPARTMENT]

THANK YOU FOR YOUR ASSISTANCE

## REJECTION FROM ANOTHER PEACE OFFICER OR PUBLIC SAFETY DISPATCHER POSITION

The investigator should inquire into the facts surrounding the rejection for any other peace officer or public safety dispatcher position. Resulting information must be carefully verified and evaluated; it should not automatically be assumed that the previous investigation was unbiased, thorough, and complete. Furthermore, different agencies may have different minimum standards (such as age, education, drug use history, residency, etc.); therefore, the investigator should assess whether the reasons for such a rejection are relevant to the present employer. Another employer's reason for rejection is not automatically relevant. Agencies should reject unsuitable candidates based on their own job-relevant criteria rather than those of another agency (especially if those reasons have not been independently verified or are deemed irrelevant, outdated, or otherwise inapplicable).

NOTE: Effective January 1, 2010, DOJ is required to provide the date and name of every agency that has previously requested a search of the candidate's pre-employment criminal history [PC [§11105\(k\)](#) and [\(l\)](#)].

### PHS Section 6 Military

Commission Regulation [1953\(e\)\(10\)](#) requires that the background investigation of peace officer candidates include an evaluation of military records in the service of the United States, jurisdictions therein, or foreign government, to determine the quality of the individual's service and proof of Selective Service registration where required by law. The same investigation is required of public safety dispatcher candidates, per [Regulation 1959\(e\)\(9\)](#).

This section of the PHS requires candidates to detail their military history, including:

- Selective Service registration (if applicable)
- Branch of service and dates
- Type of discharge
- Current status as a reservist
- Disciplinary actions, judicial and non-judicial
- Security clearance problems

The candidate's participation in the National Guard or a reserve component of the armed services is protected by the Military and Veterans Code [§394](#). It is a misdemeanor to discriminate against a reservist in any aspect of employment.

### SELECTIVE SERVICE REGISTRATION

In July 1980, Congress restored the Selective Service registration, requiring all males (excluding the sons of foreign diplomats) born on or after January 1, 1960 to register within 30 days of their 18th birthday, and up to the age of 26 they are required to notify the Selective Service of changes in name, address, or telephone number.

Information on the candidate's compliance with current registration requirements can be obtained from the Selective Service System at their website ([www.sss.gov](http://www.sss.gov)). If proof of registration is not available on the website, a letter should be written to the Selective Service System. A sample written inquiry is provided in [Table 5.10](#).

**Table 5.10**  
**SAMPLE INQUIRY LETTER FOR SELECTIVE SERVICE SYSTEM**

[Sample Form for Use](#)

**AGENCY LETTERHEAD**

Date

Selective Service System  
P.O. Box 4638  
North Suburban, IL 60197

Ladies and Gentlemen:

\_\_\_\_\_ [Name of Candidate] \_\_\_\_\_ is a candidate for a position in this department, and we are unable to locate his proof of registration in your automated system.

Please send us a copy of information pertaining to the candidate's compliance with Selective Service registration requirements. We have enclosed a waiver signed by the candidate.

To aid you in finding the candidate's file, we are providing the following information:

**Complete Name:** \_\_\_\_\_

**Current Mailing Address:** \_\_\_\_\_

**Telephone Number:** (      ) \_\_\_\_\_

**Date of Birth:** \_\_\_\_\_

**Selective Service Number:** \_\_\_\_\_

**Address at Time of Registration:** \_\_\_\_\_

**Approximate Date of Registration:** \_\_\_\_\_

Your cooperation is appreciated.

Sincerely,

[Name]

[Title]

enclosure

Note that since 1973, the military uses the individual's social security number for identification purposes.

Willful failure to register with the Selective Service ([Title 50a US Code 453](#)) is not a disqualifier under POST regulations. Any explanation to justify a failure to register must be made by the applicant to the agency administering the right, benefit, or privilege for which Selective Service System registration is required.

## MILITARY SERVICE HISTORY

Military service records should be requested on candidates who have served in the military. Military records can be obtained by using either a Standard Form 180<sup>48</sup> or an equivalent form developed by the agency. Information on how to obtain military service records can be found by matching the candidate's service history with the records repositories listed on the back of the SF 180. To ensure that complete information is received, a letter, signed by the candidate, can be submitted that specifies the exact information requested, including:

- copies of personnel records,
- copies of DD-214s,
- eligibility for reenlistment,
- records of judicial and non-judicial punishments,
- performance ratings, and other records.

A sample letter is provided in [Table 5.11](#). Note that the letter should include:

- candidate's full name while in the military,
- military service number,<sup>49</sup>
- dates of entry/discharge into/from the military, and
- whether the candidate was an officer or enlisted and which branch of service.

Requests should be sent to the appropriate military records custodian, as listed on the last page of SF 180.

## DD-214

Candidates who have been in the military are almost always issued a report of separation each time they are released/discharged from active duty. Individuals may have one or more such report, depending on their military history.

There are two versions of the DD-214: a short form (Copy 1) and a long form (Copy 4). Commission Regulations 1953(e)(10) and 1959(e)(9) require investigators to examine the long form (Copy 4), as it contains the candidate's reentry code, separation code, and separation authority. Investigators should always examine an original document.

With the exception of some "entry-level separations," virtually anyone who enters the military will be issued discharge documents at their time of separation. If the candidate possesses a DD-214 "short form" (Copy 1), it is almost inconceivable that they were not issued a "long form" (Copy 4), as well (they are generally stapled together).

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<sup>48</sup> Standard Form 180 can be downloaded from [www.archives.gov/forms](http://www.archives.gov/forms).

<sup>49</sup> Since 1973, the military uses the individual's social security number for identification purposes.

**Table 5.11**  
**SAMPLE CANDIDATE'S LETTER TO AUTHORIZE/REQUEST**  
**RELEASE OF MILITARY RECORDS**

[Sample Form for Use](#)

[Date]

[Address of Appropriate Military Branch]

I authorize and direct the release of copies of my military personnel records, including but not limited to copies of my DD-214 (Report of Separation), my eligibility for re-enlistment in the Armed Forces of the United States, records of any and all judicial and non-judicial punishment, records of decoration, performance ratings, and any other records which you may possess.

This request is being made as part of a background investigation conducted on behalf of the \_\_\_\_\_ [Name of Agency] \_\_\_\_\_ to determine my suitability for employment as a \_\_\_\_\_ [Position] \_\_\_\_\_, pursuant to California State law, and constitutes an express waiver of the Federal Privacy Act (PL 93-579) 5 US Code 552 and 32 CFR, Part 45.

Signature of Veteran/Service Member: \_\_\_\_\_

Print Name: \_\_\_\_\_

Birth Date: \_\_\_\_\_

Place of Birth:

Social Security Number: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Officer  Enlisted Service No. (if different from above):

Date of Entry into Service: \_\_\_\_\_ Date of Discharge:

Branch of Service:

Army  Navy  Marines  Air Force  Coast Guard

National Guard - State: \_\_\_\_\_

Last Unit Assigned to: \_\_\_\_\_

Sincerely,

[Name]

[Address]

[Phone]

Currently, inquiries directed to the Army and Air Force generally produce less comprehensive replies. However, most recent veterans can obtain copies of their separation documents on-line. [Note: many military records issued prior to 1973 were destroyed in a catastrophic fire at the National Personnel Records Center, although the number of applicants facing that issue is rapidly declining].

### RE-ENTRY CODES

Although re-entry codes reflect a variety of things, a "1" or "2" generally indicates that there were no problems. A "3" indicates some substantial issue that needs to be explored because re-enlistment would require a waiver by the service branch. A "4" indicates that re-enlistment would be prohibited and must be carefully explored.

### TYPE OF DISCHARGE/CHARACTER OF SERVICE

The DD-214 will list one of five possible entries under "character of service" (type of discharge):

- 1) Honorable
- 2) General – under honorable conditions (less than full honorable)
- 3) Other than honorable conditions (OTH or UD)
- 4) Bad conduct discharge (BCD) – resulting from a special court martial
- 5) Dishonorable discharge – resulting from a general court martial. No longer considered a veteran.

Because reason for separation, type of discharge, and re-enlistment codes appear only in predetermined combinations on genuine DD-214s, a local armed forces recruiter can help if assistance is needed in interpreting the meaning of these or other codes. However, federal privacy laws prohibit identifying the service member when discussing the form.

### CURRENT MILITARY STATUS

The PHS asks the candidate to indicate any current military obligations (military reserve or National Guard program). When the candidate indicates a current military obligation, the current unit, co-workers, and supervisors should be treated no differently than a civilian job.

### MILITARY DISCIPLINE

Inquiry into judicial and non-judicial military disciplinary action may reflect upon the candidate's suitability. Such information should be explained in the PHS and verified through military records (i.e., DD-214 or other available records), or through contact with military acquaintances or commanding officers.

### CONTACT PAST COMMANDING OFFICERS OR MILITARY ACQUAINTANCES

When interviewing commanding officers and military acquaintances, the investigator might ask questions such as:

- When or how long ago did you know the candidate?
- How well did you know the candidate?
- Was the candidate ever the subject of any disciplinary action?

- 
- Do you know if the candidate got along well with others?
  - Can you think of any reason why the candidate might not be qualified to work in a law enforcement agency?

## PHS Section 7 Financial

Commission Regulations [1953\(e\)\(11\)](#) and [1959\(e\)\(10\)](#) require that a credit check be performed on peace officer and public safety dispatcher candidates, “to determine the candidate’s credit standing with lenders, as an indication of the candidate’s dependability and integrity.” This section requires the candidate to provide an estimate of his/her income and expenditures, and to respond to specific questions associated with history of fiscal responsibility, including.

- Bankruptcy filings
- Contact by collection agencies
- Repossessions
- Wage garnishments
- Delinquencies, failure to pay, or cheating on taxes
- Employment bond refusals
- Defaulting or avoiding repayment on loans
- Debts due to gambling
- Expenditures on illegal activities
- Failure to make court-ordered payments
- Bad checks

Although an important area of investigation, the evaluation of a candidate’s behavior regarding the handling of finances must be careful and judicious. In some instances, outwardly negative information may involve legal rights and even factors that are completely outside of the candidate’s control. Financial opportunities can be limited as much by race, gender, marital status, and even geography as by willful acts of the candidate. It is therefore *critically important* to understand the full circumstances surrounding any apparently negative financial information.

### SOURCE OF INCOME

Investigators are permitted to inquire into the source of any income reported by the candidate, including wages, salary, or money earned by other means. Provided that the source of income is lawful, investigators should not draw conclusions about a candidate merely based on the amount of money earned.

### EXPENDITURES

It is permissible to inquire into the amount of money a candidate claims to spend on a monthly basis. However, assuming that the expenditures are for a lawful purpose, how a candidate chooses to spend money is generally not relevant. Instead, the focus should address the following questions: Does the reported income support the expenditures that a

candidate claims? Do the reported expenditures correspond with the obligations appearing on the credit report? Does the candidate meet the obligations that he or she has agreed to assume?

## BANKRUPTCY

Individuals have three essential avenues in which bankruptcy may be pursued: Chapter 7 (discharge of debt), Chapter 11 (business-related protection from creditors), and Chapter 13 (individual reorganization of debt).

Bankruptcy is a legal right. Absent any evidence of fraud, the mere fact that a candidate has undergone bankruptcy cannot be the sole basis upon which employment is denied.<sup>50</sup> Investigators may inquire into the circumstances that led up to bankruptcy, including the examination of supporting court records regarding reported assets and liabilities at the time when the bankruptcy petition was filed. Once filed with the United States District Court, these are public records.

State law forbids a consumer/credit reporting agency from reporting any fully discharged bankruptcy that is more than ten years old [Civil Code [§1786.18\(a\)\(1\)](#)].

## BILLS TURNED OVER FOR COLLECTION AND REPOSSESSIONS

In many cases, collection activity and repossessions are indicative of problem behavior. Investigators should take care to assure that the bill in collection is, in fact, the responsibility of the candidate against whose credit it has been reported and that any repossession reported similarly applies to the candidate. Investigators should then inquire as to why the bill had to be turned over to collection or why repossession was necessary.

## GARNISHMENTS

At one time, garnishments were almost always indicative of a candidate's failure to meet obligations. Today, however, as in the case of child support obligations, many courts automatically garnish wages, even where there has been no history of delinquencies. In some cases, tax payment plans can, for the convenience of the taxpayer, be automatically garnished from wages and frequently involve liens against the taxpayer's credit record.

## TAX DELINQUENCIES

The failure to satisfy lawful tax obligations may have a significant financial impact on a candidate's suitability. However, the reasons for the delinquencies may be more important than the delinquencies themselves. Unforeseen tax liabilities (wild fluctuations in company stock options, non-liquid inheritances, liquidation of property forced by marriage dissolution, criminal activities by a spouse or former spouse, and even changes in tax law) may or may not reflect upon a candidate. This is a legally complex area. Investigators may be best served by conducting a case-by-case review of a candidate's situation and should be open to authoritative interpretations by tax professionals.

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<sup>50</sup> [11 USC §525](#)

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## CONSUMER CREDIT REPORTS

A great deal of financial information is obtainable from consumer credit reporting agencies, and they often provide a timely and inexpensive means by which to assemble summary credit information.

Information obtained from a credit-reporting agency may include name, age, spouse's name, number of dependents, former addresses, occupation, employer, monthly income, paying habits, number of accounts maintained, balances on accounts, and case history of accounts. However, caution should be exercised when reviewing credit information. It is possible that these credit reports may contain some erroneous information. *All credit reports should be verified for accuracy, and candidates **must** be furnished a free copy of that report if it is to be used contrary to their interests.* Any circumstance surrounding any negative information should be evaluated on its own merits.

Recognizing that credit reports are frequently inaccurate, both the U.S. Congress and the California Legislature have imposed procedural safeguards to reduce the likelihood that an individual can be unwittingly denied employment based upon erroneous credit information. Background investigators may subject their agencies to unnecessary civil liability in the event that they fail to follow the disclosure rules present in the Fair Credit Reporting Act ([15 United States Code 1681](#)) and the California Consumer Credit Reporting Agencies Act (Civil Code Sections [1785.20](#) fail [1785.20.5](#)).

[Title 15 USC 1681 §604\(b\)](#), effective September 30, 1997, supersedes the provisions of the California Civil Code regarding an employer's use of credit information. Candidates must be notified that a prospective employer may consider credit history in evaluating suitability for appointment. Under the law, candidates must be informed of their rights under the Fair Credit Reporting Act (FCRA) before any adverse decision can be made.

A sample credit data advisement form is provided in [Table 5.12](#). This form (and all other forms provided in this manual) should only be used in consultation with the agency's legal counsel.

Credit scores generally have little to do with one's suitability for employment; in fact, that is one of the reasons why the major Credit Reporting Agencies do not include those numbers on employment documents. Further, the unsettled economy and so-called "credit crunch" has had an impact on things such as credit scores and credit lines, even where an individual has a perfect payment record. Credit itself, or even the lack thereof, may have limited bearing on someone's suitability for employment as a peace officer.

Instead, the background investigation should concern itself with issues such as whether the reported sources of income are lawful and fully accounted for, whether the candidate meets his/her obligations as agreed, and the reasons underlying any indications of credit problems (e.g., are the credit problems the fault/responsibility of the candidate, or are they related to the actions of others? Free-falling real estate values have placed many individuals in unanticipated hardship). Some candidates have no credit history at all, while others may have extraordinary resources.

Table 5.12

[Sample Form for Use](#)**SAMPLE ADVISEMENT TO CANDIDATES REGARDING THE USE OF CREDIT INFORMATION FOR EMPLOYMENT PURPOSES**

## ADVISEMENT TO CANDIDATE

**REGARDING CREDIT INFORMATION FOR EMPLOYMENT PURPOSES**

The U.S. Fair Credit Reporting Act (FCRA) of 1996 [15 U.S. Code 1681, §604(b)] and California's Consumer Credit Agencies Act (Civil Code §1785.20.5) require that you be notified separately of your rights before any prospective employer may use credit data as part of an employment decision. In some cases, an evaluation of your financial history is mandated by law [California Code of Regulations, Title 11, Sections 1953(e)(11)/1959(e)(10)], or by policy of your prospective employer.

You are hereby notified that your prospective employer intends to use credit data as **part** of its decision-making process for the position for which you have applied. The Credit Reporting Agency (CRA), which will furnish this data, will be \_\_\_\_\_ [Name of Credit Agency] located at \_\_\_\_\_ [Agency Address] \_\_\_\_\_. Their telephone number is \_\_\_\_\_ [Area Code - Number] \_\_\_\_\_. You will automatically be furnished a copy of this report, but before any adverse actions are taken as a result of this document, you are advised of the following:

1. Access to your file is limited to persons recognized by the FCRA;
2. Your consent is required for reports that are provided to employers or that contain medical information;
3. You can find out what is in your file, although some information, such as "risk sources" or "credit scores" may be lawfully withheld;
4. You have been informed of the name, address, and telephone number of the CRA which is furnishing this data;
5. You can dispute inaccurate information with the CRA;
6. Inaccurate information must be corrected or deleted;
7. Outdated information may not be reported (seven years for most information, ten years for bankruptcies);
8. You may choose to exclude your name from the CRA list for unsolicited credit and insurance offers;
9. You may seek damages from violators, and;
10. The complete text of this act may be found at [www.ftc.gov](http://www.ftc.gov).

**CERTIFICATION:** I certify that \_\_\_\_\_ [Name of Hiring Agency] \_\_\_\_\_ has my consent to obtain a copy of my credit report for the limited purpose of my pre-employment background investigation; that I have been furnished with the name, address, and telephone number of the CRA, I have been informed that I will receive a copy of my credit report and that I have been informed in summary form of my rights under the FCRA.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

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## PRACTICAL CONSIDERATIONS

Investigators should take heed of the following:

- Financial data is extremely sensitive. Take steps to safeguard it.
- Always be wary of the accuracy of financial data, whether furnished by the candidate or by some other source. It is notoriously inaccurate.
- Whenever conducting a credit check of candidates for employment purposes, a candidate's signed consent is necessary.
- Whenever credit reports are used for adverse employment purposes, the candidate is entitled to a free copy of any such report under federal law.
- Whenever a candidate for employment is rejected from employment, in part or in whole, based upon credit information, the candidate must be informed.
- The mere fact of bankruptcy cannot be the sole basis upon which a candidate is denied employment.
- Concentrate on whether a candidate's income and expenditures are lawful, properly reported, and satisfied in a timely manner.
- Absent fraud or conspiracy, financial data pertaining to the candidate's family, business partners, and even spouses (in some cases) are generally irrelevant and not permitted.
- Candidates who are self-employed may need to produce documents such as financial statements from an accountant or even tax returns to support their claimed income.

Investigators should not, however, collect such sensitive documents unless necessary.

### PHS Section 8

#### Legal

California law<sup>51</sup> and POST regulations<sup>52</sup> require that the background investigation include a review of specific sources of information, including:

- Criminal records of the California Department of Justice
- All police files in jurisdictions where the candidate has resided, worked, or frequently visited
- The Federal Bureau of Investigation records
- The State Department of Motor Vehicles, Division of Drivers Licenses

This PHS section requires the candidates to detail their history of involvement with legal authorities, as well as to recount illegal but undetected activities. This includes:

- Arrests, detentions, diversion programs (peace officers), and convictions (peace officers and public safety dispatchers)
- Probation

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<sup>51</sup> Government Code [§1029](#)

<sup>52</sup> Commission Regulations [1953\(e\)\(3\),\(4\)](#) and [1959\(e\)\(2\),\(3\)](#)

- Civil lawsuits
- Referrals to Child Protective Services<sup>53</sup>
- Home visits by law enforcement officers
- Being the subject of emergency protective and related court orders
- Filing of fraudulent claims (e.g., welfare, worker's compensation)
- Misdemeanor-level acts (past seven years)
- Felony-level acts (lifetime)
- Current illegal drug use and history of recreational drug use

### LEGAL HISTORY SEARCH GUIDELINES

Checks of all local agencies where a peace officer candidate has lived, worked, or frequented should be conducted to locate any relevant criminal history that does not appear on a DOJ or FBI Rap Sheet. State law [PC [§13300\(f\)](#)] requires California law enforcement agencies to furnish, without charge, local criminal history information on all peace officer applicants. Local agency checks should be also conducted for all public safety dispatcher candidates; however, note that non-criminal justice agency dispatcher candidates have different levels of protection for their arrest records.<sup>54</sup>

The circumstances surrounding any candidate's arrest/conviction record, whether adult or juvenile, should be investigated. The conduct that led to an arrest or conviction is in many cases as relevant (if not more) than the presence or absence of an arrest.

The facts surrounding the candidate's present or past involvement in any civil court action should be researched. This requirement applies to peace officer and public safety dispatchers.

Arrest reports and court records should be obtained for both peace officer candidates and public safety dispatcher candidates for law enforcement agencies.

### FELONY CONVICTIONS

Any person convicted of a felony (or of a crime in another jurisdiction that would be a felony in California) is prohibited from employment as a California peace officer [Government Code [§1029\(a\)](#)]. This prohibition holds even if the conviction was sealed, expunged, or set aside. It may also apply to any convictions that were subsequently reduced to a misdemeanor occurring on or after January 1, 2004.

Proceedings under juvenile court are generally *not* considered to be a criminal conviction under GC [§1029](#) unless the individual was certified, tried, and convicted as an adult. Therefore, juvenile convictions are not included as a legal bar to appointment as a peace officer. However, the conduct surrounding the offense should certainly be considered as part of the overall background.

There are no similar regulations prohibiting the employment of those convicted of a felony as public safety dispatchers.

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<sup>53</sup> Peace officer candidates may also be screened through the [California Child Abuse Central Index](#), but an inquiry separate from fingerprinting is required.

<sup>54</sup> See "Disclosure Provisions" in [Chapter 3](#): "Legal Qualifications and Statutory Framework"

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## MISDEMEANOR CONVICTIONS

Misdemeanor convictions are not, in and of themselves, automatically disqualifying either for peace officers or for public safety dispatchers. However, **any** conviction should be carefully examined with regard to its relevance to the candidate's suitability for appointment, especially the impact on eligibility to possess a firearm pursuant to either Penal Code [§29805](#) or [Title 18 U.S. Code 922\(d\) and \(g\)](#). Note: For peace officer candidates, a firearms clearance letter will be mailed separately from DOJ.

Some persons convicted of offenses have undergone legal proceedings either to seal or expunge a criminal conviction (see [Table 5.13](#): Restoration of Rights). Investigators need to check any returned Rap Sheets for the full details, and it may be necessary to obtain "Minute Orders" from the court of record to determine the factual outcome.

Department policy will largely govern the response to involvement in criminal activity, detentions, arrests, convictions, diversion programs, and even probation. While the PHS covers a wide array of detected and undetected illegal activity - including illegal use of controlled substances - the decision regarding their impact on hiring (apart from issues of legal disqualification under Government Code [§1029](#)) rests with the agency.

Agencies may be tempted to deal with each issue and admission on a case-by-case basis; however, this approach can result in claims of disparate treatment, especially against individuals in protected classes (i.e., race, gender, age, sexual orientation, marital status, disability, political affiliation, etc.). A well thought-out and articulated policy in advance of the decision may assist in minimizing the likelihood of accusations and litigation.

## SEALED AND EXPUNGED RECORDS

In certain circumstances, applicants may lawfully deny that an arrest (and in some cases even a conviction) ever occurred. [Table 5.13](#) lists circumstances in which a peace officer applicant may lawfully refrain from disclosing arrests and/or convictions that have been sealed, expunged or set aside. Public safety dispatcher applicants are generally exempted from disclosing any legal proceeding that was sealed, expunged or set aside, with the exception of those falling under the Federal Youth Offender Act ([18 USC 5038](#)).

It is important to underscore that a sealing or expungement does not relieve the applicant from providing information about the underlying conduct that led to such a sealed or expunged record. (The possible exception might be an arrest/conviction expunged by a court pursuant to PC [§851.8](#), in which case the court made a factual finding of innocence, as there is no underlying conduct to disclose). "Rap Sheets" obtained from DOJ or the FBI are presumptively authoritative records of an individual's history of arrest and/or conviction.

The POST PHS admonishes applicants to obtain legal advice before failing to disclose any arrest and/or conviction. Background investigators must therefore determine whether such information, if discovered, constitutes a material omission of required information, or the exercise of a "release from penalties" right afforded to applicants by law.

**Table 5.13**  
**PEACE OFFICER RESTORATION OF RIGHTS FOLLOWING ARREST AND/OR CONVICTION**

Restoration Method	APPLICANT STATUS			
	Must Respond to Inquiries?	Eligible for Peace Officer Employment?	Eligible for Firearms Clearance?	Appearance of DOJ "Rap" Sheet
Release per Penal Code <a href="#">§1203.4a</a> (misdemeanor)	YES	YES	YES	<i>Release per PC §1203.4a</i>
Release per PC <a href="#">§1203.4</a> (felony) <a href="#">W&amp;I 3200</a>	YES	NO	NO	<i>Release per PC §1203.4</i>
Sealed record per PC <a href="#">§1203.45</a> (misdemeanor)	NO	YES	YES	<i>No reference</i>
Expunged record per H&S Code <a href="#">§11361.5(a)</a> and <a href="#">§11361.7</a>	NO <i>If at least 2 yrs have passed from date of arrest or conviction</i>	YES	YES	<i>No reference</i>
Expunged record per H&S Code <a href="#">§11361.5(b)(1)</a> and <a href="#">§11361.7</a> (misdemeanor)	NO <i>If at least 2 yrs have passed from date of arrest or conviction</i>	YES	YES	<i>No reference</i>
Pardon per PC <a href="#">§4852.17</a> and <a href="#">§4853</a>	YES	NO*	YES**	<i>Pardon per PC §4852.17</i>
Reduced per PC <a href="#">§17(b)</a> (misdemeanor) prior to January 1, 2004	YES	YES	YES	<i>Reduced to misdemeanor per PC §17(b)</i>
Reduced per PC <a href="#">§17(b)</a> (misdemeanor) after January 1, 2004 per GC <a href="#">§1029(a)(3)</a>	YES	NO	N/A	<i>Reduced to misdemeanor per PC §17(b)</i>
Successful completion of a diversion program based upon an arrest pursuant to PC <a href="#">§1000.5</a> , <a href="#">§1001.9</a> , <a href="#">§1001.33</a> , <a href="#">§1001.55</a> , OR <a href="#">§1001.75</a>	YES	YES	YES	<i>Diversion successfully completed, case dismissed; <b>OR</b> Diversion terminated, case dismissed; <b>OR</b> Diversion terminated, criminal proceedings reinstated</i>
Sealed record per PC <a href="#">§851.7</a>	NO	YES	YES	<i>No reference</i>
Expunged record per PC <a href="#">§851.8</a>	NO	YES	YES	<i>No reference</i>
Reduced per PC <a href="#">§1210.1</a> (misdemeanor)	YES	YES	YES	<i>Reduced to misdemeanor per PC §1210.1</i>
Federal Youth Offender Act <a href="#">18 USC 5038</a>	YES	YES	YES	<i>Offense set aside</i>

\* Unless the applicant is applying for the position of parole officer with the Department of Corrections or the Youth Authority [see Government Code [§1029\(b\)](#)].

\*\* Unless crime of which he/she was convicted involved the use of a dangerous weapon.

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## PRACTICAL Considerations

In dealing with legal issues, it is important to consider:

- The seriousness of the offense itself
- The age of the candidate at the time of the offense/conduct
- How recently the offense/conduct occurred
- The occupation/career path of the candidate at the time of the offense
- Any mitigating circumstances
- The impact, if any, upon the candidate's potential credibility as a witness in a court of law

## CIVIL COURT ACTION

The investigation of a candidate's involvement as a plaintiff or defendant in any civil court action can prove to be very informative. The investigator may want to go so far as to check the civil filing index of the superior courts of counties where the candidate has resided.<sup>55</sup>

## RESTRAINING OR STAY-AWAY ORDER

Behavior that led to a restraining or stay-away order placed on a candidate can directly relate to the applicant's suitability for the job. Both the behavior and the circumstances should be thoroughly investigated. Restraining orders associated with allegations of domestic violence appear in the CLETS System DVROS database and should be revealed during any "wants and warrants check."

## DIVERSION PROGRAMS

There are many forms of court-ordered diversion programs. Peace officer candidates must report such diversions,<sup>56</sup> but the reporting requirements are different for non-sworn positions, such as public safety dispatcher. Investigators should consult the specific section of law authorizing the diversion in order to determine whether that proceeding must be reported.

## FINGERPRINTING

The submittal of fingerprints is required for both peace officer and public safety dispatcher applicants. Throughout California, paper fingerprint cards have been replaced by Livescan. Agencies that do not have their own Livescan terminal should contract with another agency to provide this service.

Although Livescan responses may return in 24 hours or less, problem records can take upwards of 30 days. Firearms clearance letters are mailed separately. Investigators should carefully read each fingerprint return, as quite often problem records require resubmission or other further action.

Due to the costs associated with fingerprinting candidates, agencies have delayed processing fingerprints. Lengthy or indefinite delays can and have resulted in overlooking the submittal of fingerprints entirely, a fact often detected during the POST compliance audit.

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<sup>55</sup> The use of public record information, even by agencies in the conduct of their own background investigations, may require disclosure of that information to a candidate if it is to be used adverse to their interests per Civil Code [§1786.53\(g\)](#).

<sup>56</sup> Participation in diversion programs as a result of simple possession of marijuana occurring five years ago or longer need not be reported (Penal Code [§1000](#)).

A copy of the return should be retained in the candidate's personnel record, and Commission Regulations [1953\(e\)\(3\)\(C\)](#) and [1959\(e\)\(2\)\(C\)](#) specify that a search be made of the Federal Bureau of Investigation records and that a copy of that return should also be retained in the candidate's personnel records. (Note: DOJ policy is that dispatcher candidates at *non*-criminal justice agencies may not retain these records; only a notation that the search has been conducted and the individual was cleared.)

The California Department of Justice prohibits a hiring agency from using the Automated Criminal History System to investigate a candidate's history of arrest or conviction, or transmitting local criminal history information over the CLETS system for employment purposes.

## ILLEGAL DRUG AND ALCOHOL USE

As discussed in [Chapter 3](#), “Legal Qualifications and Statutory Framework,” it is unlawful to make disability-related inquiries prior to making a conditional offer of employment (COE). Protected disabilities include a *history* of drug addiction or dependence. Therefore, questions that can be expected to elicit this type of information are prohibited pre-offer. This would include questions such as “Have you ever been treated for drug addiction?” or “How many times in your life have you used illegal drugs?”

The PHS includes questions on current and past illegal drug use. The latter question asks candidates to indicate if they: (1) never used any drug recreationally, or (2) tried or used drug(s), but only under **limited** circumstances (e.g., parties, concerts, etc). Candidates who check box (2) are asked to provide details about their drug use, including drug(s) used, most recent date used, and circumstances. Note that if neither box (1) or (2) is checked, it may be assumed (after ruling out carelessness) that the candidate may have used illegal drugs under more than limited circumstances. However, in compliance with the prohibition on pre-offer disability inquiries, investigating the extent and nature of past illegal drug use should be deferred until the post-offer stage.

Alcoholism — past and current — is a protected disability; therefore, questions about how much a candidate drinks, etc., are not allowable prior to a COE. However, inquiries about job-relevant behavior are permissible, even if that behavior was a result of drunkenness. For example, it is permissible to ask about DUIs, or attendance problems at work because of alcohol use.

## PHS Section 9 Motor Vehicle Operation

Commission Regulations 1953(e)(4) and 1959(e)(3) mandate checking the DMV records of both peace officer and public safety dispatcher candidates to determine their driving record and adherence to the law. Although a review of a candidate's driving history is required, the operation of a motor vehicle is neither a state nor a POST requirement for either public safety dispatchers or peace officers. Rather, the review of driving history is intended to provide information regarding the candidate's impulse control/attention to safety, conscientiousness, and other related character attributes.

This section requires candidates to provide information on their driving history, including:

- Driver's license number, state, expiration date, and name under which license was granted.
- License refusals, revocations, etc.
- Traffic citations (excluding parking citations).

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- Refusal or revocation of automobile liability insurance.
  - Automobile insurance.
  - Liability coverage (peace officers only).
  - Motor vehicle accidents in the past seven years (peace officers only).

## DRIVER'S LICENSE

As mentioned above, possession of a valid driver's license is not a requirement for either peace officer or public safety dispatcher employment, and therefore should not be a condition of employment unless this is an express agency qualification standard (since some peace officers, and many public safety dispatchers are not required to drive a vehicle).

Information on driving records and the status of licenses in California can be obtained by completing DMV Form INF 252 ([Appendix E](#)). Completed forms, including the department's Requester Code Number, should be mailed to:

Department of Motor Vehicles  
Division of Headquarters Operations Information Services  
P.O. Box 944231, Mail Station G201  
Sacramento, CA 94244-2310

Under prevailing California Department of Justice policy, California Law Enforcement Telecommunications Systems (CLETS) subscribing agencies **may** access DMV records via CLETS for their candidates.

If the candidate lived or worked outside of California, out-of-state agencies may be contacted for records, although virtually all states (including California) have purge criteria that may limit driving history information. The amount of time that information remains on a DMV record may be influenced by the driving record itself. As a general rule, in California, infractions remain on a record for 37 months, misdemeanor offenses for seven years, and DUIs and hit-and-run for ten years.

## DRIVER'S LICENSE REFUSED

A driver's license may be refused for a number of reasons that may or may not have relevance to suitability for employment as a peace officer or public safety dispatcher. Investigators should inquire into the reason for the refusal of any state to grant a driver's license to the candidate.

## VEHICLE INSURANCE

The California Compulsory Financial Responsibility Law requires that operators and owners of motor vehicles be covered by vehicle liability insurance, or place a \$35,000 deposit with the Department of Motor Vehicles, or a bond for the same amount. The investigator should determine if candidates are complying with insurance requirements on their vehicles. Note that persons can be covered by their parents' insurance if they drive their parents' vehicle, or if their vehicle is co-registered to their parents. However, they should be named as an additional insured, either generically on the policy or by name.

## DRIVING RECORD

The candidate's driving record, in particular the nature and number of moving violations and the number of accidents, can provide useful information about the individual's driving ability as well as other job-relevant personal characteristics. An individual's history of automobile

accidents is less likely to be of critical importance for public safety dispatcher candidates, and is therefore not included on that PHS.

In a routine investigation, inquiries should not be made into the number of parking citations the candidate has received, since no precise number of parking citations can be established as being job-relevant. Parking citations are also extremely difficult to track, as many agencies have contracted this function to private organizations. However, the investigator should look into any illegal abuses of the citation process or warrants issued as a result of parking citations.

#### REVOKED OR SUSPENDED LICENSE

A revoked or suspended driver's license can be very relevant to candidate suitability, especially where such a suspension or revocation resulted from other willful misconduct (i.e., failure to appear, failure to pay a fine).

#### REFUSED AUTO LIABILITY INSURANCE

The driving history of a candidate who has been refused auto liability insurance must be carefully investigated to determine why the insurance was refused. A candidate's insurability is critical for those agencies where driving is an essential function of the position.

### PHS Section 10 Other Topics

The questions in this section ask about a history of physical violence, gang membership, and other behavior associated with anger control problems and anti-social tendencies. Specifically, these items include:

- Denial of a concealed weapons permit.
- Membership or association with criminal enterprises, gangs, or other groups that advocate violence, racism or other forms of bigotry.
- Having a tattoo associated with a criminal enterprise, gang, or other group that advocates violence, racism, or other forms of bigotry.
- History of physical violence.
- History of domestic violence.

#### TATTOOS

The PHS limits inquiries about tattoos to those that signify affiliation with or membership in criminal enterprises, street gangs, or other groups that advocate violence and/or bigotry. No other questions about tattoos in general should be asked unless they can be shown to be relevant to performing the job. Tattoos that are covered by uniforms, or are never exposed to the public while on duty, should not be the basis for adverse employment actions, absent concurrence with an agency's legal counsel.

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## Chapter 6

# POST COMPLIANCE INSPECTIONS

POST is required by statute (Penal Code [§13512](#)) to conduct regularly scheduled inspections to verify that agencies are in compliance with documentation requirements and appointment standards. Records are inspected of those peace officers and public safety dispatchers (whose agencies are in the POST program) for whom a Notice of Appointment ([POST 2-114](#)) has been received by POST since the last audit cycle.

**Tables 6.1** and **6.2** (located at the end of this chapter) represent the tables of content from the background investigation files (Report Organizer Tabs). [Table 6.1](#) lists the required areas of documentation for *peace officer* background investigations; [Table 6.2](#) lists the corresponding required areas of documentation for *public safety dispatcher* background investigations. Prior to July 2009, the individual organizer tabs for peace officer candidates and public safety dispatcher candidates were substantially different. The July 2009 revision to the peace officer and public safety dispatcher selection standards aligned the background investigations of both classifications and removed most of those differences.

The specific documentation requirements for each area are discussed briefly below, including the relevant statute and/or regulation, the focus of the inspector's review, and common oversights/problems encountered during compliance inspections. Where problems/deficiencies are noted during a compliance inspection, POST Regional Consultants will conduct periodic re-checks to ensure that those items have been corrected.

The [Report Organizer Tabs](#) can be ordered by contacting POST's Training Delivery & Compliance Bureau at 916 227-4863.

### Tab A

#### BACKGROUND NARRATIVE REPORT

Commission Regulations [1953\(g\)](#) and [1959\(g\)](#)

A narrative report must be compiled by the background investigator and included in the employee's selection file. The narrative must fully address and document all mandated areas of inquiry, and contain sufficient information to allow the hiring authority to make a defensible decision. Complete documentation must be included in the file.

#### *Common Oversights/Problems:*

- Narrative does not provide any detail (e.g., "all references were positive").
- No documentation in file to allow for actual identification of contacts interviewed and what was said.
- Narrative fails to address all mandatory areas of inquiry.
- Failure to retain sufficient documentation and information.

**Tab B**

**PERSONAL HISTORY STATEMENT** (*POST form or alternative*)

Commission Regulations [1953\(c\)](#) and [1959\(c\)](#)

A thoroughly completed Personal History Statement must be contained in the file. The POST forms [2-251](#) (Peace Officer) or [2-255](#) (Public Safety Dispatcher) can be used, or an alternative form that includes questions related to the ten areas of investigation listed in Commission Regulations 1953(c) and 1959(c). Completed forms will be reviewed to ensure sufficient personal information to begin and conduct the background investigation [e.g., current and past residences, current and past employment (including unexplained gaps in employment or residences), references, family members].

*Common Oversights/Problems:*

- Sections of the form are incomplete or inaccurate.
- No signature on last page.
- Candidate has not initialed each page.
- Form is out-of-date.

**Tab C**

**DOJ/FBI FINGERPRINT RETURNS – Peace Officers and Public Safety Dispatchers**

Government Code [§1029\(a\),\(b\)](#) and [§1031\(c\)](#), and

Commission Regulations [1953\(e\)\(3\)\(B\),\(C\)](#) and [1959\(e\)\(2\)\(B\),\(C\)](#)

Results from both Department of Justice and Federal Bureau of Investigation fingerprint checks for criminal history must be in the file. The results must be relevant to the position sought, and conducted prior to but no greater than a year from hire.

*Common Oversights/Problems:*

- Confusing a delay notification with an actual clearance return.
- Reports are more than one year old and/or associated with a different position (e.g., non-sworn, correctional officer).
- Failing to request returns from **both** DOJ and FBI on the Live Scan request form.

**DOJ FIREARMS CLEARANCE – Peace Officers *Only***

[18 USC §922](#), PC [§29805](#) and Commission Regulation [1953\(e\)\(3\)\(B\)](#)

Results from the Department of Justice (DOJ), Bureau of Identification (BID), pertaining to authorization to possess and carry firearms (i.e., Firearms Clearance) must be contained in the file. The DOJ mails the Firearms Clearance separate from the record check (fingerprint return).

*Common Oversights/Problems:*

- Confusing a DOJ concealed weapons print return for reserve officers with a Firearms Clearance: a reserve officer needs the same fingerprint returns as a full-time officer.
- Confusing a delay notification with an actual clearance return.
- Reports are over one-year old and/or associated with a different position (e.g., correctional officer).

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### Tab D

#### DRIVING RECORD CHECK

Commission Regulations [1953\(e\)\(4\)](#) and [1959\(e\)\(3\)](#)

Results from the Department of Motor Vehicle or other official driving record must be in the file.

*Common Oversight/Problem:*

- Reports are more than one year old.

### Tab E

#### LOCAL LAW ENFORCEMENT AGENCY RECORD CHECKS

PC [§13300\(k\)](#), and Commission Regulations [1953\(e\)\(3\)\(A\)](#) and [1959\(e\)\(2\)\(A\)](#)

Returns from checks of records from agencies serving jurisdictions where the candidate has lived, worked, attended school, or had other extended stays should be included in the file. The record check inquiries and responses should be appropriate to the position being sought. The background summary should identify specific names of agencies checked based on information provided in the PHS. Letters from agencies on letterhead are the best evidence of compliance with this requirement. If agencies do not provide a written return, the fact that they were checked should be noted in the narrative. (Note: some agencies restrict – or decline entirely – requests for local criminal history on non-peace officer applicants).

*Common Oversights/Problems:*

- Missing from file or not covered in narrative.
- Not waiting for all returns.

### Tab F

#### CREDIT RECORDS CHECK

Commission Regulations [1953\(e\)\(11\)](#) and [1959\(e\)\(10\)](#)

A check of the individual's financial status must be contained in the file. The check should be conducted prior to but no greater than a year before hire.

*Common Oversights/Problems:*

- Reports are more than one year old.
- Report is not from bona fide credit reporting agency.

### Tab G

#### EDUCATION VERIFICATION

GC [§1031\(e\)](#) and Commission Regulations [1953\(e\)\(5\)](#) and [1959\(e\)\(4\)](#)

Official transcripts are the only authoritative means of verifying a person's educational background. The transcript shall be an original, a certified copy, or a copy marked "copied from original" that is signed and dated by the background investigator. If any contact was made with current and prior educational institutions attended by the employee, this should be contained in the file too. Peace officer files must contain documentation verifying graduation from either a U.S. high school, accredited DOD high school, or accredited/approved private or nonpublic high school; or verification of passing the GED test or California High School Proficiency Examination; or possession of a two-year, four-year, or advanced degree from an accredited college or university.

*Common Oversights/Problems:*

- Documented education does not correspond/support education claimed on PHS.
- Transcripts are not official.
- Diploma rather than transcript is included.
- Copy of transcript is not certified or lacks notation that it was copied from the original.
- School is not accredited per Government Code §1031(e) – *peace officer only*.

**Tab H**

**CITIZENSHIP/AGE REQUIREMENTS – Peace Officers**

GC [§1031\(a\) and \(b\)](#) and Commission Regulation [1953\(e\)\(1\),\(2\)](#)

Documentation verifying U.S. citizenship and age must be contained in the peace officer's file. Acceptable evidence includes an official U.S. birth certificate, naturalization documentation, or citizenship documentation. The documents shall be an original, a certified copy, or an investigator-attested copy.

*Common Oversights/Problems:*

- Certificate is not issued by a government agency.
- Certificate is not a certified or investigator-attested to copy of a certified birth certificate.
- U.S. passport is not necessarily proof of citizenship.
- For candidates who are not yet citizens, failing to include proof of application for citizenship and legal resident alien card.

**EMPLOYMENT ELIGIBILITY – Public Safety Dispatchers**

– [8 USC §1324a](#) and Commission Regulation [1959\(e\)\(1\)](#)

Documentation verifying employment eligibility must be contained in the public safety dispatcher's file. Acceptable evidence includes U.S. birth certificate, naturalization documentation, or current permanent resident alien card.

*Common Oversights/Problems:*

- Work Authorization is expired.
- Documentation does not support right to work.

**Tab I**

**MILITARY HISTORY CHECK**

[50 USC Appendix §462](#) and Commission Regulations [1953\(e\)\(10\)](#) and [1959\(e\)\(9\)](#)

Verification of military service (DD-214) or verification of Selective Service registration, if appropriate, must be in the file. Selective Service registration is required for all males (excluding the sons of foreign diplomats) born on or after January 1, 1960.

*Common Oversights/Problems:*

- Document submitted is not DD-214 Long Form.
- No documentation is offered for willful failure to register.

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**Tab J**

**DISSOLUTION OF MARRIAGE CHECK**

Commission Regulations [1953\(e\)\(8\)](#) and [1959\(e\)\(7\)](#)

Evidence of dissolution of previous marriage(s) must be contained in the file.

*Common Oversight/Problem:*

- Failure to include court-issued final divorce decree in the file.

**Tab K**

**EMPLOYMENT HISTORY CHECKS**

Commission Regulations [1953\(e\)\(6\)](#) and [1959\(e\)\(5\)](#)

Documented verification of contact with previous employers must be contained in the file.

*Common Oversight/Problem:*

- Insufficient number of employers contacted.

**Tab L**

**RELATIVES/PERSONAL REFERENCES CHECKS**

Commission Regulation [1953\(e\)\(7\)](#) and [1959\(e\)\(6\)](#)

Documented verification of contact with personal references must be contained in the file.

*Common Oversight/Problem:*

- Documentation of source and information not included in file.

**Tab M**

**NEIGHBORHOOD CHECKS**

Commission Regulation [1953\(e\)\(9\)](#) and [1959\(e\)\(8\)](#)

Documented verification of contact with current and past neighbors must be contained in the file.

*Common Oversight/Problem:*

- Residential history included instead of actual contacts with current/former neighbors.
- No checks of past residences.

**Tab N**

**MEDICAL CLEARANCE – Peace Officers and Public Safety Dispatchers**

GC [§1031\(f\)](#) and Commission Regulations [1954\(e\)](#) and [1960\(e\)](#)

Documented verification that the medical examination was conducted according to statute/regulation must be contained in the file. This document must be signed by the examining physician, and should include his/her license number, the date the examination took place, that it met appropriate statutory/regulatory requirements, and that the individual was found suitable for employment. A copy of the letter is permissible, if the original is maintained by the agency's human resources department. The actual medical report shall not be kept in the background file.

*Common Oversights/Problems:*

- Certificate of suitability not signed by physician.
- Confidential medical information in file.

- Certificate more than one year old prior to date of employment/appointment.
- No documentation in file; merely a note that clearance letter is kept at HR.

**PSYCHOLOGICAL CLEARANCE – Peace Officers *Only***

GC [§1031\(f\)](#) and Commission Regulation [1955\(e\)](#)

Documented verification that the psychological examination was conducted according to statute/regulation must be contained in the peace officer's file. This document must be signed by the examining psychologist, and should include his/her license number, the date the examination took place, that it met statutory/regulatory requirements, and that the individual was found suitable for employment. A copy of the letter is permissible, if the original is maintained by the agency's human resources department. The actual psychological report shall not be kept in the background file.

*Common Oversights/Problems:*

- Certificate of suitability not signed by psychologist.
- Confidential psychological information in file.
- No documentation in file; merely a note that clearance letter is kept at HR.

**Table 6.1**

**BACKGROUND INVESTIGATION AREAS OF DOCUMENTATION – PEACE OFFICER**

*(As shown in the Report Organizer Tabs)*

<b>A</b>	Background Narrative Report	<input type="checkbox"/>
<b>B</b>	Personal History Statement	<input type="checkbox"/>
<b>C</b>	DOJ / FBI Fingerprint Returns and Firearms Clearance	DOJ <input type="checkbox"/> FBI <input type="checkbox"/> Firearms <input type="checkbox"/>
<b>D</b>	Driving Record Check	<input type="checkbox"/>
<b>E</b>	Local Law Enforcement Agency Record Checks	<input type="checkbox"/>
<b>F</b>	Credit Records Check	<input type="checkbox"/>
<b>G</b>	Education Verification	<input type="checkbox"/>
<b>H</b>	Citizenship / Age Verification	<input type="checkbox"/>
<b>I</b>	Military History Check	<input type="checkbox"/>
<b>J</b>	Dissolution of Marriage Check	<input type="checkbox"/>
<b>K</b>	Employment History Checks	<input type="checkbox"/>
<b>L</b>	Relatives / Personal References Checks	<input type="checkbox"/>
<b>M</b>	Neighborhood Checks	<input type="checkbox"/>
<b>N</b>	Medical / Psychological Clearances	Med <input type="checkbox"/> Psych <input type="checkbox"/>
<b>Misc</b>	Other Documentation	<input type="checkbox"/>

**Table 6.2**  
**BACKGROUND INVESTIGATION AREAS OF DOCUMENTATION – PUBLIC SAFETY DISPATCHER**  
*(As shown in the Report Organizer Tabs)*

<b>A</b>	Background Narrative Report	<input type="checkbox"/>
<b>B</b>	Personal History Statement	<input type="checkbox"/>
<b>C</b>	DOJ / FBI Fingerprint Returns	DOJ <input type="checkbox"/> FBI <input type="checkbox"/>
<b>D</b>	Driving Record Check	<input type="checkbox"/>
<b>E</b>	Local Law Enforcement Agency Record Checks	<input type="checkbox"/>
<b>F</b>	Credit Records Check	<input type="checkbox"/>
<b>G</b>	Education Verification	<input type="checkbox"/>
<b>H</b>	Employment Eligibility	<input type="checkbox"/>
<b>I</b>	Military History Check	<input type="checkbox"/>
<b>J</b>	Dissolution of Marriage Check	<input type="checkbox"/>
<b>K</b>	Employment History Checks	<input type="checkbox"/>
<b>L</b>	Relatives / Personal References Checks	<input type="checkbox"/>
<b>M</b>	Neighborhood Checks	<input type="checkbox"/>
<b>N</b>	Medical Clearance	<input type="checkbox"/>
<b>Misc</b>	Other Documentation	<input type="checkbox"/>

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## **APPENDICES**

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## Appendix **A**

# DEVELOPMENT OF POST BACKGROUND INVESTIGATION DIMENSIONS

The creation of the POST background investigation dimensions resulted from a review of multiple job analyses of both the peace officer and public safety dispatcher position, including the 1977 and 1998 job analyses from which the previous background dimensions were derived, a personality-based peace officer job analysis conducted by POST in 2003 which led to the development of psychologically-based job dimensions, a 2003 project by the Department of Justice on Community Oriented Policing, and a 2002 POST study leading to the creation of oral interview factors.

An additional rich source of information about both job classifications was provided by the O\*NET database. Created in 1999 by the U.S. Department of Labor, this interactive database includes information on tasks, skills, abilities, knowledge, work activities, and attributes for 1,122 occupations, including *police patrol officer* and *police, fire, and ambulance dispatchers*. Because the O\*NET assesses all occupations against the same set of criteria, it provides a very effective means for comparing peace officer and dispatcher worker attributes.

[Table A.1](#) on the next page lists 21 O\*NET job requirements and attributes most relevant to background investigations. The importance of these attributes for peace officers and public safety dispatchers are extremely similar; only a few percentage points separate the ratings for virtually every characteristic. These results serve to demonstrate that, despite the fact that peace officers and public safety dispatchers involve very different duties and tasks, these two occupations are strikingly similar with respect to many worker requirements.

Given this similarity, one common set of ten background dimensions was created for peace officers and public safety dispatchers. The dimensions are organized into five major categories (Moral Character, Handling Stress and Adversity, Work Habits, Interactions with Others, and Intellectually-Based Abilities). These dimensions are fully described in [Chapter 2](#), Peace Officer and Public Safety Dispatcher Background Investigation Dimensions.

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**Table A.1**  
**IMPORTANCE RATINGS:**  
**SELECTED U.S. DEPARTMENT OF LABOR O\*NET JOB ATTRIBUTES AND REQUIREMENTS**

ATTRIBUTE	REQUIREMENTS	Importance Rating (%)	
		PEACE OFFICER	DISPATCHER
<b>Integrity</b>	<b>CHARACTER</b> – Job requires being honest and ethical.	96 %	91 %
<b>Stress Tolerance</b>	<b>DEALING WITH STRESS</b> – Job requires accepting criticism and dealing calmly and effectively with high stress situations.	93	96
	<b>FREQUENCY OF CONFLICT SITUATIONS</b> – How often are there conflict situations the employee has to face in this job?	94	88
	<b>DEALING WITH UNPLEASANT OR ANGRY PEOPLE</b> – How frequently does the worker have to deal with unpleasant, angry, or discourteous individuals as part of the job requirements?	92	94
	<b>SELF CONTROL</b> – Job requires maintaining composure, keeping emotions in check, controlling anger, and avoiding aggressive behavior, even in very difficult situations.	96	94
<b>Decision Making and Judgment</b>	<b>CRITICAL THINKING</b> – Using logic and reasoning to identify the strengths and weaknesses of alternative solutions, conclusions or approaches to problems.	86	81
	<b>FREQUENCY OF DECISION MAKING</b> – How frequently is the worker required to make decisions that affect other people, the financial resources, and/or the image and reputation of the organization?	94	95
	<b>INDUCTIVE REASONING</b> – The ability to combine pieces of information to form general rules or conclusions (includes finding a relationship among seemingly unrelated events).	84	88
	<b>DEDUCTIVE REASONING</b> – The ability to apply general rules to specific problems to produce answers that make sense.	75	81
<b>Conscientiousness</b>	<b>DEPENDABILITY</b> – Job requires being reliable, responsible, and dependable, and fulfilling obligations.	88	91
	<b>INITIATIVE</b> – Job requires a willingness to take on responsibilities and challenges.	80	82
	<b>ATTENTION TO DETAIL</b> – Job requires being careful about detail and thorough in completing work tasks.	90	88
	<b>GETTING INFORMATION:</b> Observing, receiving, and otherwise obtaining information from all relevant sources.	93	99

*continues*

**Table A.1** *continued*

**IMPORTANCE RATINGS:**

**SELECTED U.S. DEPARTMENT OF LABOR O\*NET JOB ATTRIBUTES AND REQUIREMENTS**

ATTRIBUTE	REQUIREMENTS	Importance Rating (%)	
		PEACE OFFICER	DISPATCHER
<b>Interpersonal Skills</b>	<b>WORKING DIRECTLY WITH THE PUBLIC</b> – Dealing directly with the public, such as serving customers in restaurants and stores, receiving clients or guests, etc.	92	92
	<b>WORK WITH WORK GROUP OR TEAM</b> – How important is it to work with others in a group or team in this job?	92	93
	<b>CONCERN FOR OTHERS</b> – Job requires being sensitive to others’ needs and feelings and being understanding and helpful on the job.	81	84
	<b>ACTIVE LISTENING</b> – Giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times.	88	97
<b>Communication Skills</b>	<b>ORAL COMPREHENSION</b> – The ability to listen to and understand information and ideas presented through spoken words	84	100
	<b>SPEAKING</b> – Talking to others to convey information effectively.	81	92
	<b>WRITING</b> – Communicating effectively in writing as appropriate for the needs of the audience.	84	59
	<b>WRITTEN EXPRESSION</b> – The ability to communicate information and ideas in writing so others will understand.	66	84

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## Appendix **B**

# NOTIFICATIONS AND ADVISEMENTS

Appendix B includes the following samples of written notifications and advisements.

Samples:

- [B.1](#) NOTIFICATION OF CONDITIONAL JOB OFFER
- [B.2](#) ADVISEMENT TO CANDIDATE REGARDING FALSE STATEMENTS
- [B.3](#) ADVISEMENT SEEKING LATERAL PLACEMENT – *PEACE OFFICERS*
- [B.4](#) ADVISEMENT SEEKING LATERAL PLACEMENT – *PUBLIC SAFETY DISPATCHERS*

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## Sample B.1

[Sample Form for Use](#)**NOTIFICATION OF CONDITIONAL JOB OFFER****AGENCY LETTERHEAD**

[Date]

[Name]

[Mailing Address]

[City, ST Zip]

SUBJECT: CONDITIONAL OFFER OF EMPLOYMENT

Dear Mr./Ms. \_\_\_\_\_:

This letter constitutes a conditional offer of employment as a \_\_\_\_\_ [Position] \_\_\_\_\_ with the \_\_\_\_\_ [Agency Name] \_\_\_\_\_ Department. However, **a final, unconditional job offer will be made only upon successful completion of each and every one of the following:**

1. A psychological screening in accordance with California Government Code §1031(f) and guidelines established by the California Commission on Peace Officer Standards and Training;
2. A medical screening in accordance with the provisions of Government Code Sections 1031, 12940 and the California Commission on Peace Officer Standards and Training.
3. Completion of the background investigation pursuant to California Government Code §1031(d), to include information that was neither legal nor practical to obtain prior to the extension of this offer, or in response to issues that arose subsequent to this offer.

Should you be unsuccessful in any of the above evaluations, this job offer is revoked.

Due to some expected attrition of candidates who either resign or are removed from the eligibility list at the post-offer stage, the number of conditional job offers extended may exceed the number of immediate vacancies. If this happens, you may be placed in a candidate pool and will be extended an offer of employment as soon as a vacancy arises.

THEREFORE, DO NOT GIVE NOTICE, QUIT YOUR PRESENT EMPLOYMENT OR RELOCATE UNTIL YOU HAVE BEEN OFFICIALLY NOTIFIED THAT YOU HAVE SUCCESSFULLY COMPLETED THE MEDICAL EXAMINATION AND YOUR HIRE DATE HAS BEEN CONFIRMED.

Sincerely,

[Name]

[Title]

[Contact Number – optional]

[Email – optional]

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**Sample B.2**[Sample Form for Use](#)**ADVISEMENT TO CANDIDATE REGARDING FALSE STATEMENTS**ADVISEMENT TO CANDIDATE  
REGARDING FALSE STATEMENTSCANDIDATE NAME: 

The overall purpose of the pre-employment background investigation is to verify that your application and any statements you have made to your prospective employer concerning your qualifications are true.

The California courts have held that an employer has a legal duty to know the persons whom it employs. In some cases, California law may mandate a background investigation before employment, while in other cases it is merely a case of public policy or prudence before placing someone in a position of public trust.

Both State and Federal courts have also held that there is an absolute necessity for public employees to be truthful. You must understand that a lack of truthfulness or deception of any type on your part will automatically and irrevocably result in your application being rejected from further consideration.

For some people, there may be one or more incidents or occurrences in their background which they regret or over which they may feel some embarrassment. A prospective employer will not make inquiries into areas of a person's background that have no legitimate bearing on their qualifications for the job. You should understand that the mere presence of so-called "negative" information in your background is not automatically disqualifying. For example, an applicant may have engaged in petty thievery as a child, used illegal drugs, been fired from a job, or been convicted of a crime as an adult. While these things in and of themselves may not automatically remove that person from consideration for a job, lying about them will.

A pre-employment background investigation is not intended to be an intimidating experience or an unwarranted invasion into your privacy. Your background investigator will contact persons who know you, including present and/or former employers, and will examine official documents and records concerning you to assure that you have been honest in your application and to fulfill the legal mandates imposed by the courts and legislature. The more forthright you have been, the greater the likelihood that your background can be completed in a timely and successful manner.

**CERTIFICATION**

**I understand that any false statement and/or deliberate misrepresentations, whether by omission or commission, will result in my application being automatically and irrevocably rejected from further consideration. I certify that I have read the above statement, understand its contents and have been furnished a copy of it.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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**Sample B.3**  
**ADVISEMENT SEEKING LATERAL PLACEMENT**  
*PEACE OFFICERS*

[Sample Form for Use](#)

ADVISEMENT TO PEACE OFFICERS  
**SEEKING LATERAL PLACEMENT**

*California Government Code §1031* prohibits the employment of persons who are not of *good moral character* or who are not fit to serve as peace officers. This legal prohibition applies equally to persons seeking employment as peace officers, as well as to persons already employed as peace officers seeking appointment with another agency.

**STATEMENT**

You will undergo a rigorous, in-depth background investigation as a result of your application for this position. In the event that your background investigation for this position should uncover information that you have, or are suspected of having been engaged in *illegal activities while employed as a peace officer*, this information will likely bar you from further consideration for this position. *Further*, in the event that this illegal activity occurred during the time of your present employment as a peace officer, or if this background investigation should uncover information which raises questions about your fitness to continue as a peace officer, this information may be transmitted to your present employer for their independent investigation.

**CERTIFICATION**

I certify that I have read this advisement, understand its implications, and have received a copy of it.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

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**Sample B.4**[Sample Form for Use](#)**ADVISEMENT SEEKING LATERAL PLACEMENT****PUBLIC SAFETY DISPATCHERS**

## ADVISEMENT TO PUBLIC SAFETY DISPATCHERS

## SEEKING LATERAL PLACEMENT

**California Code of Rules and Regulations, Title 11 §1959** [enacted pursuant to **California Penal Code §13510(c)**] prohibits the employment of persons who exhibit past behavior incompatible with the performance of the duties of a public safety dispatcher. This legal prohibition applies equally to persons seeking employment as public safety dispatchers, as well as to persons already employed as public safety dispatchers seeking appointment with another agency.

**STATEMENT**

You will undergo a rigorous, in-depth background investigation as a result of your application for this position. In the event that your background investigation for this position should uncover information that you have, or are suspected of having been engaged in **illegal activities while employed as a public safety dispatcher**, this information will likely bar you from further consideration for this position. **Further**, in the event that this illegal activity occurred during the time of your present employment as a public safety dispatcher, or if this background investigation should uncover information which raises questions about your fitness to continue as a public safety dispatcher, this information may be transmitted to your present employer for independent investigation.

**CERTIFICATION**

I certify that I have read this advisement, understand its implications, and have received a copy of it.

\_\_\_\_\_  
Signature of Applicant\_\_\_\_\_  
Date\_\_\_\_\_  
Print Name

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## **SAMPLES OF SELECTED SECTIONS OF A COMPLETED BACKGROUND INVESTIGATION REPORT**

Appendix C includes the following examples of completed areas of the background investigation files.

Sections Represented:

[BACKGROUND INVESTIGATION CHECKLIST](#) (*optional – refer to [Table 4.1](#)*)

[TAB A](#)      **BACKGROUND NARRATIVE REPORT**

[TAB K](#)      **EMPLOYMENT HISTORY CHECKS**

[TAB L](#)      **RELATIVES/PERSONAL REFERENCES CHECKS**

[TAB M](#)      **NEIGHBORHOOD CHECKS**

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## Sample (Optional)

**BACKGROUND INVESTIGATION CHECKLIST – PEACE OFFICER REQUIREMENTS**

NAME					POSITION				
<b>1. Documents Verified</b>									
TYPE OF DOCUMENT		DATE	BY	TYPE OF DOCUMENT		DATE	BY		
Birth Date		10/09/06		Marriage Dissolution(s):		N/A			
Citizenship Requirement		10/09/06							
Educational Requirement		10/14/06							
Selective Svc Regis/Military Discharge		N/A							
Driver's License		10/18/06							
<b>2. Reference Checks Completed</b>									
TYPE OF CONTACT	DATE			BY	TYPE OF CONTACT	DATE			BY
	Personal Contact	Letter Mailed	Reply Received			Personal Contact	Letter Mailed	Reply Received	
<b>Relatives and References</b>					<b>Employers, Supervisors, and Co-workers</b>				
Kathleen & Robert Smith (parents)	10/10/06				Triple Play Sports Grill	10/12/06			
Michael McFarland	10/11/06				VA Linux Systems	10/14/06			
Randy Highland	10/11/06				Sanmina Corp (HADCO)	10/14/06			
Carolyn Hooper (best friend)	10/15/06				Dot Hill Unlimited (storage facility)	10/18/06			
Maria Gonzalez	10/15/06				Compaq (Tandem)		10/18/06	10/24/06	
Nancy Johnson	10/15/06				ADECCO (Olsten Staffing)	10/20/06			*
Robin Ferguson	10/16/06				Toys-R-Us	10/21/06			*
Nelson Burnette	10/16/06				Media Services Inc.	10/24/06			*
Rod Sackett	10/20/06				A LA Carte Services	10/24/06			*
Jeremy Demas	10/20/06				PCS Corporation	10/28/06			
Peter Chang	10/24/06				Walgreen's	10/28/06			*
Jeanette Ahmad	10/24/06				Perform Cost Mgmt	10/28/06			*
<b>Neighbors and Landlords</b>					<b>Secondary References</b>				
1524 First Ave (main house)	10/12/06								
1528 First Ave (cottage)	10/12/06								
1730 Elk Road (apt mgr)	10/12/06								

\* No information

continues

Sample (Optional)

**BACKGROUND INVESTIGATION CHECKLIST – PEACE OFFICER REQUIREMENTS**

continued

<b>NAME</b>	<b>POSITION</b>
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**3. Record Checks Completed**

TYPE OF INQUIRY	DATE		BY	TYPE OF INQUIRY	DATE		BY
	Letter Mailed	Reply Received			Letter Mailed	Reply Received	
<b>Educational Documents</b>				<b>Legal Records</b>			
H.S. / GED Certificate / Transcripts	10/10/06	10/21/06		<b>FBI Record</b>			
College Transcript – De Anza	10/10/06	10/24/06		<b>CA Department of Justice</b>	10/06/06	10/06/06	
College Transcript - Cabrillo	10/10/06	10/18/06		<b>Firearms Clearance Letter</b>			
<b>Credit Records</b>				<b>Local LE Agency Checks:</b>			
Credit Check Inc.	10/14/06	10/20/06		Anytown P.D.	10/06/06	10/10/06	
				Somewhere P.D.	10/06/06	10/18/06	
				Anycounty County S.D.	10/06/06	10/20/06	
<b>Military Records</b>				Someplace County S.D.	10/08/06	10/14/06	
	N/A			Township P.D.	10/08/06	10/13/06	
<b>DMV Records</b>							
Driving Record	10/06/06	10/18/06					
Proof of Insurance	10/06/06	10/18/06					

**4. Examinations Completed**

TYPE OF SCREENING	DATE	BY	OTHER	DATE	BY
<b>Medical Screening Completed</b>	11/04/06		Polygraph (HOLD FOR RESULTS)	10/30/06	
<b>Psychological Screening Completed</b>	11/06/06				

**5. Additional Actions Completed**

TYPE OF SCREENING	DATE	BY	COMMENTS
<b>Applicant Orientation and Questionnaire Review</b> <i>(Optional)</i>			
<b>Applicant Discrepancy Interview, if any</b> <i>(Optional)</i>			
<b>Narrative Investigation Report Completed</b>			

**Selected Section****ORGANIZER TAB A****BACKGROUND NARRATIVE REPORT**Sample Narrative Summary – [Peace Officer](#)Sample Executive Summary – [Peace Officer](#)

A  
Background Narrative

California POST

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**A Background Narrative Report** – Commission Regulation 1953(g)

(1) *The background investigator shall summarize the background investigation results in a narrative report that includes sufficient information for the reviewing authority to extend, as appropriate, a conditional offer of employment. The report, along with all supporting documentation obtained during the course of the background investigation, shall be included in the candidate's background investigation file. The supporting documents shall be originals or true, current and accurate copies as attested to by the background investigator. The background investigation file shall be made available during POST compliance inspections.*

(2) **Retention.** *The background narrative report and supporting documentation shall be retained in the individual's background investigation file for as long as the individual remains in the department's employ. Additional record retention requirements are described in Government Code § 12946.*

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**Common Oversights/Problems:**

- Narrative does not provide any detail (e.g., "all references were positive").
- No documentation in file to allow for actual identification of contacts interviewed and what was said.
- Narrative fails to address all mandatory areas of inquiry.
- Failure to retain sufficient documentation and information.

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## TAB A – BACKGROUND NARRATIVE REPORT

## Sample

## NARRATIVE SUMMARY – PEACE OFFICER

NARRATIVE SUMMARY		Page 1 of 3
CANDIDATE NAME:	<b>JANIE SMITH</b>	
<b>PERSONAL</b>		
The following are personal descriptive data concerning Police Officer Applicant Janie Smith. There is no disqualifying information in this area.		
<b>Full Name:</b>	Mary Jane Smith	
<b>AKA:</b>	Mary J. Smith, Janie Smith	
<b>Address:</b>	1234 First Avenue, Hometown, CA 90000	
<b>Personal Phone:</b>	Home: (000) 000-0000    Cell: (000) 000-0000	
<b>Work Phone:</b>	(000) 000-0000	
<b>Date of Birth:</b>	00-00-0000	
<b>Place of Birth:</b>	Oldtown, State	
<b>Citizenship:</b>	U.S.	
<b>Social Security Number:</b>	500-00-0000	
<b>Driver's License Number:</b>	B0000000 California	
<b>Height:</b>	0 ft – 0 in	
<b>Weight:</b>	000 lbs	
<b>Hair Color:</b>	Brown	
<b>Eye Color:</b>	Hazel	
<b>FBI Number:</b>	Not Available	
<b>CII Number:</b>	Not Available	
<b>Fingerprint Class:</b>	Not Available	
The applicant is an unmarried female who resides in a family-owned home with her son. The applicant's claims with respect to her age, birth date, birth place, citizenship, and eligibility to work in the United State are supported by independent documentation contained in this report.		

**TAB A – BACKGROUND NARRATIVE REPORT****Sample****NARRATIVE SUMMARY – PEACE OFFICER** *continued***NARRATIVE SUMMARY**

Page 2 of 3

**RELATIVES, REFERENCES, AND ACQUAINTANCES**

No disqualifying information. The applicant enjoys the full and unreserved support of her parent and stepparent, who describe her as a compassionate, mentally strong, honest, personable, and thoughtful individual whose interest in this field dates back to childhood. The only criticism of the applicant centers on her tendency to be self-critical and her time management skills with regard to her child.

The balance of the applicant's references is a mixture of professional acquaintances and social peers, all of whom recommended her for this position. Several expressed initial surprise at her interest in police work, but the applicant is characterized as someone who is truthful, loyal, dedicated, compassionate, athletic, professional, possesses high integrity, and not "heavy-handed."

Criticisms of the applicant ranged from her small stature to her being soft spoken and her not working out more (physically). She is also seen as someone who is too much the perfectionist, yet not always organized.

**EDUCATION**

No disqualifying information. The applicant reportedly meets the educational requirements of this position. The applicant claims she is a 1992 graduate of Hometown High School, but only a facsimile diploma has been received in support of that claim (**TAB G**).

**RESIDENCES**

No disqualifying information. The applicant resides in a home owed by her stepfather, which she shares with her child. Although neighbors report never even having seen the applicant, her residence has not been the source of any problems.

**EMPLOYMENT**

No disqualifying information. The applicant is presently employed as a Food Server for a restaurant, a position she has held for the last five months. The applicant is characterized as a good worker who will be eligible for rehire.

The balance of the applicant's employment history consists of 11 positions within the last 10 years. She has worked as a Commodity Manager, "VAM" Procurement Specialist, Buyer/Planner II, Purchasing Assistant III, Claims Processor, three times as a Temporary Worker, and twice as a Cashier. What little information there was available was generally positive.

**TAB A – BACKGROUND NARRATIVE REPORT****Sample****NARRATIVE SUMMARY – PEACE OFFICER** *continued*

<b>NARRATIVE SUMMARY</b>	Page 3 of 3
<p><b>MILITARY</b></p> <p>No disqualifying information. The applicant reports she has not served in the Armed Forces, and she was not required to be registered under the Selective Service Registration Act.</p>	
<p><b>FINANCIAL</b></p> <p>No disqualifying information. The applicant has twenty-two reported credit accounts and has satisfied them on a timely basis. The obligations reported on her Personal History Statement (PHS) form are roughly consistent with those which appear on her credit report (<b>TAB F</b>).</p>	
<p><b>LEGAL</b></p> <p>No disqualifying information. The applicant's fingerprints have been submitted to the Department of Justice by the Anytown Police Department, and they have conducted her local criminal history checks as well (<b>TABS C &amp; E</b>).</p> <p>The applicant initially reported no involvement with illegal acts within the required reporting. However, during her independent polygraph examination she reported having used marijuana most recently at age 20 (on the edge of the seven year reporting requirement) and having been detained by Arizona police for drinking and was released to her stepfather.</p>	
<p><b>MOTOR VEHICLE OPERATION</b></p> <p>No disqualifying information. The applicant possesses a valid California Drivers License which is free of any collisions or citations. She is properly insured under the California Financial Responsibility Act (<b>TAB D</b>).</p>	
<p><b>GENERAL TOPICS:</b></p> <p>No disqualifying information. The applicant's mandated psychological and medical assessments were conducted separately from this inquiry.</p>	
<p><input type="checkbox"/> Supporting documentation is appended.</p>	
<p>_____</p> <p>Consulting Associate Signature</p>	<p>Date: _____</p>
<p>_____</p> <p>Print Name</p>	

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**TAB A – BACKGROUND NARRATIVE REPORT****Sample****EXECUTIVE SUMMARY – PEACE OFFICER**

<b>EXECUTIVE SUMMARY</b>		Page 1 of 1
CANDIDATE NAME:	<b>JANIE SMITH</b>	
<b>ANALYSIS AND CONCLUSIONS</b>		
<p>The completed background investigation of Police Officer Applicant Janie Smith revealed no disqualifying information. Apart from the dearth of available employment information, the areas of investigative concern center on the applicant's Conscientiousness and Willingness to Confront Problems.</p>		
<b>CONSCIENTIOUSNESS</b>		
<p>Although characterized by others as conscientious, certain other factors belie that description. The applicant was initially disqualified on her background after inconsistencies on her PHS were compared to admissions on her polygraph. Although these matters were addressed by the Department, the issue is raised again by the fact that the applicant has failed to furnish all of the documents (high school transcripts) which she had been instructed to furnish (and acknowledged in writing). Without those transcripts, it is not possible to demonstrate her legal eligibility for appointment.</p> <p>The applicant also reports having been employed in 1992 at the Walgreen's in Anyville, Arizona, but store officials dispute her claim. It has not been established if the applicant simply failed to devote enough time to accurately complete her form, or if there is another reason. Her parents have suggested that time management is not one of her strengths.</p>		
<b>CONFRONTING AND OVERCOMING PROBLEMS, OBSTACLES AND ADVERSITY</b>		
<p>Some of the applicant's references expressed some surprise at her interest in a police career, pointing to the combination of her small stature, soft-spoken nature, and willingness to back down when challenged. She is also seen by some as a person who is overly self-critical, so should she be conditionally offered employment with the Department, her psychological assessment may be especially important in assessing this job dimension.</p> <p>This background and the completed Investigation Narrative are based solely on the interviews, and supporting documentation is appended herein.</p>		
<p>Mark Evans Consulting Associate</p>		

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**Selected Section**  
**ORGANIZER TAB K**  
**EMPLOYMENT HISTORY CHECKS**

[Sample Employment History Checks](#)

California POST

K  
Employment History

**K Employment History Checks** – Commission Regulation 1953(e)(6)

(A) *Every peace officer candidate shall be the subject of employment history checks through contacts with all past and current employers over a period of at least ten years, as listed on the candidate's personal history statement.*

(B) *Proof of the employment history check shall be documented by a written account of the information provided and source of that information for each place of employment contacted. All information requests shall be documented.*

---

**Common Oversight/Problem:**

- Insufficient number of employers contacted.

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## TAB K – EMPLOYMENT HISTORY CHECKS

Sample  
EMPLOYMENT REFERENCE CHECK

CONTACT WITH PREVIOUS EMPLOYERS		Page 1 of 4
CANDIDATE NAME:		<b>JANIE SMITH</b>
<b>Employer:</b>	1) TRIPLE PLAY SPORTS GRILL Donald Mandel, Owner	
<b>Contact Date:</b>	10-12-06	
	<p>No disqualifying information. The applicant has been employed there as a Food Server since May 6 of this year. The applicant will be eligible for rehire.</p> <p>The applicant's personnel file does not contain any performance evaluations, disciplinary actions or commendations. The applicant's original application listed only her address and previous employer.</p> <p><b>Mandel</b> reported that his brother-in-law, <b>Eric Tracey</b> who is a co-owner, is not available for comment, and co-workers "do not know anything" and should not be contacted on the job or at home. <b>Mandel</b> reported that he "respectfully" does not wish to state whether he would recommend the applicant for this position, adding that there is "nothing negative." He just does not feel "exposure" as a food server is the same as what a police officer would face.</p> <p><b>Mandel</b> reported that the applicant responds well to criticism and direction, and she gets along very well with co-workers. The applicant is punctual, reliable, hardworking, customer service oriented, and he considers her a good employee who has no negative areas.</p> <p>The applicant follows restaurant policies, and observes safety rules, she uses her work time constructively, shows initiative when appropriate, and she keeps <b>Mandel</b> informed of problems that deserve his attention. The applicant has lost her temper at work, but <b>Mandel</b> would not elaborate. <b>Mandel</b> also reported that the applicant has never exhibited any racial or ethnic bigotry, and she dresses appropriately for work.</p>	
<b>Employer:</b>	2) VA LINUX SYSTEMS Larry Fowler, Human Resources Manager	
<b>Contact Date:</b>	10-14-06	
	<p>No disqualifying information. The applicant was employed there as a Commodity Manager between August 28, 2000 and February 23 of this year. The applicant's division was eliminated, but <b>Fowler</b> reports that she would be eligible for rehire in another position.</p> <p>There is no personnel file for the applicant, and the applicant's manager and co-workers were also laid-off.</p>	

## TAB K – EMPLOYMENT HISTORY CHECKS

## Sample

EMPLOYMENT REFERENCE CHECK *continued*

CONTACT WITH PREVIOUS EMPLOYERS		Page 2 of 4
Employer:	3) SANMINA (HADCO) Noel Thatcher, Director, Human Resources	
Contact Date:	10-14-06	
	<p>No disqualifying information. The applicant was employed there as a “VAM Procurement Specialist” between February 2, 1998 and August 18, 2000. The applicant is eligible for rehire.</p> <p>In response to a written request, <b>Thatcher</b> reported that <b>Sanmina</b> purchased <b>Hadco</b> in June of 2000, and none of the applicant’s co-workers or supervisors are still with the company. According to <b>Thatcher’s</b> records, the applicant never received a “below standard” evaluation, she was never the subject of any disciplinary actions, and the applicant never conducted herself in a manner which would raise questions about her good moral character.</p> <p><b>Thatcher</b> also reported that while the applicant was in their employ, she never demonstrated any behaviors that would suggest she would be unable to successfully perform the essential functions of this position. The applicant never displayed any ill-temperament or assaultive behavior toward any co-worker, supervisor, or member of the public. There was also never any reason to question her honesty or integrity.</p>	
Employer:	4) DOT HILL UNLIMITED (STORAGE FACILITY) Emma Baxter, Human Resources Administrator	
Contact Date:	10-18-06	
	<p>No disqualifying information. The applicant was employed there as a Buyer/Planner II between April 29, 1996 and January 29, 1998. The applicant’s eligibility for rehire is unknown, according to <b>Baxter</b>, who would only respond to a written request per company policy.</p> <p><b>Baxter</b> reported that none of the applicant’s performance evaluations were “below standard,” she was never the subject of any disciplinary actions, and the applicant never conducted herself in a manner that would raise questions about her good moral character. <b>Baxter</b> also reported that while the applicant was in their employ, she never demonstrated any behaviors that would suggest she would be unable to successfully perform the essential functions of this position. The applicant never displayed any ill temperament or assaultive behavior toward any co-worker, supervisor, or member of the public. There was also never any reason to question her honesty or integrity.</p>	

## TAB K – EMPLOYMENT HISTORY CHECKS

## Sample

EMPLOYMENT REFERENCE CHECK *continued*

<b>CONTACT WITH PREVIOUS EMPLOYERS</b>		Page 3 of 4
<b>Employer:</b>	5) COMPAQ COMPUTER CORPORATION (TANDEM COMPUTERS) Nola Sanchez, Human Resources Administrator	
<b>Contact Date:</b>	10-18-06	
	<p>No disqualifying information. The applicant was employed there as a Purchasing Assistant III between May 31, 1995 and April 25, 1996.</p> <p>In response to a written request, <b>Sanchez</b> reported that company policy prohibits the release of any further information.</p>	
<b>Employer:</b>	6) ADECCO (OLSTEN STAFFING) Wilton Flagstone, Human Resources - Corporate Headquarters	
<b>Contact Date:</b>	10-20-06	
	<p><b>No information.</b> The applicant reported she was employed there between September 1993 and June 1995.</p> <p><b>Flagstone</b> reported that ADECCO purchased Olsten, and records prior to 1997 have been purged.</p>	
<b>Employer:</b>	7) TOYS-R-US (Automated Employment Verification)	
<b>Contact Date:</b>	10-21-06	
	<p><b>No information.</b> The applicant reported she was employed there for one week in November 1993. The automated system only keeps records from 1997 forward.</p>	
<b>Employer:</b>	8) MEDIA SERVICES, INC. Anyville, California	
<b>Contact Date:</b>	10-24-06	
	<p><b>No information.</b> The applicant reported she was employed there as a Temporary Worker between August and September 1993. There is no listing with Directory Assistance for this company.</p>	

## TAB K – EMPLOYMENT HISTORY CHECKS

## Sample

EMPLOYMENT REFERENCE CHECK *continued*

CONTACT WITH PREVIOUS EMPLOYERS		Page 4 of 4
<p><b>Employer:</b> 9) A LA CARTE SERVICES Employment Verification, Anytown, California</p> <p><b>Contact Date:</b> 10-24-06</p>	<p><b>No information.</b> The applicant reported being employed as a Temporary Worker between August and September 1993. Several phone messages have not been answered. A written request was sent, and the response received (which is not signed or dated) states that they purchased the business in 1993 and have no records for the applicant.</p>	
<p><b>Employer:</b> 10) PCS CORPORATION June Wilson, Human Resources, Somewhere, Arizona</p> <p><b>Contact Date:</b> 10-28-06</p>	<p>No disqualifying information. The applicant was employed there as a Claims Processor between November 23, 1992 and August 13, 1993 at which time she relocated to California, according to Ann <b>Swane</b> (worker). <b>Swane</b> reports that she only has a computer entry for the applicant. When asked if the applicant is eligible for rehire, <b>Swane</b> replied, "Anyone has the right to apply."</p>	
<p><b>Employer:</b> 11) WALGREEN'S Employment Verification, Anycity, Arizona</p> <p><b>Contact Date:</b> 10-28-06</p>	<p><b>No information.</b> The applicant reported she was employed there as a Cashier between June and November 1992. Store Manager <b>Morey Anderson</b> reports that this store was not even built until August 1995, and he has been there since then and has no record of the applicant having worked for him. <b>Doreen Rider</b> at Corporate Headquarters Human Resources also has no record of the applicant. She reports their records go back to 1990 and both a name and social security number search come up no record found.</p>	
<p><b>Employer:</b> 12) PERFORM COST MANAGEMENT SERVICE, INC. Somewhere, Arizona</p> <p><b>Contact Date:</b> 10-28-06</p>	<p><b>No information.</b> The applicant reported she was employed there as a Data Entry Clerk between May and November 1992. There is no listing with Directory Assistance for this company.</p>	

**Selected Section****ORGANIZER TAB L****RELATIVES/PERSONAL REFERENCES CHECKS**

[Sample Relatives/Personal References Checks](#)

California POST

L

**Relatives/Personal References Checks**  
– Commission Regulation 1953(e)(7)

(A) *Every peace officer candidate shall be the subject of reference checks through contacts and interviews with relatives, including former spouses, and personal references listed on the candidate's personal history statement. Additional references, provided by the initial contacts, shall also be contacted and interviewed to determine whether the candidate has exhibited behavior incompatible with the position sought. Sufficient information shall be collected and reviewed to determine candidate suitability.*

(B) *Proof of reference checks shall be documented by written information showing that relatives and personal references identified by the candidate were interviewed. Documentation shall include the identity of each individual contacted, the contact's relationship to the candidate, and an account of the information provided by the contact. All requests for information shall be documented.*

---

**Common Oversight/Problem:**

- Documentation of source and information not included in file.

POST2006TDC-0378 7-09

L  
Relatives/Personal Ref

Intentionally blank

## TAB L – RELATIVES/PERSONAL REFERENCES CHECKS

Sample  
REFERENCE CHECK

CONTACT WITH RELATIVES AND REFERENCES		Page 1 of 7
CANDIDATE NAME:		JANIE SMITH
Relative:	1) KATHLEEN and ROBERT SMITH – Parent and Step-parent	
Contact Date:	10-10-06	
	<p>No disqualifying information. The <b>Smiths</b> report that the applicant has fully discussed this position with them, and they expressed no reservations, (apart from the natural concerns about the dangers inherent in the job). The applicant has been interested in this line of work since childhood and appears to have developed interest through an uncle who was a police officer.</p> <p>The applicant's best qualities will be her compassionate, thoughtful and personable nature, her honesty, and the fact that she is “mentally strong.” <b>Mrs. Smith</b> reports that the applicant is “not a good liar,” and she goes out of her way to assist others, while <b>Mr. Smith</b> notes that she knows what she wants and works for it.</p> <p>The only areas in which they feel the applicant could improve herself would be to be less hard on herself or not have such high expectations, to give herself credit, and to improve her time management skills with her child. The <b>Smiths</b> report that the applicant is most concerned about finding gainful employment and is most easily bothered by the mistreatment of people or animals or by her siblings not being more respectful to their mother. In these situations, the applicant will speak her mind or work it out on her own, but sometimes cries when she is angry.</p> <p><b>Mr. Smith</b> reports that “nothing comes to mind” with regard to any problems with the applicant in her youth, and <b>Mrs. Smith</b> reports that the applicant was insecure about her looks in junior high and high school. She notes that the applicant “acted out” and wanted attention from boys. However, both reported that the applicant accepted discipline when it was deserved.</p> <p>The applicant has given them no reason to doubt her ability to successfully perform the essential functions of this position. She uses physical exercise such as running, using a treadmill, yoga, and activities with her son as a means of keeping fit and for the release of stress.</p>	
Personal Relationship:	2) MICHAEL McFARLAND – Ex-significant Other	
Contact Date:	10-11-06	
	<p><b>No information.</b> The applicant reports that he is the father of her child, but she has had no contact with him in ten years. He declined further comment.</p>	

## TAB L – RELATIVES/PERSONAL REFERENCES CHECKS

## Sample

REFERENCE CHECK *continued*

CONTACT WITH RELATIVES AND REFERENCES		Page 2 of 7
<b>Professional:</b>  <b>Contact Date:</b>	3) RANDY HIGHLAND – Home Theater Installer  10-11-06  No disqualifying information. <b>Highland</b> reports having met the applicant some ten years ago through work at COMPAQ. <b>Highland</b> reports that they dated for a while, and he is the “acting dad” to the applicant’s child. They see one another daily in that context.  <b>Highland</b> reports that he was initially surprised at her interest in this job. However, she has expressed that this has been a “dream of hers”, she wants to “assist those who need,” and he recommends her for this position. The applicant has been truthful, hardworking and loyal throughout their acquaintance.  <b>Highland</b> also reports that the applicant has never exhibited any racial or ethnic bigotry, there were never any “domestic issues” in their relationship, and <b>Highland</b> could not recall ever having seen her really become angry. <b>Highland</b> reports she has borrowed money and his car, and both were returned “fine.”  The applicant is a “good” driver who maintains an alert state while driving. The applicant has not received any citations or been involved in any collisions. <b>Highland</b> could not recall the applicant having driven while intoxicated, and he is also certain the applicant does not abuse drugs.  <b>Highland</b> expressed some concern over the applicant’s ability to successfully perform the essential functions of this position due to her size “5-2, 120.” <b>Highland</b> reports that the applicant runs to maintain her physical fitness, but he also felt that she should take a karate course because of her small stature.	
<b>Personal Best Friend:</b>  <b>Contact Date:</b>	4) CAROLYN HOOPER – Homemaker  10-15-06  No disqualifying information. <b>Hooper</b> reports that the applicant and she have been acquainted for more than seven years. They met through <b>Hooper’s</b> fiancé, who worked with the applicant. They see one another a few times each week in social settings or at family events.  <b>Hooper</b> also expressed initial surprise at the applicant’s applying for this job. <b>Hooper</b> characterized the applicant as someone who “will not stab you in the back,” and she considers her a “good role model for her son.” The applicant is also up-front, loyal, and dedicated.	

## TAB L – RELATIVES/PERSONAL REFERENCES CHECKS

## Sample

REFERENCE CHECK *continued*

<b>CONTACT WITH RELATIVES AND REFERENCES</b>		Page 3 of 7
<p><b>Personal Best Friend:</b> #4 <i>cont'd</i></p>	<p>There has never been any reason to doubt the applicant's honesty or to suspect her of any racial or ethnic bigotry. <b>Hooper</b> reports that she has seen the applicant become upset with her son, but never physically violent. <b>Hooper</b> recommends the applicant for this position, adding that the applicant has stated this has been her “childhood dream.”</p> <p>The applicant is a “good” driver who maintains an alert state while driving. <b>Hooper</b> reports that the applicant has attended traffic school, but she is not aware of any details. She has never seen the applicant drive while intoxicated, in fact, the applicant will call for a ride if she has been drinking. There has been no evidence of substance abuse on the applicant’s part, according to <b>Hooper</b>.</p> <p>When asked if the applicant would be able to successfully perform the essential functions of this position, <b>Hooper</b> replied, “I think she is capable.” <b>Hooper</b> reports that the applicant bike rides, takes yoga, and runs to maintain her physical fitness.</p> <p><b>Hooper</b> reports that the applicant speaks softly and will back down; this is the one area in which she felt the applicant could improve. <b>Hooper</b> feels the applicant should be more outspoken and aggressive. However, <b>Hooper</b> did not consider this to be disqualifying.</p>	
<p><b>Personal:</b> <b>Contact Date:</b></p>	<p>5) MARIA GONZALEZ – Buyer 10-15-06</p> <p>No disqualifying information. <b>Gonzalez</b> reports having known the applicant for nearly nine years and met her through work at <b>Dot Hill Unlimited</b>. They now see one another in social settings several times each month.</p> <p><b>Gonzalez</b> described the applicant as a responsible individual who is loyal and dedicated. <b>Gonzalez</b> reports that, although it “seems otherwise,” the applicant possesses a “strong attitude” and can be judgmental. The applicant is someone whom <b>Gonzalez</b> would feel comfortable entrusting with her own personal safety, and she has never had any reason to doubt the applicant’s honesty. For these reasons, <b>Gonzalez</b> reports she is willing to recommend the applicant for this position.</p> <p><b>Gonzalez</b> reported being unaware of any reason the applicant could not successfully perform the essential functions of this position. The applicant runs and goes to a gym “off and on” to maintain her physical fitness.</p> <p>The applicant is a “very alert” driver who has not been involved in any collisions or received any citations of which <b>Gonzalez</b> reports being aware. <b>Gonzalez</b> reports the applicant has never driven while intoxicated, and there has never been any evidence of substance abuse on the applicant’s part, either. If there was any area in which the applicant could improve herself, it would be to not be hard on herself. <b>Gonzalez</b> reports that the applicant “wants things perfect,” and tends to put herself down.</p>	

## TAB L – RELATIVES/PERSONAL REFERENCES CHECKS

## Sample

REFERENCE CHECK *continued*

CONTACT WITH RELATIVES AND REFERENCES		Page 4 of 7
<b>Personal:</b>	6) NANCY JOHNSON – Administrative Assistant	
<b>Contact Date:</b>	10-20-06	
	<p>No disqualifying information. <b>Johnson</b> reports having known the applicant for nearly nine years and first met her at <b>Dot Hill Unlimited</b>. <b>Johnson</b> reports they have remained in contact on a social basis and see one another about twice each month.</p> <p>The applicant is well suited for this position, according to <b>Johnson</b>. The applicant has demonstrated an ability to be friendly, open-minded, and she possesses a positive attitude. She adds that the applicant is willing to try new things, she is athletic, and she is a good mother. There has never been any reason to doubt the applicant's honesty or to suspect her of any racial or ethnic biases.</p> <p><b>Johnson</b> did not feel the applicant has any areas of needed improvement. The applicant is not easily flustered, and <b>Johnson</b> could not recall ever having seen her really become angry, other than occasional “boyfriend problems.”</p> <p>The applicant is a “good” driver who maintains an alert state while driving. <b>Johnson</b> reported being unaware of any citations or collisions involving the applicant. <b>Johnson</b> also reported never having seen the applicant drive while intoxicated, nor has she shown any evidence of substance abuse.</p> <p><b>Johnson</b> is confident the applicant will do well, and have no problems successfully performing the essential functions of this position since she works out regularly to maintain her level of fitness.</p>	
<b>Personal:</b>	7) ROBIN FERGUSON – Contract Manager	
<b>Contact Date:</b>	10-21-06	
	<p>No disqualifying information. <b>Ferguson</b> reported that the applicant and she met through their sons’ Little League team nearly three years ago. They have since become friends and see one another a few times each month in social settings.</p> <p><b>Ferguson</b> has always found the applicant to be an honest individual who is responsible, and “she wants to help people.” The applicant has follow through abilities, she is trustworthy, and she deals with everyone on a professional level. The applicant appears to handle stress well and is not easily angered.</p> <p>The applicant has discussed interest in this position, noting that this has been a long term goal of hers. <b>Ferguson</b> feels comfortable recommending the applicant, pointing out that there are no obvious areas in which the applicant needs to improve.</p>	

## TAB L – RELATIVES/PERSONAL REFERENCES CHECKS

## Sample

REFERENCE CHECK *continued*

CONTACT WITH RELATIVES AND REFERENCES		Page 5 of 7
<b>Personal:</b> #7 <i>cont'd</i>	<p><b>Ferguson</b> reports that the applicant is a “conscientious” and safe driver who has not been the subject of any citations or collisions. <b>Ferguson</b> reports being unaware of the applicant ever having driven intoxicated, and there has never been any reason to suspect her of substance abuse.</p> <p>The applicant should be able to successfully perform the essential functions of this position. <b>Ferguson</b> reports that the applicant works out at a gym and bike rides to maintain her physical fitness. <b>Ferguson</b> also reports that the applicant is able to get along with people of diverse backgrounds.</p>	
SECONDARY AND WORK-RELATED REFERENCES		
<b>Personal:</b>  <b>Contact Date:</b>	<p>8) NELSON BURNETTE – Unemployed</p> <p>10-16-06</p> <p>No disqualifying information. <b>Burnette</b> reports that he met the applicant through work at <b>Hadco</b> nearly six years ago. They now see one another in social settings a few times each month.</p> <p>The applicant is someone whom <b>Burnette</b> would recommend for this position, even though her interest in this position appeared to him to come “out of the blue.” <b>Burnette</b> reports that the applicant is a good person who possesses high integrity. The applicant has high aspirations, she is goal-oriented, and he considers her an “all around good person.”</p> <p><b>Burnette</b> reports the applicant handles stress well, she is not easily flustered, and he has never seen her really become angry. The applicant has never exhibited any racial or ethnic bigotry, and there has been no reason for <b>Burnette</b> to suspect her of substance abuse, either.</p> <p>The applicant is a “very good” driver who maintains an alert state while driving. <b>Burnette</b> is not aware of the applicant being involved in any collisions or receiving any citations. <b>Burnette</b> reports never having seen the applicant drive while intoxicated.</p> <p>The applicant could be more consistent in working out, but there are no other areas in which <b>Burnette</b> feels the applicant could improve. However, the applicant runs and should have no difficulty successfully performing the essential functions of this position, according to <b>Burnette</b>.</p>	

**TAB L – RELATIVES/PERSONAL REFERENCES CHECKS**

**Sample**  
**REFERENCE CHECK** *continued*

<b>CONTACT WITH RELATIVES AND REFERENCES</b>		Page 6 of 7
<b>SECONDARY AND WORK-RELATED REFERENCES</b>		
<p><b>Personal:</b></p> <p><b>Contact Date:</b></p>	<p>9) ROD SACKETT – Electrical Engineer</p> <p>10-20-06</p>	<p>No disqualifying information. <b>Sackett</b> reports that he has known the applicant for only eighteen months. They first met as co-workers at <b>VA Linux</b> and have since become social friends. They now see one another two or three time each month in social settings.</p> <p><b>Sackett</b> described the applicant as an honest individual who has never given any indication of substance abuse. The applicant has also been even-tempered and able to get along with people of diverse backgrounds.</p> <p><b>Sackett</b> feels the applicant's best qualities are her friendly manner, her hardworking nature, and her dedication. <b>Sackett</b> reports that the applicant “won’t be heavy handed,” and she tries to reconcile things. For these reasons <b>Sackett</b> is willing to recommend the applicant for this position, even though he reports he was initially surprised at her applying for this position.</p> <p><b>Sackett</b> denies being aware of any areas in which the applicant could improve. However, he reports he has seen the applicant become upset over “trivial matters.” <b>Sackett</b> reports that he has no reason to doubt the applicant’s ability to successfully perform the essential functions of this position. The applicant maintains her physical fitness through running.</p>
<p><b>Professional:</b></p> <p><b>Contact Date:</b></p>	<p>10) JEREMY DEMAS – Food Server</p> <p>10-20-06</p>	<p>No disqualifying information. <b>Demas</b> reports that he and the applicant have been working together at the <b>Triple-Play Grill</b> for the past five months. While <b>Demas</b> recommends her for this position, he expressed some surprise at her interest in being a police officer.</p> <p>The applicant is someone whom he finds rather timid around strangers. This is not a problem where they work, and the applicant can be a very warm and friendly person “once you get to know her.”</p> <p><b>Demas</b> has seen no evidence of racial or ethnic bigotry on the applicant’s part, and there has been no reason to doubt her personal honesty, either. <b>Demas</b> added that “I just have a hard time seeing her as a cop,” but, “maybe her training will bring that out in her.”</p>

## TAB L – RELATIVES/PERSONAL REFERENCES CHECKS

## Sample

REFERENCE CHECK *continued*

CONTACT WITH RELATIVES AND REFERENCES		Page 7 of 7
SECONDARY AND WORK-RELATED REFERENCES		
<b>Professional:</b> <b>Contact Date:</b>	11) PETER CHANG – Food Server 10-24-06	<p>No disqualifying information. <b>Chang</b> reports that he and the applicant have actually known one another since they were high school classmates, and they now work together at the <b>Triple-Play Grill</b>. He recommends her as a police officer.</p> <p><b>Chang</b> feels the applicant is someone who is extremely compassionate and interested in helping people. “She wants to make a difference” and feels that this is the career in which she can accomplish this. The applicant has been a good friend and a good co-worker, throughout the time they have known one another.</p> <p><b>Chang</b> concedes that the applicant can be a little disorganized from time to time, but he does not believe this will impact her work as a police officer. He believes the applicant will be the type of police officer who never gets the City sued.</p> <p>The applicant was arrested as a teenager, <b>Chang</b> recalled, but it was nothing more than a “high school party when somebody called the cops.” He doubts she has ever had any other trouble with the police, and he considers her impeccably honest.</p>
<b>Professional:</b> <b>Contact Date:</b>	12) JEANETTE AHMAD – Systems Administrator 10-24-06	<p>No disqualifying information. <b>Ahmad</b> reports that she and the applicant worked together at <b>Compaq Computers</b> for nearly one year. Although they rarely see one another now, they keep in contact by e-mail.</p> <p><b>Ahmad</b> expressed some surprise at the applicant’s interest in being a police officer, adding that “she’s pretty tiny to be a cop.” At the same time, however, the applicant used to work out in the company gym, so she assumes that she will be able to successfully perform the essential functions of this position.</p> <p><b>Ahmad</b> considered the applicant to be a very honest person, and she was never one to express any racial or ethnic bigotry. She was also a very loyal friend, and they were known as the “Two Amigos” at <b>Compaq</b>. The applicant can be trusted to keep a secret, and she was “always there” whenever she was needed. In fact, <b>Ahmad</b> reports she was “my Maid of Honor at my wedding.”</p>

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**Selected Section**  
**ORGANIZER TAB M**  
**NEIGHBORHOOD CHECKS**

[Sample Neighborhood Checks](#)

California POST

**M Neighborhood Checks – Commission Regulation 1953(e)(9)**

(A) *Every peace officer candidate shall be the subject of contacts and interviews with current and, where practicable, previous neighbors to determine whether the candidate has exhibited behavior incompatible with the position sought.*

(B) *Proof of neighborhood checks shall be documented by written information showing the identity of each neighbor contacted, the neighbor's relationship to the candidate, and an account of the information provided by the individual. All requests for information shall be documented.*

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**Common Oversight/Problem:**

- Residential history included instead of actual contacts with current/former neighbors.
- No checks of past residences.

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**M** Neighborhood Checks

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## TAB M – NEIGHBORHOOD CHECKS

## Sample

## NEIGHBORHOOD CHECK

CONTACT WITH NEIGHBORS AND LANDLORDS		Page 1 of 1
CANDIDATE NAME:		<b>JANIE SMITH</b>
<b>Residence:</b>	1) 1524 First Avenue – Main House, Nielson Residence	
<b>Contact Date:</b>	10-12-06	
	No disqualifying information. <b>Nielson</b> reports that she has never even seen the applicant. The applicant's residence is quiet and has not been the source of any problems on the property. (Investigator's note: this is a very rural area; the applicant's residence is one of three on a seven and one half acre property.)	
<b>Residence:</b>	2) 1528 First Avenue – Cottage, Jacobs Residence	
<b>Contact Date:</b>	10-12-06	
	No disqualifying information. <b>Jacobs</b> also reports that she has never even seen the applicant. The applicant has been a quiet neighbor, and there have been no problems at her residence on the property. She reported being aware of nothing that would disqualify the applicant from further consideration for this position.	
<b>Residence:</b>	2) 1730 Elk Road – House, O'Connor Residence	
<b>Contact Date:</b>	10-12-06	
	No disqualifying information. <b>O'Connor</b> also reports that she has never seen the applicant. The applicant has been a quiet neighbor, and there have never been any problems involving the applicant on the property.	

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**Appendix D**  
**LINKS TO ONLINE FORMS**  
**FOR BACKGROUND PACKET**

Form Number and Title:

**POST Form 2-114**

**NOTICE OF APPOINTMENT/TERMINATION**

..... <http://lib.post.ca.gov/Publications/2-114.pdf>

**POST Form 2-251**

**PERSONAL HISTORY STATEMENT – PEACE OFFICER**

..... <http://lib.post.ca.gov/Publications/2-251-phsPeaceOfficers.doc>

**POST Form 2-255**

**PERSONAL HISTORY STATEMENT – PUBLIC SAFETY DISPATCHER**

..... <http://lib.post.ca.gov/Publications/2-255-phsDispatchers.doc>

**STD Form 180**

**MILITARY RECORDS REQUEST**

..... [www.archives.gov/forms/](http://www.archives.gov/forms/)

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**Appendix E**  
**LAW ENFORCEMENT REQUEST**  
**FOR DRIVER LICENSE/IDENTIFICATION**  
**RECORD INFORMATION**  
**(DMV INF 252)**

[Form DMV INF 252](#)

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# LAW ENFORCEMENT REQUEST FOR DRIVER LICENSE/IDENTIFICATION RECORD INFORMATION (DMV INF 252)



## LAW ENFORCEMENT REQUEST FOR DRIVER LICENSE/IDENTIFICATION RECORD INFORMATION

Return to: Department of Motor Vehicles, P. O. Box 944231, Mail Sta. G201, Sacramento, CA 94244-2310

1. REQUESTER CODE		2. SUBJECT DL/ID NUMBER		3. PLEASE PROVIDE: CITATION DATE		4. PLEASE PROVIDE: COURT DATE*		5. Information Requested	
8. SUBJECT NAME (LAST FIRST MIDDLE)		7. BIRTH DATE		DATE REQUESTED INFO NEEDED BY*		<input type="checkbox"/> Status and Record <input type="checkbox"/> Order of Susp/Rev <input type="checkbox"/> Proof of Service <input type="checkbox"/> Sims		<input type="checkbox"/> Certified <input type="checkbox"/> Photo Subj <input type="checkbox"/> Copy DL 44 <input type="checkbox"/> Thumbprint	
8. ADDRESS				CITY		STATE		ZIP CODE	
REASON FOR PHOTO REQUEST				10. Request for specific copy of Order of Suspension or Revocation		1. Effective date:		2. Effective date:	
REQUESTED BY				UNIT		PHONE NUMBER		We are returning the enclosed request form(s) for the reason(s) checked below: <input type="checkbox"/> No record based on information submitted and/or illegible. <input type="checkbox"/> Requested documents purged. <input type="checkbox"/> Requested documents not on microfilm. <input type="checkbox"/> Suspension/Revocation and/or service order unavailable. Please resubmit request in _____ days. <input type="checkbox"/> Best photo and/or thumbprint available. <input type="checkbox"/> No photo and/or thumbprint available. <input type="checkbox"/> Best DL 44 available. <input type="checkbox"/> No DL 44 available. <input type="checkbox"/> No departmental action in effect. <input type="checkbox"/> No departmental action in effect on citation given. <input type="checkbox"/> No photo and/or DL 44 available on "X" file records. <input type="checkbox"/> Your INF 252 request form must contain your requester code number, agency name, and return address. <input type="checkbox"/> Upon checking departmental files, a hard copy document is unavailable. A certified driver record has been provided in lieu of the Admin Per Se Order of Suspension. <input type="checkbox"/> As of March 1, 1988, the only record of Financial Responsibility and Civil Judgment suspension orders will be in the Driver's License Master files for each affected subject. <input type="checkbox"/> Limited similars available.	
9. From:				Attr:		Initials/Unit		Date	

INF 252 (REV. 7/2005)

DISTRIBUTION: Original + Copy to Department (Copy returned with record information)

- 1. REQUESTER CODE**  
Enter the five-digit requester code assigned to your agency. This code number is required on all requests.
- 2. LICENSE NUMBER**  
Enter the permanent California driver license/ identification card number, including the single letter prefix which is a part of the number.
- 3. CITATION DATE**  
Law enforcement agencies and courts should use this box to indicate the applicable date when requesting a copy of an order or a service document.
- 4. COURT DATE**  
This box may be used to indicate that the information being requested is needed in connection with a pending court date and determines priority. This is very important in processing a rush request.
- 5. INFORMATION REQUESTED**  
The "Status and Record" box should be checked to request a printout of the driving record, which is the standard inquiry response. The remaining items listed are furnished only to meet special needs and are not to be routinely requested. Information requests will require a minimum of a ten-day processing period in addition to four days for mailing (14 days total).
- 6. NAME (REQUIRED)**  
When entering the subject's name, do not use abbreviations or initials if the full spelling is known.

- 7. BIRTH DATE**  
Use a six digit numerical form for the birth date, for example, enter January 29, 1952 as 01/29/52. The birth date is required for positive identification on requests submitted without the driver license number.
- 8. ADDRESS**  
Always enter the most complete address available.
- 9. FROM**  
The requesting agency's name and address is required in this space on each INF 252 form submitted.  
Your address on the request form must be limited to a maximum of four lines. Directly below the first line, a single "Attention" line may be added if it is needed to designate a particular person or unit within your agency. Be sure each line will not require more than 35 spaces for printing. See the illustration below of the required format:  
 AGENCY NAME  
 ATTENTION LINE  
 STREET ADDRESS OR P.O. BOX NUMBER  
 CITY, STATE, AND ZIP CODE
- 10. ORDER OF SUSPENSION OR REVOCATION**  
This area is to request a specific order of suspension and/or revocation.  
\* Please submit the record request **two weeks prior** to the date needed. Otherwise, you may not receive the record information by the specified date.  
Each INF 252 Request Form must contain your return address (limited to 4 lines with no more than 35 characters per line) clearly entered below.



INF 252 (REV. 7/2005)

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## **ADDITIONAL RESOURCES**

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## LIST OF RESOURCES

### Background Investigation

- Buck, Kelly R., *Guidelines for Improved Automated Criminal History Record Systems for Effective Screening of Personnel*. International Association of Chiefs of Police Defense Personnel Security Research Center. Alexandria, VA: International Association of Chiefs of Police, 2004. [www.siacinc.org/docs/IACP-PSLC%20Documents/Guide%20for%20Criminal%20History%20Checks.pdf](http://www.siacinc.org/docs/IACP-PSLC%20Documents/Guide%20for%20Criminal%20History%20Checks.pdf)
- Furtado, Harold, and Zampa, Rick, *Preparing for the Background Candidate Preparation for Law Enforcement Background Investigations*. Pleasanton, CA: Preferred Investigations & Consulting Services, Inc., 2003.
- Moriarty, Anthony R, and Field, Mark W. *Police Officer Selection: A Handbook for Law Enforcement Administrators*. Springfield, IL: Charles C. Thomas, 1994.
- National Directory of Law Enforcement Administrators, 41st Ed.* National Public Safety Information Bureau, 2005. [www.safetysource.com](http://www.safetysource.com)
- Public Employment Law Report and Deskbook Encyclopedia of Public Employment Law – 15th Edition*. Malvern, PA: Center for Education and Employment Law 2005.
- Sankey, Michael, and Weber, Peter J., *The Sourcebook to Public Record Information, Seventh Edition (Sourcebook to Public Record Information)*. BRB Publications, 2005.
- Smith, Sid. *Public Safety Background Investigation Sourcebook, 2d Edition*. Designs in Modern Learning, 2004. [www.backgroundinvestigators.com](http://www.backgroundinvestigators.com)

### Employment Legislation

- “ADA From A To Z: Everything You Need to Know About the Americans with Disabilities Act.” Anne H. Williams, M Lee Smith Publishers, LLC, 2002.
- Center, Claudia, and Kristen, Elizabeth, “Privacy in the Workplace: Employer Medical Inquiries under State and Federal Law.” *CPER Journal*, June 2005
- Employment Discrimination Law Update and Federal Laws Prohibiting Employment Discrimination – 8th Edition*. Malvern, PA: Center for Education and Employment Law, 2005.
- “Medical Inquiries and Employment References: When Does an Employer Cross the Line?” Adele Rapport, Jami Statham Presentation at the Annual Meeting of the American Bar Association. Atlanta, GA: August, 2004.
- “Questions and Answers: The Americans with Disabilities Act and Hiring Police Officers.” U.S. Department of Justice, 1997. [www.usdoj.gov/crt/ada/copsq7a.htm](http://www.usdoj.gov/crt/ada/copsq7a.htm)
- “Questions and Answers: Enforcement Guidance on Disability-Related Inquiries and Medical Examinations of Employees under the Americans with Disabilities Act (ADA).” U.S. EEOC, 1995. [www.eeoc.gov/policy/docs/qanda-inquiries.html](http://www.eeoc.gov/policy/docs/qanda-inquiries.html)

